

BEFORE THE BOARD OF COMMISSIONERS FOR
POLK COUNTY, OREGON

In the Matter of Surrendering)
Jurisdiction Over Various)
Roadways to the City of)
Independence)

ORDER NO. 25-06

WHEREAS, ORS 373.270(6)(a) states that the Board of Commissioners may surrender jurisdiction of any county road or portion thereof within a city to that city if its governing body initiates such action; and

WHEREAS, the governing body of the City of Independence has requested that Polk County surrender jurisdiction to the following: All those portions of 13th Street, E Street, Gun Club Road, and Stryker Road as described in the City of Independence Ordinance No. 1619 dated October 22, 2024, attached as Exhibit A to this Order.

WHEREAS, the City of Independence has annexed the above-described portions of Various Roadways to the City by passage of Ordinance # 1619 dated October 22, 2024; and

WHEREAS, upon surrender of the above-described property by Polk County, all of the above described portions of roadways within the corporate limits of the City of Independence will be under the jurisdiction of the City; and

WHEREAS, the Board of Commissioners believes that it is in the public interest to surrender jurisdiction of the above-described County roads to the City of Independence,

NOW THEREFORE, the Polk County Board of Commissioners hereby Order that:

- 1) Polk County hereby surrenders jurisdiction over those portions of 13th Street, E Street, Gun Club Road, and Stryker Road mentioned above and further described in Exhibit A City of Independence Ordinance No. 1619, to the City of Independence; and
- 2) The City of Independence is hereafter responsible for the surrendered roads as provided by ORS 373.270(7).

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Dated this 30th day of April, 2025, at Dallas, Oregon.

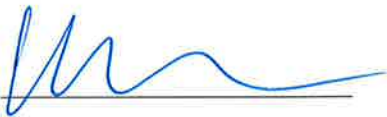
BOARD OF COMMISSIONERS


Craig Pope, Chair


Lyle Mordhorst, Commissioner


Jeremy Gordon, Commissioner

Approved as to Form



Morgan Smith, County Counsel

**BEFORE THE CITY COUNCIL OF THE CITY OF INDEPENDENCE
STATE OF OREGON, COUNTY OF POLK**

An Ordinance Declaring Roadways]	
Annexed to the City of Independence,]	Council Bill #2024-08
and Stating an Effective Date]	

ORDINANCE NO. 1619

WHEREAS, pursuant to ORS 222.111(2) and the City's Development Code Sections 11.002.D and 12.005, the City of Independence ("City") initiated the annexation of portions of various roadways identified on Exhibit A ("Subject Properties") on September 10, 2024; and

WHEREAS, the Subject Properties are existing County roads, located within the City of Independence's Urban Growth Boundary; and

WHEREAS, the Subject Properties are either within or contiguous to the City of Independence City boundaries, as required by ORS 222.111(1); and

WHEREAS, on September 17, 2024, the city provided notice of the annexation hearing to the Department of Land Conservation and Development; and

WHEREAS, notice of the annexation hearing was published in the local newspaper, twice, on October 2, 2024 and October 9, 2024; and

WHEREAS, on October 22, 2024 the City Council conducted a properly noticed public hearing that met the requirements of ORS 222.120(3), at which time interested parties and the general public had an opportunity to be heard, and reviewed the record and recommendations of staff; and

WHEREAS, at the close of the public hearing, the City Council determined that the evidence and argument presented in the public hearing and on the record showed that the requested annexation of the Subject Properties comply with all applicable provisions of the City of Independence Development Code and state law, as explained in the findings contained in the Staff Report attached as Exhibit B;

NOW, THEREFORE, THE CITY OF INDEPENDENCE DOES ORDAIN AS FOLLOWS:

Section 1. Annexation. The Subject Properties described in Exhibit A, attached hereto and incorporated herein by this reference, are hereby declared annexed to the City of Independence.

Section 2. Findings. The City of Independence hereby adopts the above recitals and the findings contained in the Staff Report, attached hereto as Exhibit B and incorporated herein by this reference, as the basis for this decision to annex the Subject Properties.

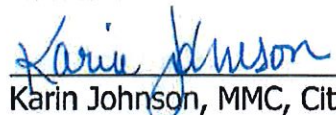
Section 3. Recordation. The City Recorder is hereby authorized and directed to: (1) make and submit to the Secretary of the State of Oregon, the assessor of Polk County, the County Clerk of Polk County, and the Department of Revenue, State of Oregon, a certified copy of this Ordinance; (2) provide notice of the final adoption of this annexation Ordinance to the subject parcel property owners, anyone who participated in the public hearing, and anyone who requested notice of this decision; and (3) provide notice to public utilities as directed by ORS 222.005.

Section 4. The Ordinance shall take effect 30 days after second reading and final passage, and the annexation will be effective on the same date, unless a later date is required pursuant to ORS 222.040.

READ for the first time:	<u>10/22/2024</u>
READ for the second time:	<u>10/22/2024</u>
APPROVED by Council:	<u>10/22/2024</u>
SIGNED by the Mayor:	<u>10/22/2024</u>


JOHN MCARDLE, MAYOR

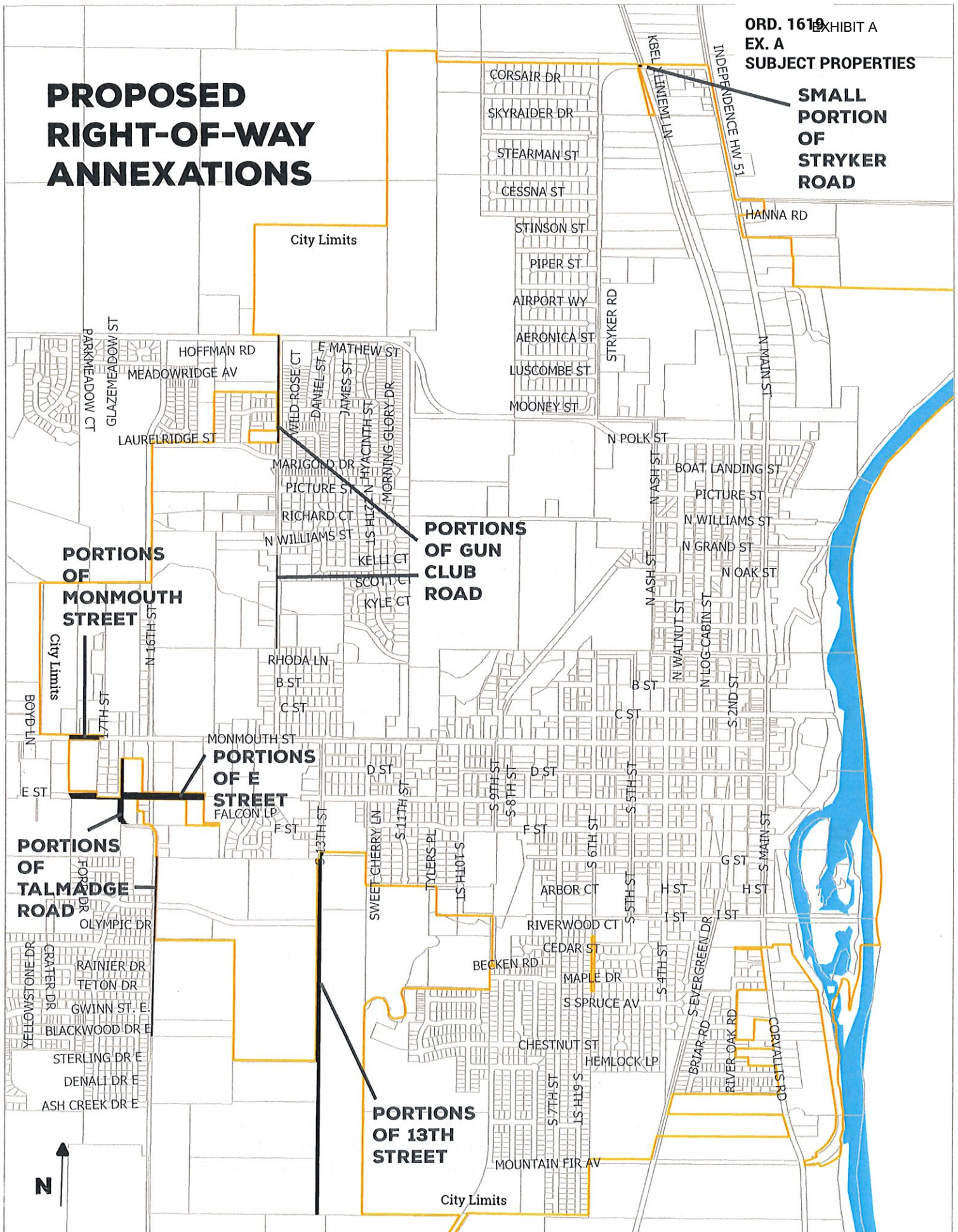
ATTEST:


Karin Johnson, MMC, City Recorder

PROPOSED RIGHT-OF-WAY ANNEXATIONS

ORD. 1619 EXHIBIT A
EX. A
SUBJECT PROPERTIES

**SMALL
PORTION
OF
STRYKER
ROAD**





INDEPENDENCE

Oregon's Story Begins Here

ORD. 1619^{EXHIBIT A}
EX B
STAFF REPORT

TYPE III ANNEXATION AND ZONE CHANGE (FILE NO. AX | 2024-03) STAFF REPORT

MEETING DATE:	October 22, 2024
RECOMMENDATION:	APPROVE
FILE NUMBER:	AX 2024-03
APPLICANT:	City of Independence
REQUEST:	Annex Certain Rights-of-Way into the City of Independence. No Comprehensive Plan Future Land Use Designation or Zoning would be Established for the Rights-of-Way
PROPERTY:	Portions of Monmouth Street, E Street, Talmadge Road, Gun Club Road, 13 th Street, and Stryker Road
FUTURE LAND USE/ ZONING:	Existing: County – Suburban Residential (SR) or Exclusive Farm Use (EFU) Zone Proposed: City – No zoning proposed
CRITERIA:	Independence Comprehensive Plan Independence Development Code (IDC) -Subchapter 11: Administration -Subchapter 12: Zone Changes and Plan Amendments -Subchapter 14: Annexation
CONTENTS:	I. Background and Process II. Agency and Public Comments III. Recommended Conditions of Approval IV. Potential Council Actions V. Staff Findings – Oregon State Planning Goals VI. Staff Findings – Independence Comprehensive Plan VII. Staff Findings – Independence Development Code
ATTACHMENTS:	A. Rights of Way Proposed to be Annexed (1 page) B. Legals of Proposed Annexations (17 pages) C. Comment from Smith (1 page)

I. BACKGROUND AND PROCESS

This application seeks to annex several rights of way into the City of Independence. These rights-of-way include portions of Monmouth Street, Talmadge Road, E Street, Gun Club Road, 13th Street and Stryker Road. Attachment A provides a depiction of the rights-of-way that would be annexed.

The annexation is intended to start a process to conduct a jurisdictional transfer of county roads to city jurisdiction. The transfer is sought:

- To ensure that the construction or reconstruction of roads is completed to city public works, transportation master plan, and development code standards when development happens along those roadways.
- To streamline the process for property owners to make improvements to roads fronting their properties (many of the roadways currently have portions in both the city and the county and any improvement projects require the approval of both the jurisdictions).
- To allow the city to control speed limits and set specific speed safety zones, such zones for parks, businesses, and schools.

All told, the change is intended to ensure the consistent management and improvement of rights-of-way in the Urban Growth Area. If the annexation is approved, the city would have jurisdiction over all roadways within the Independence Urban Growth Boundary except for OR-51, and portions of Hoffman Road, Corvallis Road and 6th Street. The annexation of the remaining segments of Hoffman Road, Corvallis Road and 6th Street is anticipated to occur in early 2025. ODOT will retain jurisdiction over the entirety of OR-51.

II. AGENCY AND PUBLIC COMMENTS

To provide notice of the annexation, the city sent out notice to individuals within 250 feet of each of the roadway segments on October 3, 2024. One public comment was provided regarding the application as of the date of this staff report (see Attachment C).

III. POTENTIAL COUNCIL ACTIONS

Based on the findings below, the Council may:

- Move to approve AX | 2024-03 with findings and conditions, as presented within this report, and adopt a Council Bill to approve of the changes.
- Move to approve AX | 2024-03 with modifications and direct staff to prepare a Council Bill to approve of the changes.
- Request additional information.
- Deny the proposal.

A suggested motion to approve the application as presented is: "I move to approve File No. AX-2024-03, the annexation of certain rights-of-way into the City of Independence, adopting findings, conditions and staff recommendations as provided in the Staff Report."

Should the application be approved, the council may then consider an ordinance to approve the annexation and to apply a blank city future land use/zoning designation:

"I move to read the proposed Ordinance, Council Bill #2024-08 in full as the text is contained in the Council packet, for the first time."

If passed, the Recorder will read the title of the proposed ordinance to the council. If the motion is approved unanimously, the Council may have a second reading:

"I move to read the proposed Ordinance, Council Bill #2024-08 for the second time by title only."

If passed, the Recorder will read the title of the proposed ordinance to the council, and a motion to adopt is in order:

"I move to adopt the proposed Ordinance, Council Bill #2024-08."

Following that, the Recorder will declare that the proposed ordinance has passed and assign the ordinance number.

IV. STAFF FINDINGS - INDEPENDENCE COMPREHENSIVE PLAN

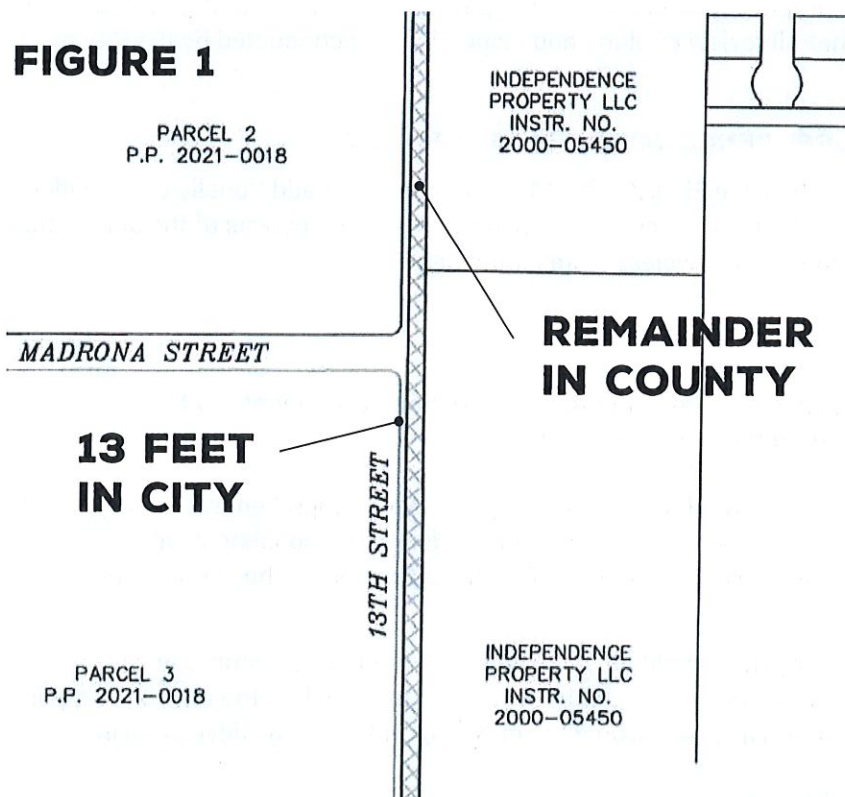
Annexations and changes to the Independence Comprehensive Plan and Zoning Map are required to meet the Oregon State Planning Goals. Among these goals include provisions related to Citizen Involvement (Goal 1), Land Use Planning (Goal 2), Housing (Goal 10), Public Facilities (Goal 11), Transportation (Goal 12) and Urbanization (Goal 14), which together are implemented through measures such as the Independence Comprehensive Plan and Development Code. Combined these goals seek to

- "Provide and encourage a safe, convenient and economic transportation system." (see Goal 12)
- "Provide for an orderly and efficient transition from rural to urban land use." (see Goal 14)
- "Accommodate urban population and urban employment inside urban growth boundaries." (see Goal 14)
- Assure that citizens are involved in the planning process. (see Goal 1)

This annexation has been pursued with these provisions in mind.

The annexation of the roadways would allow the City of Independence to control the bulk of the roads in the Urban Growth Boundary, which would streamline the review of projects and ensure that development meets city standards as future development occurs (ensuring an orderly and efficient transition of the Urban Growth Boundary from rural to urban land use). The proposal would also limit the possibility that both jurisdictions would have to conduct separate reviews of roadway projects. For example, with the existing city boundary, roads such as Talmadge Road, 13th Street, and Gun Club Road have small strips of land that are within the city limits, and larger strips that are within the unincorporated Urban Growth Boundary (see Figure 1). Given the configuration, applicants would be required to get approval from both the City of Independence and Polk County for improvements to the roads.

The proposed annexation would make the city solely responsible for the facilities.



Source: Portion of Annexation Exhibit for 13th Street

Given these items, the proposal would help promote the orderly development and maintenance of the roads in the Independence Urban Growth Boundary and would be consistent with the Oregon State Planning Goals.

V. STAFF FINDINGS – INTERGOVERNMENTAL AGREEMENT BETWEEN POLK COUNTY AND THE CITY OF INDEPENDENCE

Annexation of property is additionally required to be consistent with the intergovernmental agreement between Polk County and the City of Independence for the management of the Independence unincorporated Urban Growth Boundary. Per the agreement, the city and county agreed that “the type and form of development within urbanizable areas is to be guided by the municipality’s adopted land use and growth management plans” (see Policy 5) and that Polk County would “retain responsibility for land use decisions and actions affecting the urbanizable area until such time as annexation to the city occurs” (see Policy 6). The inherent tension between these policies is a key reason to annex the facilities.

Under the agreement, the County makes decisions about the design of roads based on city standards as long as the roadways remain in County jurisdiction. This framework requires the County to use and interpret the city development standards and runs the risk that key standards (such as the depth of rock on which the road is built, the width of a sidewalk, or the placement of a pipe) are overlooked as part of the review. If a standard is missed, the improved roadway will not conform to city standards and the city will be forced to either annex a substandard road, pay to improve the road (to meet city standards), or elect to not annex the facility because of the cost to improve the street.

To limit the possibility of errors, the proposed annexation would put the roadways completely under the jurisdiction of the city and ensure that all review of plans and inspections be conducted by the City of Independence.

VI. STAFF FINDINGS – INDEPENDENCE COMPREHENSIVE PLAN

Proposals for annexation and Comprehensive Plan/Zoning Map changes must additionally be considered following the goals and policies of the Independence Comprehensive Plan. An analysis of the annexation and redesignation/rezone, considering these policies, is presented below.

Land Use

GOAL: To encourage efficient land use, maintain land use designations appropriate to the character of Independence and meet future land use needs.

Staff Response: The Land Use Element of the City of Independence Comprehensive Plan seeks to encourage efficient land use, and to zone annexed land consistent with Comprehensive Plan designations. This annexation meets these goals and policies.

The rights-of-way that would be annexed would not have a Comprehensive Plan or zoning designation (in keeping with the historic approach of the city to the zoning of rights-of-way). The roads would be un-zoned and would be developed in

accordance with the road standards in the Transportation System Plan and the Public Works Design Standards.

This approach would achieve this goal.

Urbanization

GOAL: To provide for an orderly and efficient transition from rural to urban land.

Staff Response: Goals and policies related to Urbanization in the City of Independence seek to promote the orderly and efficient transition of properties from rural to urban land use. Key policies to implement this goal seek to:

- Promote coordination with Polk County to manage the Urban Growth Boundary.
- Annex land in a manner that is consistent with the Comprehensive Plan and any Concept Plans adopted for the area.

This proposal effectively addresses these policies.

The proposal is sought specifically to allow the city to guide the design and construction of the roads as new development occurs. This approach would ensure the orderly and efficient transition of land from rural to urban land use.

This goal and policies will be achieved.

Transportation

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Staff Response: The goals of the Transportation System Plan seek to

- "Develop and maintain a transportation system that is consistent with the community vision of a vibrant, historic, riverfront, full-service community." (see Goal 1)
- "Support the development and implementation of transportation solutions that are future focused." (see Goal 5)
- "Maintain the financial stability of the city." (see Goal 6)

This annexation would support these intents.

The proposed annexation would ensure that the city has control of roadways that are envisioned to implement the community vision within the Transportation System Plan and would assure that the roads are able to be built in accord with city standards. Additionally, the right-of-way annexation would anticipate future development, and be fiscally responsible, ensuring that the city would manage the review and construction of any improvements to the roadways. The city jurisdiction over the roads would help ensure that roads were constructed in a manner that met city standards and would minimize the confusion (and cost) that may result from another jurisdiction reviewing an Independence development project.

Given these facts, the proposed annexation would support the community vision, be future focused, and be fiscally responsible. These goals would be achieved.

V. STAFF FINDINGS - INDEPENDENCE DEVELOPMENT CODE

The proposed annexation and rezone request is considered a Type III action under the Independence Development Code Section 11.002(C). The action requires a quasi-judicial review by the City Council, without a review by the Independence Planning Commission. Standards for the decision are presented in Subchapter 11 (Administrative Provisions), Subchapter 12 (Zone Changes and Plan Amendments) and Subchapter 14 (Annexations). These standards are presented below.

Subchapter 11: Administrative Provisions

Staff Response: The application to annex the roadways is considered a Type III action in the Independence Development Code. As such, the application requires a Public Hearing and decision by the Independence City Council.

The annexation request is subject to ORS 222.170. At the meeting of September 10, 2024, the City Council elected to dispense with submitting the question to the electors of the city and directed staff to provide notice for a public hearing on the proposal. Following that decision, the city published notice of the hearing twice in the Polk County Itemizer-Observer, posted the notice in three locations in the city (the Civic Center, library and Heritage Museum), and sent the notice to property owners within 250 feet of the project site. Given these items, the standards in Subchapter 11 are met.

One comment has been submitted as a result of the notice provided as part of the application. This comment is attached to this staff report (see Attachment C). Staff will be prepared to address the issues raised within the comment letter at the hearing on October 22.

Subchapter 12: Zone Changes and Plan Amendments

12.005 Initiation of a Zone Change or Plan Amendment

A zone change or plan amendment may be initiated in any one of the following ways:

- A. The City Council may initiate such action by resolution. The resolution shall be forwarded to the City Manager, who shall set a date for a public hearing before the Planning Commission and give notice of such hearing as provided in this ordinance.
- B. The Planning Commission may initiate such action by resolution. The resolution shall be forwarded to the City Manager, who shall set a date for a public hearing before the Planning Commission and give notice of such hearing as provided in this ordinance.
- C. A property owner may initiate such action by petition for the owner's own property.

Staff Response: The City of Independence has submitted a request for the annexation. The property to be annexed would not have a future land use or zoning designation. This standard is met.

12.010 Zone Change and Plan Amendment by Petition

Any property owner may initiate a zone change or plan amendment for the property that he or she owns by submitting to the City Recorder a petition bearing the following:

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Staff Response: The applicant has submitted the necessary paperwork for a future land use/rezone proposal. The application would annex portions of Monmouth Street, Talmadge Road, E Street, Gun Club Road, 13th Street and Stryker Road. As part of the annexation, no zone or Future Land Use designation would be applied to the areas. This standard is achieved.

12.020 Action by the City Council

Upon receipt of a recommendation from the Planning Commission for any zone change or plan amendment, the City Council shall hold a public hearing. The City Council shall base its decision upon the findings, conclusions and recommendations reached by the Planning Commission unless, by a preponderance of the evidence, it finds facts and reaches conclusions different from those reached by the Planning Commission. All zone changes or plan amendments shall be based on written findings. Any zone change or plan amendment shall be by ordinance. Any denial of a request for a zone change or plan amendment shall be by resolution.

Staff Response: No Planning Commission review is required for the annexation and redesignation/rezone request per IDC Section 11.002(C). Any City Council decision on the application will be supported by written findings and the adoption of the change will be supported by an adopting ordinance.

12.025 Standards for Zone Changes

No zone change shall be approved by the Planning Commission or enacted by the City Council unless it conforms to the Comprehensive Plan, including the Transportation System Plan, and at least one of the following standards is met:

- A. The zoning on the land for which the zone change is initiated is erroneous and the zone change would correct the error;
- B. Conditions in the neighborhood surrounding the land for which the zone change is initiated have changed to such a degree that the zoning is no longer appropriate and the zone change would conform to the new conditions of the neighborhood;
- C. There is a public need for land use of the kind for which the zone change is initiated and that public need can best be met by the zone change.

Staff Response: The annexation of the roadways is intended to be a future focused, fiscally responsible approach that will ensure that roads in the Urban Growth Area are constructed in accordance with city standards.

The annexation would help:

- To ensure that the construction or reconstruction of roads is completed to city public works, transportation master plan, and development code standards when development happens along the roadways.
- To streamline the process for property owners to make improvements to roads fronting their properties (many of the roadways currently have portions in both the city and the county and any improvement projects would require the approval of both jurisdictions).
- To allow the city to control speed limits and set specific speed safety zones, such as zones for parks, businesses, and schools.

Given these items, the annexation of the land would address both Criteria A and C above. The revised zoning would address a zoning error (that would occur if the land was annexed) and the rezoning of the land would address a clear public need. Given these items, this standard is met.

Subchapter 14: Annexation

14.030 Master Plan Requirement for Southwest Independence Concept Plan Area

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Staff Response: The annexation subchapter in the Independence Development Code (Subchapter 14) deals with annexations in the Southwest Independence Concept Area and establishes a master plan requirement for the properties. No requirements are specified for roads, except that they generally follow the framework articulated within the plan. The roads proposed to be annexed in the Southwest Area would conform with the street network identified in the plan.

PROPOSED RIGHT-OF-WAY ANNEXATIONS

City Limits

**PORTIONS
OF GUN
CLUB
ROAD**

PORTIONS OF MONMOUTH STREET

**PORTIONS
OF E
STREET**
FALCON LP

PORTIONS OF 13TH STREET

City Limits



EXHIBIT A

A unit of land situated in the southwest one-quarter of Section 20, Township 8 South, Range 4 West, of the Willamette Meridian, Polk County, Oregon, being a portion of North Gun Club lying southerly of Williams Avenue and northerly of Rhoda Lane, and more particularly described as follows:

Beginning at the southeast corner of Parcel 2 of Partition Plat 1995-0023, Polk County Plat Records, being coincident with the west line of said North Gun Club Road and the north line of the Urban Growth Boundary;

thence, going easterly along the north line of said Urban Growth Boundary approximately 20 feet to an angle point therein;

thence, going southerly along said Urban Growth Boundary approximately 1,060 feet to an angle point therein;

thence, going westerly along said Urban Growth Boundary approximately 20 feet to an angle point therein;

thence, going northerly along said Urban Growth Boundary approximately 258 feet to the southeast corner of that property conveyed to Two Ojos Living Revocable Trust by Instrument Number 2018-001865, Polk County Deed Records, being coincident with the west line of said North Gun Club Road;

thence, continuing northerly along the west line of said North Gun Club Road approximately 801 feet to the Point of Beginning.

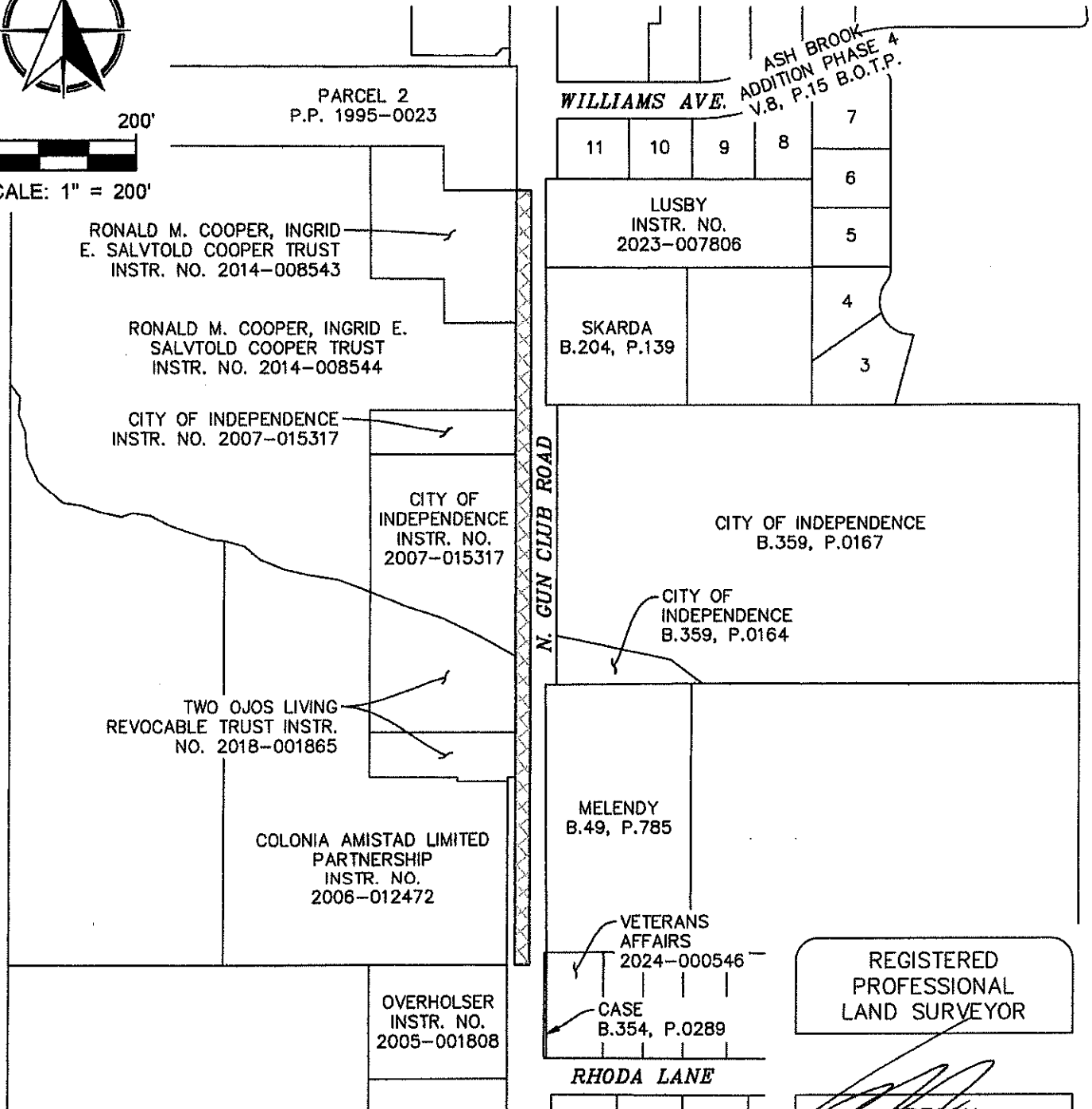
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWES: 6-30-2025



SCALE: 1" = 200'



PROPOSED ANNEXATION AREA

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2025

EXHIBIT B

IN THE SW 1/4 OF SECTION 20,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON

DATE: FEBRUARY 20, 2024

SURVEYED FOR: CITY OF INDEPENDENCE

**FFN SURVEYING**

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
23-477SHEET
1/1

EXHIBIT A

A unit of land situated in Section 29 and the north one-half of Section 32, Township 8 South, Range 4 West, of the Willamette Meridian, Polk County, Oregon, being a portion of 13th Street lying south of F Street, and more particularly described as follows:

Beginning at the northeast corner of Partition Plat 2021-0018, Polk County Plat Records, being coincident with the Urban Growth Boundary;

thence, going easterly along said Urban Growth Boundary approximately 8 feet to an angle point therein;

thence, going northerly along said Urban Growth Boundary approximately 42 feet to an angle point therein;

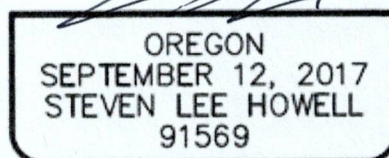
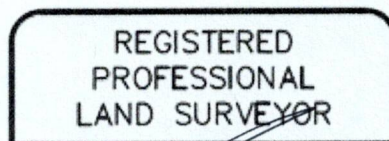
thence, going easterly along said Urban Growth Boundary approximately 20 feet to the northwest corner of that property conveyed to Independence Property LLC by Instrument Number 2000-05450, Polk County Deed Records, being coincident with the east line of said 13th Street;

thence, going southerly along the east line of said 13th Street approximately 4,100 feet to the south line of said 13th Street, being coincident with the north line of that property conveyed to the Schwanke Trust by Instrument Number 2023-008342, Polk County Deed Records;

thence, going westerly along the south line of said 13th Street, being coincident with the north line of said Schwanke Trust property, approximately 40 feet to the west line of said 13th Street;

thence, going northerly along the west line of said 13th Street, approximately 1,745 feet to the southeast corner of said Partition Plat 2021-0018;

thence, continuing northerly, along the east line of said Partition Plat 2021-0018, approximately 2,314 feet to the Point of Beginning.



RENEWS: 6-30-2025



0' 300'
SCALE: 1" = 300'



ST. PATRICK
CATHOLIC CHURCH
INSTR. NO.
2009-010533

PARCEL 2
P.P. 2021-0018

INDEPENDENCE
PROPERTY LLC
INSTR. NO.
2000-05450

MADRONA STREET

13TH STREET

PARCEL 3
P.P. 2021-0018

INDEPENDENCE
PROPERTY LLC
INSTR. NO.
2000-05450



PROPOSED
ANNEXATION AREA

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

SEE SHEET 2

RENEWS: 6-30-2025

EXHIBIT B

IN SECTION 29 & THE N. 1/2 OF SECTION 32,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON
DATE: SEPTEMBER 18, 2024

SURVEYED FOR: CITY OF INDEPENDENCE



FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
23-477

SHEET
1/2

SEE SHEET 1

EXHIBIT A



SCALE: 1" = 300'

PARCEL 3
P.P. 2021-0018

ALVAREZ
INSTR. NO.
2021-015432

SETNIKER TRADING CO., LLC
INSTR. NO. 2005-007808

SETNIKER TRADING CO., LLC
INSTR. NO. 2005-007808

13TH STREET

INDEPENDENCE
PROPERTY LLC
2000-05450

SCHWANKE TRUST
INSTR. NO. 2023-008342



PROPOSED ANNEXATION AREA

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWALS: 6-30-2025

EXHIBIT B

IN SECTION 29 & THE N. 1/2 OF SECTION 32,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON

DATE: SEPTEMBER 18, 2024

SURVEYED FOR: CITY OF INDEPENDENCE



FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
23-477

SHEET
2/2

EXHIBIT A

A unit of land situated in the west one-half of Section 29, Township 8 South, Range 4 West, of the Willamette Meridian, Polk County, Oregon, being a portion of Talmadge Road lying south of Monmouth Street, and more particularly described as follows:

Beginning on the northwest corner of that property conveyed to Hailwood by Instrument Number 2015-011359, Polk County Deed Records, being coincident with the east line of said Talmadge Road;

thence, going southerly along the east line of said Talmadge Road, approximately 830 feet to a point of tangency, being coincident with the south line of that property conveyed to Jacobs by Instrument Number 2015-004748, Polk County Deed Records, also being coincident with the Urban Growth Boundary;

thence, going westerly along the Urban Growth Boundary approximately 99 feet to the west line of said Talmadge Road;

thence, going northerly along the west line of said Talmadge Road approximately 311 feet to the south line of E Street;

thence, going easterly along the easterly extension of the south line of said E Street approximately 35 feet to the centerline of said Talmadge Road, being coincident with the Urban Growth Boundary;

thence, going northerly along said Urban Growth Boundary, being coincident with the centerline of said Talmadge Road, approximately 462 feet to an angle point in said Urban Growth Boundary;

thence, going easterly along said Urban Growth Boundary approximately 32 feet the Point of Beginning.

TOGETHER WITH, all that part Talmadge Road lying southerly of E Street, being further described as follows:

Beginning at the northwest corner of Partition Plat 2021-0018, Polk County Plat Records;

thence, going southerly, along west line of said Partition Plat 2021-0018, approximately 926 feet to the southwest corner thereof, being coincident with the east line of said Talmadge Road;

thence, continuing southerly along the east line of said Talmadge Road approximately 1,114 feet to the southwest corner of that property conveyed to Moss by Instrument Number 2022-002137, Polk County Deed Records;

thence, going westerly approximately 26 feet to the centerline of said Talmadge Road;

thence, going northerly along the centerline of said Talmadge Road approximately 2,040 feet to a point lying westerly of said Point of Beginning;

thence, going easterly approximately 20 feet to the Point of Beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569


RENEWES: 6-30-2025



SCALE: 1" = 150'

KAPLAN
INSTR. NO.
2022-013129THORNTON
B.336 P.2239ROBINSON TRUST
INSTR. NO.
2023-008038

MONMOUTH STREET

KANG
INSTR. NO.
2005-005938TWIGGS
INSTR. NO.
2018-011912BERRY
INSTR. NO.
2019-002700LONG/SANDOVAL
2021-012119ROMERO
B.366, P.1871JOERGER TRUST
INSTR. NO. 2009-007324LUMEN
TECHNOLOGIESHAILWOOD
INSTR. NO.
2015-011359REGISTERED
PROFESSIONAL
LAND SURVEYOR

 OREGON
 SEPTEMBER 12, 2017
 STEVEN LEE HOWELL
 91569

RENEWS: 6-30-2025

TALMADGE ROAD

E STREET

RWG FARM TRUST
INSTR. NO. 2021-016015PROPOSED
ANNEXATION AREAJACOBS
INSTR. NO.
2015-004748DARVALL
INSTR. NO.
2007-001867PARCEL 3
P.P. 1996-0030

16TH STREET

OLIVEROS TRUST
INSTR. NO. 2019-002821CRIDER
B.342,
P.0083

SEE SHEET 2

EXHIBIT BIN THE WEST 1/2 OF SECTION 29,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON

DATE: SEPTEMBER 18, 2024

SURVEYED FOR: CITY OF INDEPENDENCE

**FFN SURVEYING**7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.comJOB NO.
23-477SHEET
1/3



SCALE: 1" = 150'



PROPOSED
ANNEXATION AREA

SEE SHEET 1

CRIDER
B.342,
P.0083

EXHIBIT A

NEWBACK
INSTR. NO.
2020-008701

NEWBACK
INSTR. NO.
2020-008701

OLIVEROS TRUST
INSTR. NO. 2019-002821

TALMADGE ROAD

PARCEL 1
P.P. 2021-0018

PARK PLACE-PHASE V
B.12, P.49 178

MADRONA STREET

PARK PLACE-PHASE V
B.12, P.49 161

PARK PLACE-PHASE II
B.11, P.08 105

OLYMPIC DRIVE

PARK PLACE-PHASE II
B.11, P.08 106

PARK PLACE-PHASE III
B.11, P.40 122

BENTLEY STREET

PARCEL 1
P.P. 2021-0018

WESTON
INSTR. NO.
2006-012111

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2025

SEE SHEET 3

EXHIBIT B

IN THE WEST 1/2 OF SECTION 29,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON

DATE: SEPTEMBER 18, 2024

SURVEYED FOR: CITY OF INDEPENDENCE



FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
23-477

SHEET
2/3

SEE SHEET 2



SCALE: 1" = 150'

PARK PLACE-PHASE IV
B.12, P.12

123

138

RAINIER DRIVE

PARK PLACE-PHASE IV
B.12, P.12

139

153

TETON DRIVE

PARK PLACE-PHASE IV
B.12, P.12

154

COOPER'S VIEW
B.13, P.49

11

GWINN STREET

COOPER'S VIEW
B.13, P.49

BLACKWOOD DRIVE

MAXWELL AVENUE

10

9

8

7

6

5

4

3

TALMADGE ROAD

WESTON
INSTR. NO.
2006-012111MOSS
INSTR. NO.
2022-002137MATTEO TRUST
INSTR. NO.
2021-017456REGISTERED
PROFESSIONAL
LAND SURVEYOROREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWES: 6-30-2025



PROPOSED ANNEXATION AREA

EXHIBIT BIN THE WEST 1/2 OF SECTION 29,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON

DATE: SEPTEMBER 18, 2024

SURVEYED FOR: CITY OF INDEPENDENCE

**FFN SURVEYING**7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.comJOB NO.
23-477SHEET
3/3

EXHIBIT A

A unit of land situated in the northeast one-quarter of Section 30 and the northwest one-quarter of Section 29, Township 8 South, Range 4 West, of the Willamette Meridian, Polk County, Oregon, being a portion of E Street lying westerly of Talmadge Road, and more particularly described as follows:

Beginning on the north line of E Street, being coincident with the southwest corner of that property conveyed to Winco Foods, LLC, by Instrument Number 2004-004902, Polk County Deed Records;

thence, going easterly along the north line of said E Street approximately 317 feet to the southeast corner of said property, being coincident with the Urban Growth Boundary;

thence, going southerly along the Urban Growth Boundary approximately 70 feet to the south line of said E Street;

thence, going westerly along the south line of said E Street approximately 315 feet;

thence, going northerly approximately 63 feet to the Point of Beginning.

TOGETHER WITH, all that part of E Street lying easterly of Talmadge Road, being more particularly described as follows:

Beginning on the south line of E Street, being coincident with the northeast corner of that property conveyed to Altermatt Trust by Instrument Number 2002-012297, Polk County Deed Records;

thence, going westerly along the south line of said E Street, and the westerly extension thereof, approximately 956 feet to the centerline of Talmadge Road;

thence, going northerly along the centerline of said Talmadge Road approximately 77 feet to the westerly extension of the north line of said E Street;

thence, going easterly along said westerly extension, and continuing on the north line thereof, approximately 956 feet to the east line of said E Street;

thence, going southerly along the east line of said E Street approximately 73 feet to the Point of Beginning.

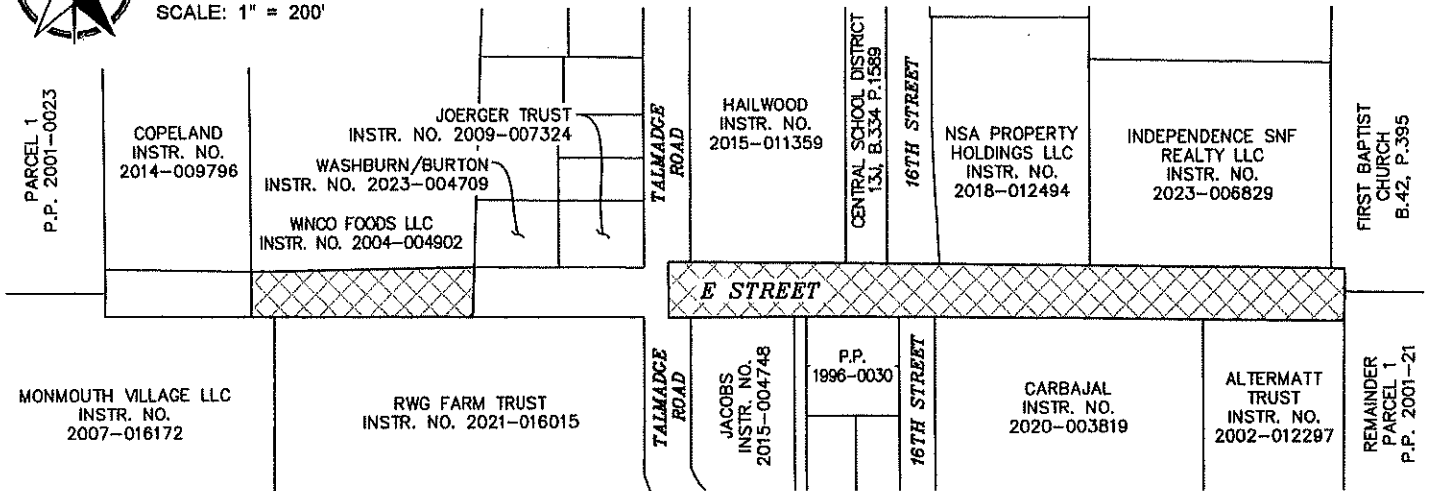
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWES: 6-30-2025



0' 200'
SCALE: 1" = 200'



PROPOSED ANNEXATION AREA

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWES: 6-30-2025

EXHIBIT B

IN THE NE 1/4 OF SECTION 30 & THE NW 1/4 OF SECTION 29
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON
DATE: SEPTEMBER 18, 2024

SURVEYED FOR: CITY OF INDEPENDENCE



FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
23-477

SHEET
1/1

EXHIBIT A

A unit of land situated in the west one-half of Section 20, Township 8 South, Range 4 West, of the Willamette Meridian, Polk County, Oregon, being a portion of North Gun Club lying southerly of Hoffman Road, and more particularly described as follows:

Beginning at the southeast corner of Parcel 2 of Partition Plat 1997-0058, Polk County Plat Records, being coincident with the west line of said North Gun Club Road;

thence, going northerly along the west line of said North Gun Club Road, being coincident with the east line of said Parcel 2, approximately 136 feet to the south line of QUAIL CROSSING, recorded in Volume 15, Page 26, Polk County Plat Records;

thence, going easterly, along the south line of said QUAIL CROSSING, approximately 11 feet to the southeast corner thereof;

thence, going northerly, along the east line of said QUAIL CROSSING, approximately 437 feet to the northeast corner thereof;

thence, going westerly, along the north line of said QUAIL CROSSING, approximately 11 feet to the northeast corner of Lot 34 of said QUAIL CROSSING, being coincident with the west line of said North Gun Club Road;

thence, going northerly, along said west line of North Gun Club Road, approximately 584 feet to the south line of said Hoffman Road;

thence, going northerly approximately 70 feet to the north line of said Hoffman Road;

thence, going easterly along the north line of said Hoffman Road approximately 35 feet to the Urban Growth Boundary;

thence, going southerly along said Urban Growth Boundary approximately 1,223 feet to an angle point therein;

thence, going westerly along said Urban Growth Boundary approximately 25 feet to the Point of Beginning;

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWES: 6-30-2025

FITTERER/OLOF
INSTR. NO.
2005-003104

NORTHGATE PHASE 3
V.12, P.36

WILD ROSE COURT

NORTHGATE DRIVE

NORTHGATE PHASE 1
V.11, P.14

NORTHGATE PHASE 5
V.13, P.28

*JASMINE
CIRCLE*

N. GUN CLUB ROAD

PARCEL 2
P.P. 2011-0016

HOFFMAN
ROAD

MESDAG
INSTR. NO.
2023-001498

HAGA/DARROW
INSTR. NO.
2022-004764

QUAIL CROSSING
V.15, P.26

NORTHGATE
DRIVE

QUAIL CROSSING
V.15, P.26

PARCEL 2
P.P.1997-0058

PARCEL 2
P.P.
2015-0009
PARCEL 1

MARIGOLD
DRIVE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2025

 PROPOSED ANNEXATION AREA

IN THE WEST 1/2 OF SECTION 20
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON
DATE: SEPTEMBER 18, 2024

SURVEYED FOR: CITY OF INDEPENDENCE



FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
23-477

SHEET
1/1

EXHIBIT A

A unit of land situated in the northeast one-quarter of Section 30 and the northwest one-quarter of Section 29, Township 8 South, Range 4 West, of the Willamette Meridian, Polk County, Oregon, being a portion of Monmouth Street lying west of Talmadge Road, and more particularly described as follows:

Beginning on the south line of that property conveyed to Knowles Properties, LLC, by Instrument Number 2009-000381, Polk County Deed Records, being approximately 45 feet west of the southwest corner of the Polk County Fire District No. 1 property as described in Book 227, Page 533, Polk County Deed Records, also being coincident with the north line of Monmouth Street;

thence, going easterly along the north line of said Monmouth Street approximately 766 feet to the southeast corner of that property conveyed to LS Prop Drop LLC by Instrument Number 2020-000636, Polk County Deed Records;

thence, going southerly approximately 31 feet to the centerline of said Monmouth Street, being coincident with the Urban Growth Boundary;

thence, going westerly along said Urban Growth Boundary approximately 62 feet to an angle point therein;

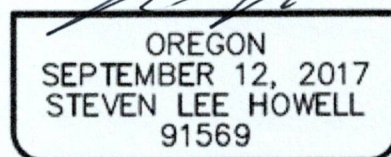
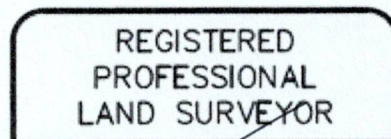
thence, going southerly along said Urban Growth Boundary approximately 23 feet to the south line of said Monmouth Street;

thence, going westerly along the south line of said Monmouth Street approximately 341 feet to the northwest corner of that property conveyed to Winco Foods, LLC, by Instrument Number 2004-004902, Polk County Deed Records, being coincident with the Urban Growth Boundary;

thence, going northerly along said Urban Growth Boundary for approximately 28 feet to an angle point therein, being coincident with the centerline of said Monmouth Street;

thence, going westerly along said Urban Growth Boundary, being coincident with the centerline of said Monmouth Street, for approximately 363 feet to an angle point therein;

thence, going northerly along said Urban Growth boundary for approximately 36 feet to the Point of Beginning.



RENEWES: 6-30-2025

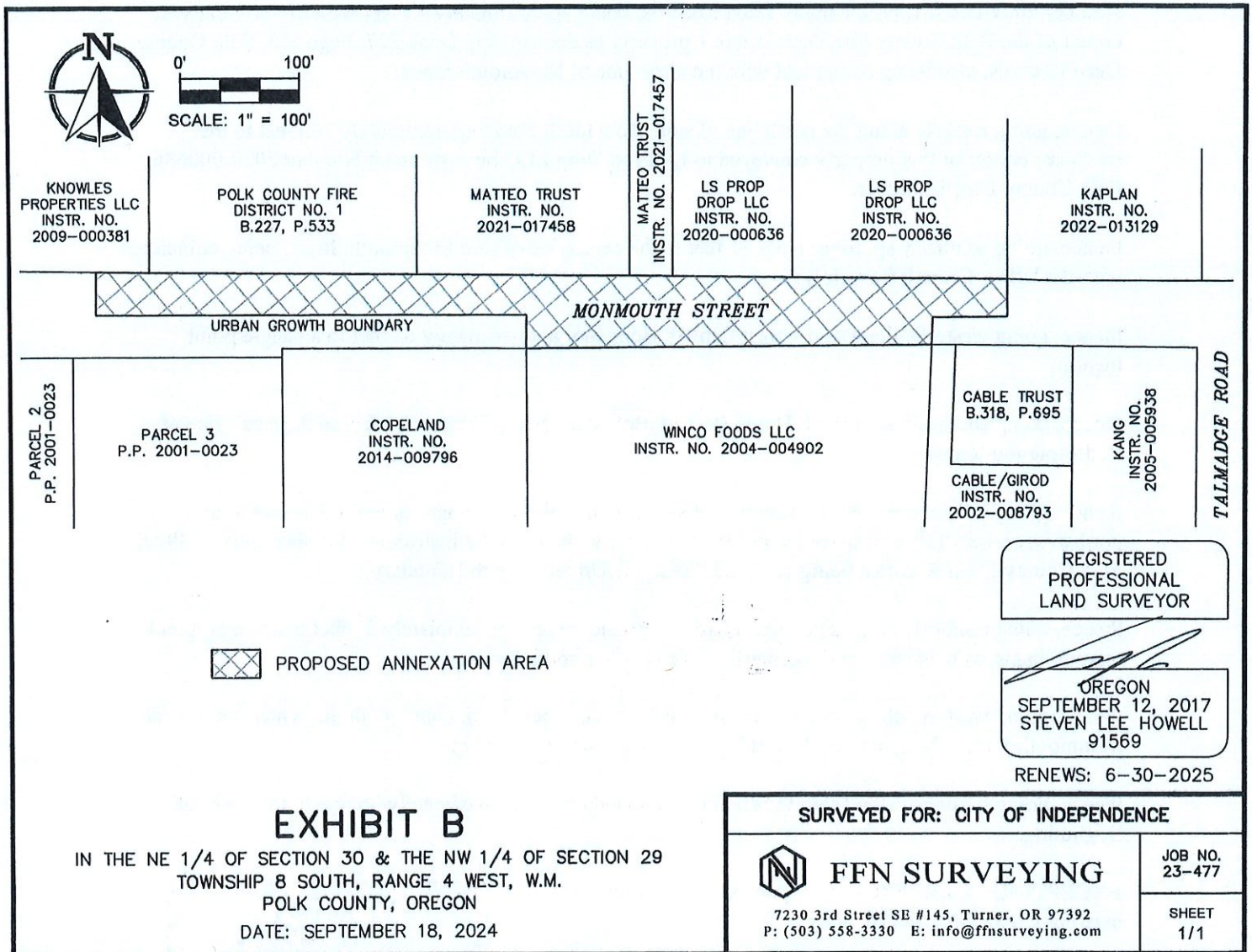


EXHIBIT A

A unit of land situated in the southwest one-quarter of Section 16, Township 8 South, Range 4 West, of the Willamette Meridian, Polk County, Oregon, being that portion of Stryker Road lying within the Southern Pacific Railroad right of way and more particularly described as follows:

Beginning at the intersection of the centerline line of said Stryker Road with the westerly line of said railroad right of way, being coincident with the Urban Growth Boundary;

thence, going easterly along the centerline line of said Stryker Road approximately 32 feet to an angle point therein, being coincident with the centerline line of said railroad right of way;

thence, going northerly along the centerline line of said railroad right of way, being coincident with the Urban Growth Boundary, approximately 26 feet to an angle point therein, being coincident with to the north line of said Stryker Road;

thence, going easterly along the north line of said Stryker Road, being coincident with the Urban Growth Boundary, approximately 31 feet to the easterly line of said railroad right of way, being coincident with the southwest corner of that property conveyed to Carlson by Instrument Number 2020-014189, Polk County Deed Records;

thence, going southerly along the easterly line of said railroad right of way, approximately 54 feet to the south line of said Stryker Road, being coincident with the northwest corner of Lot 9 of Stryker Estates recorded in Volume 13, Page 41, Polk County Plat Records;

thence, going westerly along the south line of said Stryker Road approximately 63 feet to the westerly line of said railroad right of way, being coincident with the northeast corner that property conveyed to PEGG Industries LLC, by Instrument Number 2022-005342, Polk County Deed Records;

thence, going northerly along the westerly line of said railroad right of way approximately 26 feet to the Point of Beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

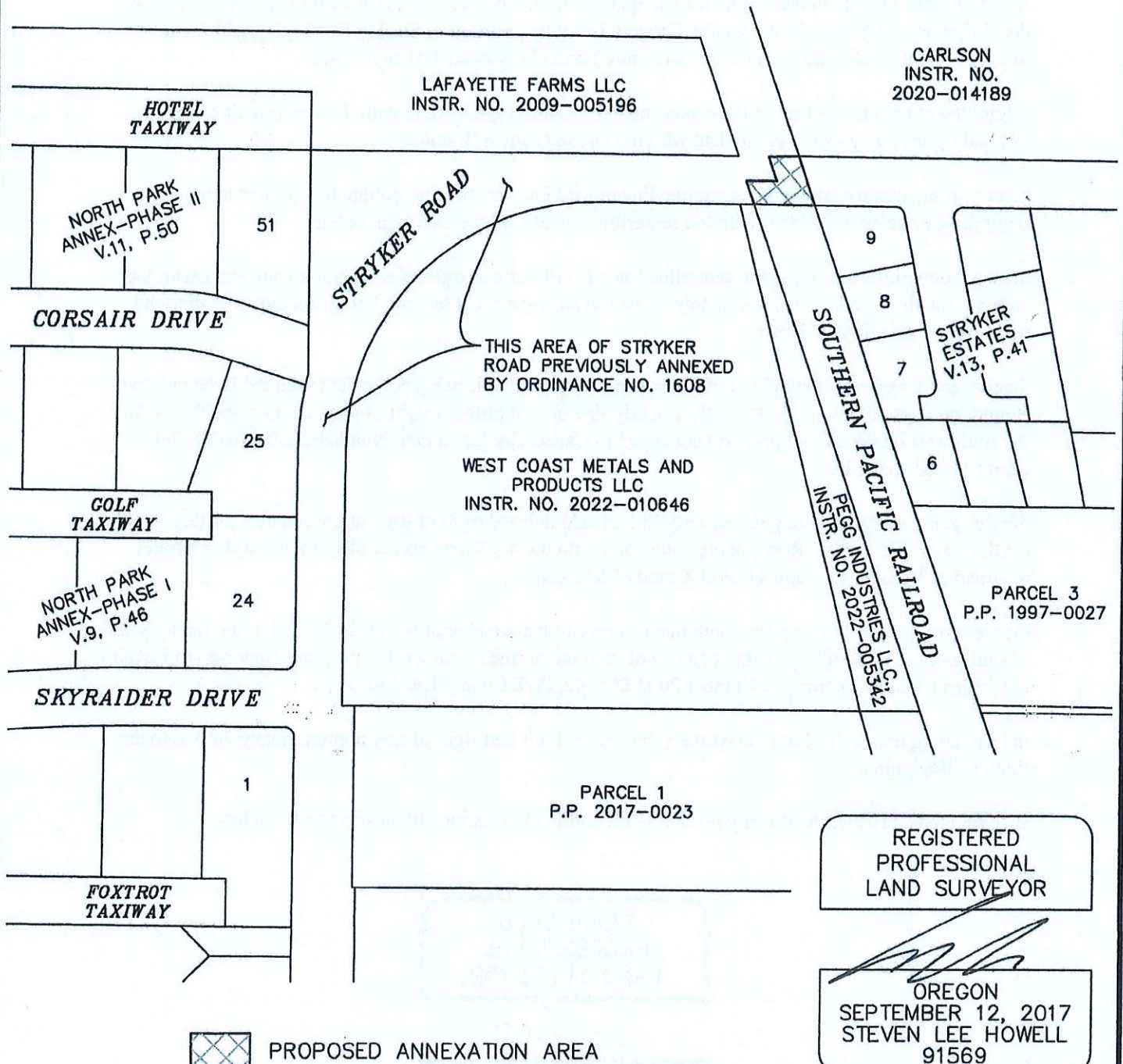
OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2025



0' 150'

SCALE: 1" = 150'



CARLSON
INSTR. NO.
2020-014189

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 12, 2017
STEVEN LEE HOWELL
91569

RENEWS: 6-30-2025

EXHIBIT B

IN THE SW 1/4 OF SECTION 16,
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.
POLK COUNTY, OREGON

DATE: SEPTEMBER 18, 2024

SURVEYED FOR: CITY OF INDEPENDENCE



FFN SURVEYING

7230 3rd Street SE #145, Turner, OR 97392
P: (503) 558-3330 E: info@ffnsurveying.com

JOB NO.
23-477

SHEET
1/1

Fred Evander

From: Nayalit Torreblanca
Sent: Monday, October 14, 2024 9:09 AM
To: Fred Evander
Subject: RE: New submission from Contact Us

Good morning, Fred,

We received this comment.

Thank you,

Nayalit Torreblanca
Accountant I/Utility Billing Clerk

Office 503.838.1212 | Fax 503.606.3282
www.ci.independence.or.us



DISCLOSURE NOTICE: This email is official business of the City of Independence, and it is subject to Oregon Public Records Law.

From: ntorreblanca@ci.independence.or.us <ntorreblanca@ci.independence.or.us>
Sent: Sunday, October 13, 2024 2:23 PM
To: Nayalit Torreblanca <ntorreblanca@ci.independence.or.us>
Subject: New submission from Contact Us

Name

Brian Smith

Email

[@msn.com](#)

Message

Concerning your attempts to annex rights-of-way along Talmadge Rd. and Olympic Dr, I want to press my rights to say NO. Your city is broke, and as a citizen of Monmouth, I do not wish to become part of anything to do with Independence. I will not pay for any developments, infrastructure, or otherwise and do not wish any development across from me in what is and should remain county land for farming use. Furthermore, your plan suggests Olympic Dr E as the through street when Madrona St is clearly the proper choice as it is designed for the additional traffic flow and ties directly to 99W. Please print this and submit it to the City Council so I might submit my protest of the proposed annexation on Talmadge Rd. and my resounding protest against a subdivision, especially one with multi-dwelling units across the street from my home on Olympic Dr. We, the citizens, DO NOT WANT FURTHER GROWTH in our small town. Our infrastructure is already overused and traffic has become unreasonable. Your city doesn't have the funds to pay for the new infrastructure, let alone to pay for proper maintenance on your current infrastructure, and as a citizen of Monmouth I WILL NOT HELP PAY FOR ANY INFRASTRUCTURE FOR INDEPENDENCE. Furthermore, the increased crime will only get worse with more people moving here which we have already seen with the shootouts and high speed chases around town these past couple of years. The simple fact is, the city doesn't have the funds, and does not need further growth when they cannot manage things properly for the current citizenship. You work for current citizens, not for developers or possible future citizens.

Brian D Smith
1997 Olympic Dr E
Monmouth, OR 97361