

ORDINANCE NO. 3646

AN ORDINANCE ANNEXING AN AREA AT THE SOUTHEAST CORNER OF SANTIAM HIGHWAY AND CLAY, WITH ANNEXATION TO TAKE PLACE WITH A PROPORTIONATE SHARE OF CITY SERVICES FURNISHED AND ASSESSED OVER A FIVE (5) YEAR BASIS AND DECLARING AN EMERGENCY.

WHEREAS, on the 29th day of June, 1972, at a special Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. 3643, wherein it was provided that a public hearing would be held on the 12th day of July, 1972, concerning the advisability of annexing the area described herein, located at the southeast corner of Santiam Highway and Clay to the City of Albany, Linn County, Oregon, and

WHEREAS, the hearing was duly held on the 12th day of July, 1972 and at that time the Council determined that the Notices of Hearing had been given as provided in the Ordinances of the City of Albany and pursuant to the terms of ORS Sections 222.120, and

WHEREAS, the Council, after said hearing, determined that the property lying at the southeast corner of Santiam Highway and Clay, herein described, should be annexed to the City of Albany, with levy of taxes to be apportioned according to services furnished by the city over a period of five (5) years and that the property owners have filed their consent to the annexation on this basis.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: That the following described property be and is hereby annexed to the City of Albany, Linn County, Oregon, to-wit:

Beginning South $1^{\circ}03'$ East 82.62 feet from the Southwest corner of Block 9, Supplemental Plat of Burkhart Addition to Albany, Linn County, Oregon; and running thence South $76^{\circ}35'$ East, parallel to the Southerly line of said Block 9 a distance of 170.00 feet; thence South $1^{\circ}34'$ East 155.18 feet; thence South $88^{\circ}26'$ West 164.22 feet; thence North $1^{\circ}34'$ West 199.13 feet to the place of beginning.

EXCEPTING THEREFROM that part conveyed to the State of Oregon for highway purposes, and recorded in Book 275, Page 105, of Linn County Deed Records.

SUBJECT TO: Necessary slope easement as set out by deed recorded February 20, 1961, in Deed Book 275, Page 105, to the State of Oregon, said easement being between lines which are parallel to and 40 feet southwesterly and 45 feet southwesterly of the center line of the relocated Santiam Highway.

Rights of the public in and to that portion of a 30-foot roadway lying on the west of the herein described tract to the extent that said AS C-2 Local Commercial Zone.

Section 2: Proportionate Tax

That the annexation provided for herein is on the basis that services will be furnished by the City of Albany and a levy of a proportionate share of the city taxes made against the property over a five (5) year period pursuant to the following schedule:

| | |
|-------------|------|
| First Year | 96% |
| Second Year | 97% |
| Third Year | 98% |
| Fourth Year | 99% |
| Fifth Year | 100% |

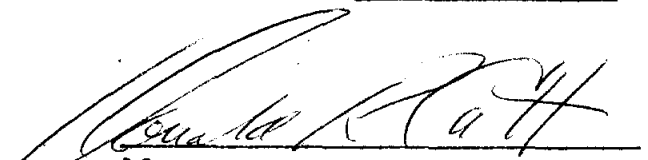
Section 3: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the City of Albany.

Section 4: WHEREAS, it is in the betterment of the public health, interest, safety and general welfare of the citizens of the City of Albany that this matter of annexation of the property described herein be disposed of at the earliest possible moment, and that the City facilities be made available to this property; therefore, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.


Passed by the Council: July 26, 1972

Approved by the Mayor: July 26, 1972

Effective Date: July 26, 1972


Mayor

ATTEST:


City Recorder