

ORDINANCE NO. 2939

AN ORDINANCE RELATING TO DISPENSING WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON UNDER 222.120 ORS REGARDING THE CONDITIONAL ANNEXATION OF CERTAIN PROPERTY IN NORTH ALBANY, BENTON COUNTY, OREGON, LYING IMMEDIATELY NORTH OF THE WILLAMETTE RIVER BRIDGE, AND DECLARING AN EMERGENCY.

WHEREAS, on the 8th day of February, 1961, there was filed with the City Recorder of the City of Albany, a petition and consent by the Petitioners, Melvin Goode and Chas. K. McCormack, representing to be the owners of property contiguous to the City of Albany, Oregon, to elect to dispense with an election within the City of Albany concerning the annexation of said property and setting a date for the hearing of the same.

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

Section 1: DESCRIPTION OF PROPERTY

That an election within the City of Albany regarding the annexation of the following described property to-wit:

Beginning at a point that is the intersection of the city limits of the City of Albany, Oregon, in the Willamette River and the East line of Gibson Hill Road extended Southerly; thence Northerly along said extended line and continuing along the Easterly line of Gibson Hill Road to the Southerly margin of Walnut Lane; thence Easterly along the Southerly margin of said Walnut Lane to the center line of Springhill Road; thence Southerly along said center line of Springhill Road to a point that is East 509.52 feet and S.  $25^{\circ}02\frac{1}{2}'$  W. 1466.3 feet from the Southeast corner of J. Quinn Thornton D.L.C. No. 37 in T. 11 S., R. 3 W., Willamette Meridian in Benton County, Oregon; thence S.  $11^{\circ}46'$  W. 763.0 feet; thence S.  $7^{\circ}55'$  E. to the center line of the Willamette River, also being the city limits of the City of Albany; thence West-erly along said center line of said river to the point of beginning,

shall be and is hereby dispensed with.

Section 2: HEARING

That there shall be a Public Hearing as to the advisability of annexing the property described in Section 1 to the City of Albany, Oregon, on the 8th day of March, 1961, and the City Recorder is hereby directed to give Notice of Public Hearing by publishing in a newspaper of general circulation published in the said city once (1) a week for two (2) successive and consecutive weeks and by posting in four (4) public places a Notice setting forth the time and place of said hearing, the purpose for which the hearing is to be held, and the description of the property to be considered for annexation on the following basis:

FIRST YEAR: For the first fiscal year following annexation, the annexed territory shall pay 22% of the rate of taxation for city purposes and the city shall furnish and be obligated to give full and complete fire protection;

SECOND YEAR: For the second fiscal year following annexation, the rate shall be an additional 22% and the city shall be obligated to furnish police protection;

THIRD YEAR: For the third year, the rate shall be an additional 11% and the city shall be obligated to furnish, in addition to other services furnished in previous years, the parks, recreation and library facilities;

FOURTH YEAR: For the fourth fiscal year following annexation, the rate shall be an additional 22% and in addition to previously furnished services, the city shall be required to furnish street and sewer facilities;

FIFTH YEAR: For the fifth fiscal year following annexation, the annexed area shall be obligated to pay the same taxes and on the same ratio as all properties within the City of Albany and the annexed area shall be entitled to all services furnished to properties within the City of Albany.

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It is a further condition of this consent to annexation that the property included shall not be required to pay sewer charges as set forth in Ordinance No. 2739 of the City of Albany or any amendment thereto for a period of ten (10) years from the date of annexation or until the city shall have established a sewer system and extended mains into the area to be annexed, whichever event shall occur first.

Section 3: EMERGENCY CLAUSE

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 should the same be annexed, 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: February 8, 1961

Approved by the Mayor: February 8, 1961

*W. L. C. [Signature]*

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Mayor

Effective Date: February 8, 1961

ATTEST:

*Ernest W. Isham*  
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City Recorder