

Bi

ORDINANCE NO. 3961

AN ORDINANCE ANNEXING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF 28TH AVENUE AND WAVERLY DRIVE AS R-2.

WHEREAS, on the 28th day of July, 1976, at a regular Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. , wherein it was provided that a public hearing would be held on the 11th day of August, 1976, concerning the advisability of annexing

property located at the southeast corner of the intersection of 28th Avenue and Waverly Drive

WHEREAS, the hearing was duly held on the 11th day of August 1976, and at that time the Council determined that the Notices of Hearing had been given as provided in the said Ordinance, and pursuant to the terms of ORS 222.111, 222.120 and 222.170, and

WHEREAS, the Council after said hearing determined that the area described herein

as property located at the southeast corner of the intersection of 28th Avenue and Waverly Drive should be annexed, as R-2.

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, to-wit:

(see attached legal)

103961

Section 2: 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 3: This ordinance shall not become effective until such time as the property owner of the property to be annexed has signed a waiver of remonstrance for the improvement of 28th Street for such time when the City annexes and improves this portion of 28th Street and has consented to pay for his share--his half of 28th Street adjacent to said annexed property--of the street improvement assessment costs.


Passed by the Council: August 25, 1976

Approved by the Mayor: August 25, 1976

Effective Date: November 1, 1976\*

  
MAYOR

ATTEST:

  
DEPUTY CITY RECORDER

\* David Case filed his waiver of remonstrance with the City Engineering Department on November 1, 1976.

CASE ANNEXATION LEGAL DESCRIPTION

Beginning at a point N 1°39' W, 41.22 feet from the southwest corner of Anderson Cox D.L.C. #49, Sec. 17, Township 11 South, Range 3 West, Linn County, Oregon; thence

N 85°26' W, 40.24 feet; thence

S 1°39' E, 60 feet; thence

Along the arc of a 9.37° curve to the right (the long chord of which bears S 11°05'06" W., 269.45 feet) 271.68 ft. to a point which is N 23°49'12" E., 64 feet from the centerline of Grand Prairie Road; thence

Along the arc of a 238.73° curve to the right (the long chord of which bears S 68°49'12" W., 33.94 feet) 37.70 ft.; thence

N 66°10'48" W., 404.81 feet to the east line of Lot 9 Jason Wheeler's Home Farm; thence

S 0°57' W., 10.84 feet to ½" iron rod on north line of Grand Prairie Road; thence

N 66°06' W., 125.79 feet; thence

S 32°30' W., 62 feet more or less to original southwest corner of Grand Praire Road and Ermine Street; thence

S 65°55' E., 963 feet; thence

N 24° 05' E., 60 feet to ½" iron rod on north line of Grand Prairie; thence

N 10°04' E., 255.96 feet; thence

S 79°13' E., 116.34 feet; thence

N 10°04' E., 235.00 feet; thence

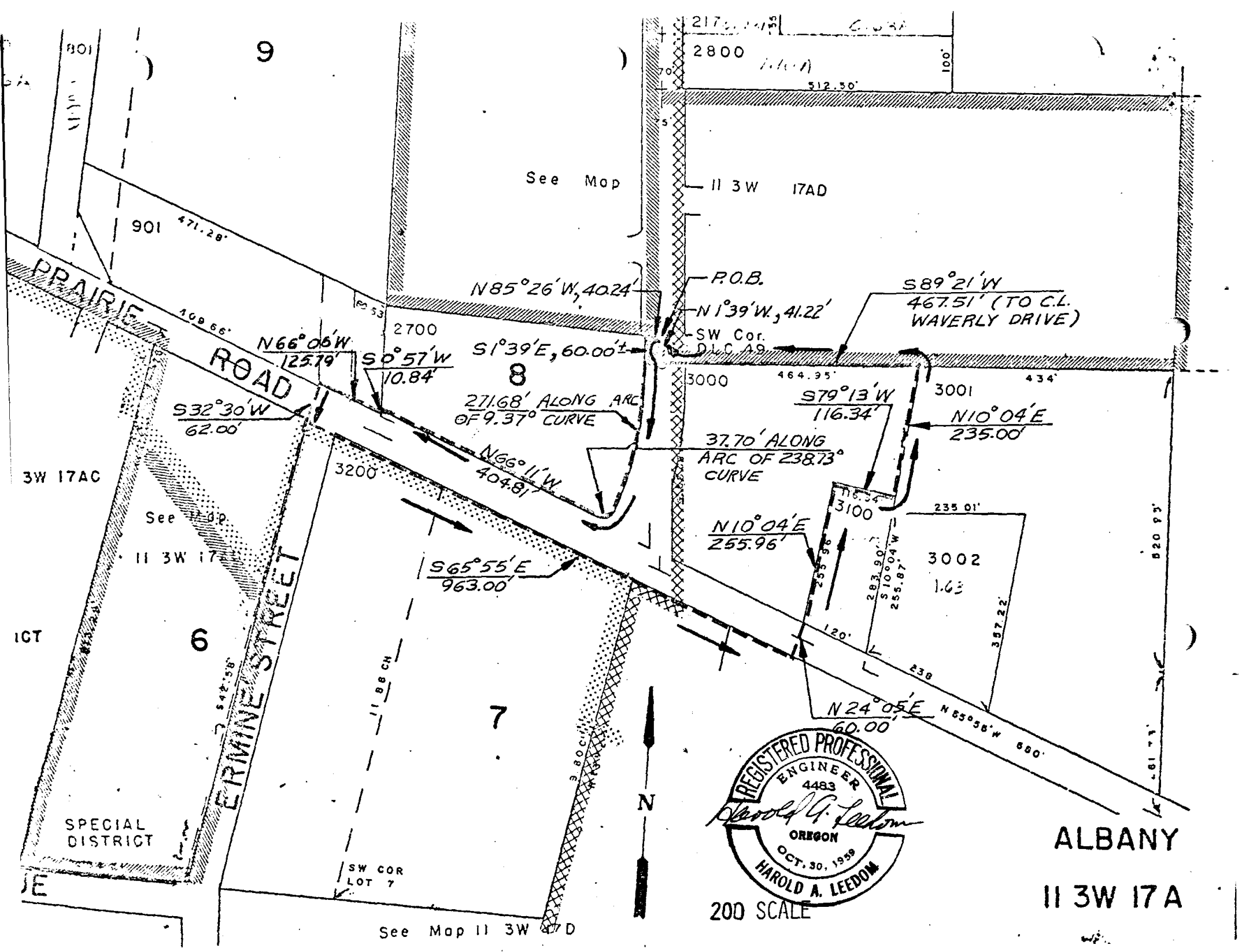
S 89°21' W., 467.51 feet more or less to centerline of Waverly Drive; thence

N 1°39' W., 41.22 feet more or less to the point of beginning.

Assessor's Parcel Map 11-3W-17A, Tax Lot 3000.

FINDINGS OF FACT

1. The request conforms to the Comprehensive Land Use Plan and Goal Statements from the standpoint of the property being designated as a future urban residential development area.
2. The property is adjacent to the existing city limit boundary and utilities are readily available to serve the property and proposed future use.
3. The surrounding areas are presently and predominantly zoned and developed as single family residential neighborhoods.
4. The property is presently classified as urban residential within Linn County.
5. The property is located immediately adjacent to a major intersection with an existing four-lane major arterial street paralleling the south and west property lines.
6. The requested annexation, R-2 zoning, is compatible with available utility systems, arterial street network, services and current facilities for the area.



9

See Map

901 471.28'

217.14' 100'  
2800  
512.50'

11 3W 17AD

801  
901  
PRAIRIE ROAD

N85°26'W, 40.24'

S89°21'W  
467.51' (TO C.L. WAVERLY DRIVE)

109.66'  
N66°05'W  
125.79'  
S0°57'W  
10.84'

S1°39'E, 60.00'

P.O.B.  
N1°39'W, 41.22'  
SW Cor.  
D.C. 19

S32°30'W  
62.00'

2700  
271.68' ALONG ARC OF 9.37° CURVE

3000 464.95'  
S79°13'W  
116.34'  
3001 434'  
N10°04'E  
235.00'

3W 17AC

See Map

3200  
N66°11'W  
404.81'  
37.70' ALONG ARC OF 238.73° CURVE

N10°04'E  
255.96'  
3100  
235.01'  
3002  
1.63  
387.22'

ICT

11 3W 17A

S65°55'E  
963.00'

6

ERMINIE STREET

7



ALBANY

SPECIAL DISTRICT

SW COR LOT 7

11 3W 17A

200 SCALE

See Map 11 3W 17D