

By mountain residents

Odd public notices questioned

by MICHAEL P. JONES
Post Correspondent

The two-year-old annexation of the Cedar Ridge area near Brightwood is being questioned by some Mt. Hood area residents as to its legality, due to improper information that appeared on public notices and posters.

On April 3, 1980, a continued hearing from the previous month was held at the Multnomah County Courthouse in Portland to discuss the annexation of the area, in which 417.73 acres were added to the Hoodland Service District.

The meeting was held by the Portland Metropolitan Area Local Government Boundary Commission, which is mandated by law to publicly review and act upon such territorial decisions.

At that hearing the area was annexed into the service district, despite concerns expressed by Commission Chairman Peter McDonald of Wilsonville that the acreage would be best suited for agricultural, or forest, uses rather than residential development.

AREA DEVELOPMENTS
Today, as a result of the Boundary Commission's actions, the Cedar Ridge area has three major developments planned, which include Alderwood, a 192-unit mobile home subdivision, and two large condominium projects known as Tillikum Woods and Brightwood Glen.

Gordon Cabral, a spokesperson for the Environmental Committee on Suitability, said that all three of these developments would not have been proposed today if it were not for this annexation.

And, annexation into the service district would not have been so easily accomplished if it were not for the misinformation that appeared concerning the Boundary Commission's hearing.

He said that the public meeting notice that was published a couple of times in both The Sandy Post, and The Enterprise Courier in Oregon City,

stated that "the area to be annexed is along Highway 30."

"Highway 30 is the highway that goes to The Dalles," said Cabral. "Just the mention of that particular highway would cause most people to stop reading, thinking that it didn't apply to this area."

Scott Parker, Clackamas County counsel, said in a recent interview that he does not know what difference the error in the public notice would make in the annexation's approval. He said that the test of the law is whether a reasonable person was misled.

Denise Won, a staff member of the Boundary Commission, said that after reviewing the hearing notice, she feels that there is nothing anyone could question "except the specification to Highway 30."

She said other than that specific error, the proper taxlot numbers and the mentioning of Brightwood, Mt. Hood and the Old Loop Highway, as well as the Hoodland Service District, validates the legal notice.

"I would think that would be clear to most people, and they know where Brightwood and the Mt. Hood Loop is," said Won.

Cabral, however, disagreed, and said that because "Highway 30" appeared at the beginning of the notice that people would just naturally stop reading.

"Highway 30 is definitely not in the Mt. Hood Corridor," said Cabral, "and everybody, including the Boundary Commission and the Clackamas County Commissioners, knows that."

Bob Pearson of Welches, who opposed the construction of sewers in the corridor, said that he and a number of residents at that time were monitoring the progress of the service district in the area.

He said that they did not become aware of the Boundary Commission's actions until it was too late.

Pearson said that the late Charlie Augustine, former owner of the Hoodland

Telephone Company, was a member of the citizens group and he even missed the notice of the hearing.

"Charlie (Augustine) would get all the newspapers every day and anything that pertained to this area he'd clip out and notify the right people."

NOTICES 'CRUISED'
"Of course, the public notices would be cruised and if it pertained to this area, we'd look into it further. But when you read 'Highway 30' you naturally don't think that it pertains to this area."

Ron Rockway of Brightwood said that he didn't learn about the annexation proposal until after the Boundary Commission had acted on it.

In the mid-sixties Rockway led a successful legal battle that went all the way to the Oregon Supreme Court against the Cedar Ridge developers.

They proposed a planned

unit development that would have included 798 condominiums, 550 cluster units and 252 homesites. These would have been built in an area that is recognized by the Oregon Department of Fish and Wildlife as a winter range and wetland area.

Kenneth S. Martin, executive assistant of the Boundary Commission, agreed that there was an error, but that it was "just a human error" and was not done deliberately.

He said that a copy of the notice had been sent to the Clackamas County Department of Environmental Services, and to neighborhood associations, but that no one noticed the error.

"Nobody raised the issue and nobody caught the error at the time," said Martin.

"And even if someone

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