

ORDINANCE NO. 5593

AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTY LOCATED ON THE NORTH SIDE OF SANTIAM HIGHWAY WEST OF GOLDFISH FARM ROAD; 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 north side of Santiam Highway and west of Goldfish Farm Road, shown on Linn County Assessor's Map No. 11S-03W-09A; Tax Lot 1411, containing 0.4 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 CC (Community Commercial).

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

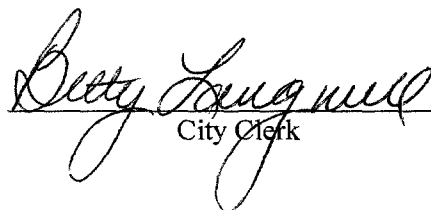
Approved by the Mayor: January 12, 2005

Effective Date: January 12, 2005



Mayor

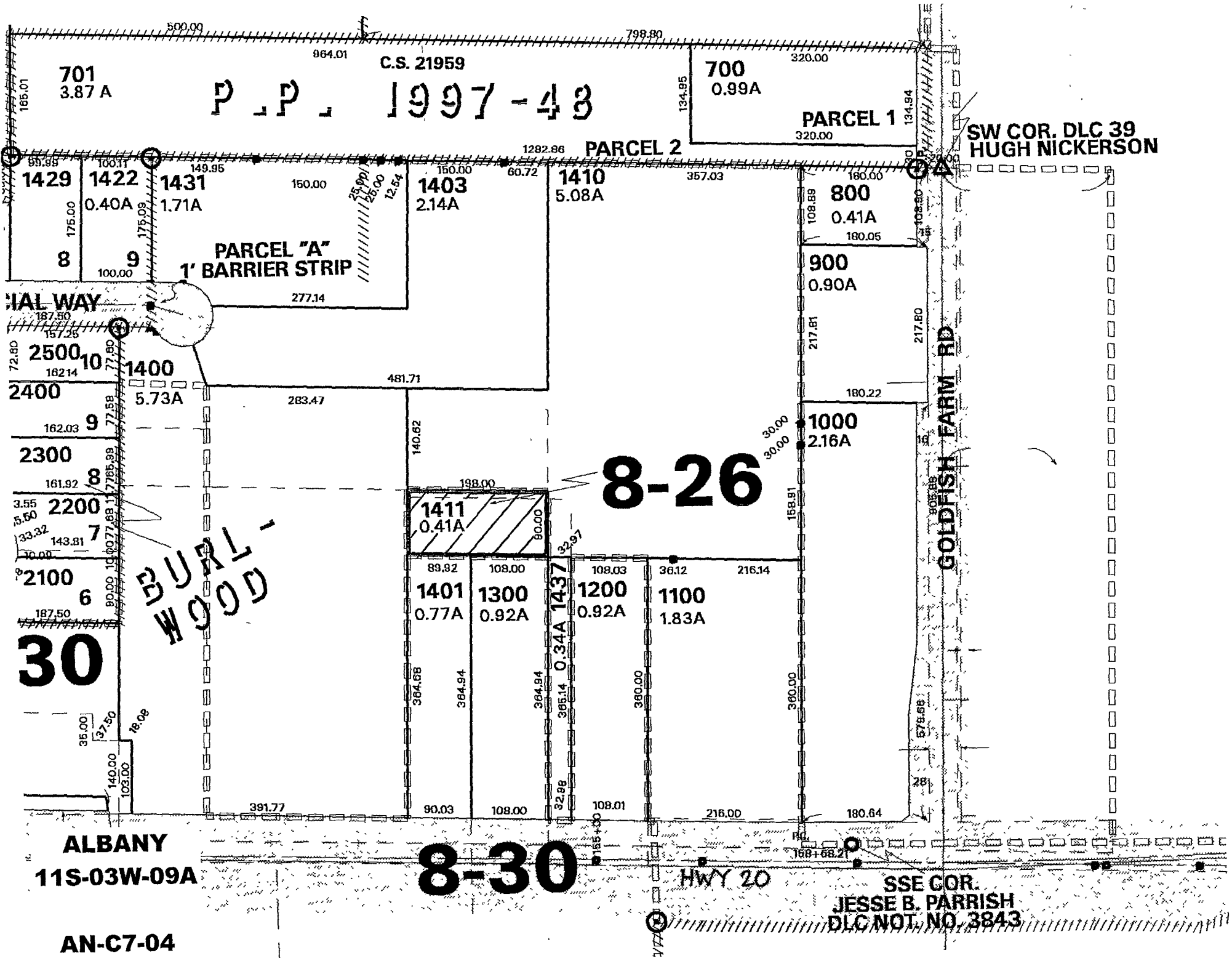
ATTEST:



City Clerk

EXHIBIT A
LEGAL DESCRIPTION
FILE AN-C7-04

Beginning at a point South 545.45 feet and South 89° 59' West 557.0 feet from the Southwest corner of the Hugh Nickerson Donation Land Claim No. 39, in Section 9 of Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon, said point also being the Northeast corner of that tract of land conveyed to GMVR LLC by deed recorded in Microfilm Volume 1319, Page 308 of the Linn County Deed Records; thence along the North line of said GMVR tract South 89° 59' West 198.0 feet to a 1/2-inch iron rod; thence North 90.0 feet; thence North 89° 59' East 198.0 feet; thence South 90.0 feet to the Point of Beginning.



P.P. 1997-48

C.S. 21959

SW COR. DLC 39
HUGH NICKERSON

PARCEL 2

PARCEL 1

PARCEL "A"
1' BARRIER STRIP

8-26

BURLEWOOD

GOLDFISH FARM RD

8-30

HWY 20

SSE COR.
JESSE B. PARRISH
DLC NOT. NO. 3843

ALBANY
11S-03W-09A

AN-C7-04