

Senate Bill 743

Sponsored by Senator EDWARDS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows owner of territory not contiguous to city to annex to city if land is within 200 feet of existing city boundary, city was under jurisdiction of boundary commission on January 1, 2007, and owner acquired interest in territory prior to January 1, 1973.

Sunsets January 1, 2014.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to annexation of noncontiguous territory within an urban growth boundary; creating new
3 provisions; amending ORS 222.115; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 222.115, as amended by sections 1 and 2, chapter 46, Oregon Laws 2012, is
6 amended to read:

7 222.115. (1) A contract between a city and a landowner containing the landowner's consent to
8 eventual annexation of the landowner's property in return for extraterritorial services:

9 [(1)] (a) Must be recorded; and

10 [(2)] (b) When recorded, is binding on successors in interest in that property.

11 (2) **Notwithstanding any provision of ORS 195.205 to 195.225, 222.111 to 222.180, 222.750 or**
12 **222.840 to 222.915 or any conflicting city charter or ordinance, the governing body of the city**
13 **may extend the boundaries of the city by the annexation of noncontiguous territory if:**

14 (a) **The owner of the noncontiguous territory to be annexed has signed a contract con-**
15 **taining the landowner's consent to eventual annexation in exchange for provision of an**
16 **extraterritorial service pursuant to subsection (1) of this section or another consent to**
17 **annexation;**

18 (b) **The city to which the territory will be annexed was under the jurisdiction of a**
19 **boundary commission formed under ORS 199.410 to 199.534 as of January 1, 2007;**

20 (c) **Any portion of the territory to be annexed is within 200 feet of the existing boundary**
21 **of the city to which the territory will be annexed; and**

22 (d) **The owner of the territory to be annexed first acquired an interest in the property**
23 **prior to January 1, 1973.**

24 **SECTION 2.** ORS 222.115, as amended by sections 1 and 2, chapter 46, Oregon Laws 2012, and
25 section 1 of this 2013 Act, is amended to read:

26 222.115. [(1)] A contract between a city and a landowner containing the landowner's consent to
27 eventual annexation of the landowner's property in return for extraterritorial services:

28 [(a)] (1) Must be recorded; and

29 [(b)] (2) When recorded, is binding on successors in interest in that property.

30 [(2)] *Notwithstanding any provision of ORS 195.205 to 195.225, 222.111 to 222.180, 222.750 or*

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 222.840 to 222.915 or any conflicting city charter or ordinance, the governing body of the city may ex-
2 tend the boundaries of the city by the annexation of noncontiguous territory if:]

3 [(a) The owner of the noncontiguous territory to be annexed has signed a contract containing the
4 landowner's consent to eventual annexation in exchange for provision of an extraterritorial service
5 pursuant to subsection (1) of this section or another consent to annexation;]

6 [(b) The city to which the territory will be annexed was under the jurisdiction of a boundary
7 commission formed under ORS 199.410 to 199.534 as of January 1, 2007;]

8 [(c) Any portion of the territory to be annexed is within 200 feet of the existing boundary of the
9 city to which the territory will be annexed; and]

10 [(d) The owner of the territory to be annexed first acquired an interest in the property prior to
11 January 1, 1973.]

12 **SECTION 3. The amendments to ORS 222.115 by section 2 of this 2013 Act become oper-**
13 **ative on January 1, 2014.**

14 **SECTION 4. This 2013 Act being necessary for the immediate preservation of the public**
15 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
16 **on its passage.**

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