

ORDINANCE NO. 5591

AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTIES LOCATED ON THE EAST SIDE OF PACIFIC BOULEVARD SOUTH OF ALLEN LANE; AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on July 14, 2004, reviewed this annexation request, adopted findings, and concluded that the City's annexation eligibility and timeliness criteria can be met; and

WHEREAS, the Albany City Council on July 14, 2004, referred this annexation request as a ballot measure to the Linn and Benton Counties Elections Filing Officers for the approval or rejection of the proposed annexation by the legal voters of Albany (pursuant to Albany City Charter Chapter 54); and

WHEREAS, the question of annexation of the property generally located on the east side of Pacific Boulevard and south of Allen Lane, shown on Linn County Assessor's Map No. 11S-03W-30; Tax Lot(s) 604 and 605, containing 2.2 acres, more or less, and as further described in the attached legal description labeled Exhibit "A", was submitted to the electorate at a general election held November 2, 2004, as required by Albany City Charter Chapter 54; and

WHEREAS, the City Clerk has certified that the annexation was approved by a majority vote; and

WHEREAS, the Albany Development Code applies specific zoning upon annexation;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The described real property to-wit (see attached Exhibit A) is hereby annexed to the City of Albany and zoned IP (Industrial Park).

Section 2: The City Clerk shall file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of the State of Oregon, and the State of Oregon Department of Revenue. The City Clerk shall also submit to the Secretary of State an abstract of the vote within the City.

Passed by the Council: January 12, 2005

Approved by the Mayor: January 12, 2005

Effective Date: January 12, 2005



Mayor

ATTEST:



City Clerk

EXHIBIT A
LEGAL DESCRIPTION
FILE AN-B5-04

Beginning at a 1-inch iron rod on the East right-of-way line of State Highway 99 East, said iron rod being South $0^{\circ} 31' 30''$ West 1427.77 feet and South $89^{\circ} 37'$ East 38.49 feet from the Northwest corner of the Southwest quarter of Section 30 in Township 11 South, Range 3 West of the Willamette Meridian, in Linn County, Oregon; thence South $89^{\circ} 37'$ East 319.48 feet to a 1-inch iron rod; thence South $0^{\circ} 07'$ West 136.13 feet to a 1-inch iron rod; thence South $89^{\circ} 37'$ East 60.0 feet, more or less, to the East right-of-way line of the Southern Pacific Railroad; thence Northerly along said railroad East right-of-way line North $0^{\circ} 07'$ East 1034.87', more or less, to a point 531.3 feet South of the North line of the Southwest quarter of said Section 30; thence North $89^{\circ} 37'$ West, parallel to said North line 372.5 feet to the East right-of-way line of said State Highway 99 East; thence South $0^{\circ} 32'$ West 186.0 feet along said East right-of-way line to a 1/2-inch iron rod; thence South $89^{\circ} 37'$ East 293.57 feet to the West right-of-way line of said Southern Pacific Railroad; thence South $0^{\circ} 07'$ West 576.04 feet to a 1-inch iron rod; thence North $89^{\circ} 37'$ West 298.29 feet, more or less, to a 1-inch iron rod on the East right-of-way line of said State Highway 99 East; thence South $0^{\circ} 32'$ West 136.56 feet to the Point of Beginning.

ALBANY
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