

45.4 Conditions of Approval - Consents to Annexation. Where a city's code does not expressly authorize a city to impose a condition requiring annexation on its decision approving an application to partition unincorporated land, but the code only authorizes the city to approve partitions of unincorporated lands that are subject to an annexation agreement and the city's only other option would be to deny the partition application, the city correctly interprets its code to approve the application with the annexation agreement condition. *Wickham v. City of Grants Pass*, 53 Or LUBA 261 (2007).