

RESOLUTION PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTY LOCATED AT 1840 QUEEN AVENUE SW CONTAINING APPROXIMATELY 3.68 ACRES (FILE AN-06-97).

WHEREAS, the City Council has proposed to annex in accordance with the provisions of ORS 222.750 certain property described by attached Exhibit A and more commonly known as 1840 Queen Avenue SW (Linn County Assessor's Map No. 11-3W-13BA, Tax Lot 3000) which is adjacent to the City of Albany; and

WHEREAS, the Albany City Council on November 5, 1997, determined that this annexation request can conform to the Council's annexation policies (Resolution 3683) and directed staff to bring back a staff report and annexation resolution for Council consideration; and

WHEREAS, the Albany Development Code provides for the application of specific zoning districts upon annexation of territory under these circumstances; and

WHEREAS, a public hearing will be held at a later date concerning the withdrawal of said territory from the Albany Rural Fire Protection District under the provisions of ORS 222.524.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the territory described by attached Exhibit A is hereby proclaimed to be annexed to the City of Albany and zoned RS-6.5 (Residential Single Family).


BE IT FURTHER RESOLVED that the findings, attached Exhibit B, are hereby adopted in support of this annexation and zoning action.

BE IT FURTHER RESOLVED by the Albany City Council that a public hearing on the matter of removal of the territory described in Exhibit A from the Albany Rural Fire Protection District be held by the City Council on January 28, 1998.

BE IT FURTHER RESOLVED that the City Recorder shall give notice of the hearing for the removal from the Rural Fire Protection District by publication once each week for two (2) successive weeks prior to the day of said hearing in a newspaper of general circulation within the City. The City Recorder shall further cause notice of this hearing to be posted in four (4) public places within the City for a like time.

BE IT FURTHER RESOLVED that the property described by attached Exhibit A shall be effectively annexed to the City of Albany on the date that the complete abstract of the annexation proceedings described above is filed with the Secretary of State of the State of Oregon.

DATED THIS 3RD DAY OF DECEMBER 1997.


Mayor

ATTEST:



City Recorder

LEGAL DESCRIPTION
File AN-06-97

recorded April 13, 1937 in Vol. 146, page 6, Book of Deeds, Linn County Records, Linn County, Oregon, as follows:

"The East half of the following described premises, Beginning at a point which is North 1°30' West 74 links distant and South 51°15' West 11 chains distant from the Southwest corner of the D.L.C. of Walter Monteith and wife, Not. No. 1798, Claim No. 55 in Township 11 South of Range 4 West of the Willamette Meridian, Oregon, and running thence South 51°15' West along the center of the Albany and Corvallis road a distance of eight (8) chains, thence South 38°45' East a distance of ten (10) chains, thence North 51°15' East a distance of eight (8) chains, thence North 38°45' West ten (10) chains to the place of beginning, containing eight (8) acres more or less, situated in Linn County, Oregon.

"With the exceptions of one half rod, which runs parallel with the West line of the above described land is not agreed to be conveyed by the party of the first part to the parties of the second part, under this agreement."

FINDINGS
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1. Annexation of the subject property is a logical and efficient extension of the city limits boundaries to facilitate the functional and economic provision of services as the property to the east is currently within the city limits.
2. The subject property is within the Urban Growth Boundary and will provide for coordinated planning efforts for extension of streets and utilities.
3. When this property is developed as a subdivision, the applicant will be required to extend the public sanitary sewer and water lines.
4. Annexation and zoning of the subject property are in conformance with the acknowledged Albany Comprehensive Plan.
5. The conflicts between the City and County applications of development standards and requirements for this property will be eliminated through annexation.
6. The annexation of the subject property was initiated by 100% of the property owners and no electors reside on the property.
7. The proposed zoning designation of RS-6.5 (Residential Single Family) is in conformance with the Albany Comprehensive Plan designation of Urban Residential Reserve. As such, the property may be developed applying the standards for the RS-6.5 zoning district as provided for in the Albany Development Code.
8. Annexation of the subject property will conform to the Growth Management Policies of the Albany Comprehensive Plan as the proposed annexation will encourage the urbanization of an area where facilities and services are in need of extension. Development of this type will enable a cost effective extension of urban facilities and services and will assure that any future development of the subject property will be to city standards.