

AN ORDINANCE ELECTING TO DISPENSE WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON, UNDER THE PROVISIONS OF SECTION 222.110, 222.120 AND 222.170 ORS, REGARDING THE ANNEXATION OF PROPERTY SOUTH OF 31ST AVENUE TO THE SANTIAM CANAL BETWEEN SOUTH MARION STREET AND THE WEST BOUNDARY OF RODGERSDALE ADDITION, CONTIGUOUS TO THE CITY OF ALBANY, SETTING A TIME FOR PUBLIC HEARING ON THE SAME AND DECLARING AN EMERGENCY.

WHEREAS, two - thirds of the owners of the property which is the subject matter of this annexation have petitioned and requested the City of Albany to annex the area hereinafter described to the City and the same being contiguous and in all respects qualifying under the present statutes for annexation, and

WHEREAS, it is in the best interest of the City of Albany that a public hearing be held at the earliest possible date to consider objections to the annexation of the property herein described,

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 properties, to-wit:

A 2.06 acre strip of land 66 feet wide lying 30 feet on the North side and 36 feet on the south side of the following described line: Beginning at the Southeast corner of the Hiram N. Smead D.L.C. #53, T11 S, R3 W, W.M. and running thence S 88°42' W, along the South line of said claim, 1,377.42 feet to a point on the East line of South Marion Street; and

The following described property to be annexed as a C-2 Local Commercial Zone:

Beginning at a point on the West line of Lot 7, Block 6, Viereck's South Albany Addition, a subdivision of record, vacated on April 14, 1965, Linn County, Oregon Deed Records; said point being Northerly 5.0 feet from the Southwest corner of said lot; and running thence Northerly, along the West line of said Lot 7 and its extension, 150.0 feet; thence Easterly, at right angles to said West line, 150.0 feet; thence Southerly, parallel to the West line of said lot 7, 150.0 feet; thence Westerly 150.0 feet to the point of beginning, containing 0.52 acres more or less.

The following described property to be annexed as an R-A Multiple Family Zone:

Beginning at a point on the East line of the Hiram N. Smead D.L.C. #53, T 11 S, R3, W, W.M.; said point being N 01°30' W 30.0 feet from the Southeast corner thereof; and running thence S 88°42' W, parallel to the South line of said claim, 1,227.42 feet to a point, N 88°42' E 150.0 feet from the East line of Marion St., Thence Northerly parallel to said East line of Marion St., 150.0 feet; thence Westerly 150.0 feet to a point on said East line of Marion St.; thence Northerly along said East line, 111.41 feet; thence Easterly 223.0 feet; thence Southerly 130.71 feet; thence Easterly 1,154.42 feet, more or less, to a point on the East line of said claim; thence S 01°30' E along the East line of said claim, 130.70 feet to the point of beginning, containing 4.29 acres, more or less.

ALSO:

Beginning at a point on the North line of the Truett Davis D.L.C. #54, T 11 S, R3, W, W.M.; said point being S 88°42' W 676.50 feet from the Northeast corner of said claim; and running thence S 88°42' W along the North line of said claim, 676.50 feet; thence S 01°30' E 193.0 feet thence N 88°42' E 676.50 feet; thence N 01°30' W 193.0 feet to the point of beginning. Excepting therefrom a strip 36 feet wide adj and parallel to the North line of the above described parcel and containing 2.44 acres, more or less, as net area.

ALSO:

Beginning at a point on the North line of the Truett Davis D.L.C. #54, T 11 S, R 3 W, W.M.; said point being S 88°42' W 250 feet from the Northeast corner of said claim; and running thence S 88°42' W, along the North line of said claim, 426.50 feet; thence S 01°30' E 166.0 feet; thence N 88°42' E 426.50 feet; thence Northerly 166.0 feet to the place of beginning; excepting therefrom, a strip 36 feet wide adj to and parallel to the North line of said described parcel and containing 1.27 acres, more or less, as net area.

The following described property be annexed as an R-5 Residential Zone:

Beginning at the Northeast corner of the Truett Davis D.L.C. #54, T 11 S, R 3, W.M. and running thence Westerly, along the North line of said claim, 10.25 chains; thence S 01°30' E 17.76 chains to the North line of the right of way of the Albany and Santiam Canal; thence Easterly, along the North line of said canal to the East line of said claim; thence Northerly, along the East line of said claim, 20.90 chains to the place of beginning; being 18.0 acres more or less, excepting therefrom the following described parcel:

Beginning at the Northeast corner of the Truett Davis DLC #54, T 11 S, R 3 W, W.M., and running thence Westerly along the North line of said claim, 676.50 feet; thence S 01°30' E 166.0 feet; thence Easterly, parallel to said North line, 426.50 feet; thence Northerly 166.0 feet, thence Easterly, parallel to said North line 250.0 feet; thence Northerly 36.0 feet to the point of beginning; being 1.83 acres more or less.

ALSO:

Beginning at a point on the East line of the Hiram N. Smead DLC #53, T 11 S, R 3 W, W.M.; said point being N 01°30' W 160.70 feet from the Southeast corner of said claim; and running thence Northerly, along the East line of said claim, 472.24 feet to the Northeast corner of Viereck's South Albany Addition, a subdivision of record, vacated on April 14, 1965, Linn County, Oregon, Deed Records; and running thence S 88°30' W along the North line of said addition; 20.87 chains to the Northwest corner thereof; thence S 01°30' E along the West line of said addition, 341.53 feet; thence Easterly 223.0 feet; thence Southerly 130.71 feet; thence Easterly 1,154.42 feet to the point of beginning, containing 14.26 acres, more or less.

ALSO:

Beginning at a point S 88°42' W 676.50 feet and S 01°30' E 193.0 feet from the Northeast corner of the Truett Davis DLC #54, T 11 S, R 3 W, W.M. and running thence S 01°30' E 193.0 feet; thence S 88°42' W 676.50 feet; thence N 01°30' W 193.0 feet; thence N 88°42' E 676.50 feet to the point of beginning, containing 3.00 acres, more or less.

ALSO:

Beginning S 88°42' W 10.25 ch and S 1°30' E 8.772 ch from the N.E. corner of DLC 54; th S 1°30' E 8.988 ch; th N 62°46' W 11.72 ch; th N 1°30' W 3.378 ch; th N 88°42' W 10.25 ch to the beginning.

to be 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 on the 23rd day of March, 1966, at 7:15 p.m. o'clock, and the City Recorder is hereby directed to give notice of said public hearing by publishing in a newspaper of general circulation, published in said City once 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 and the description of said property to be considered for annexation and the purpose for which the hearing is held.

Section 3: EMERGENCY CLAUSE

WHEREAS, it is in the betterment of the public health, interest, safety and welfare of the citizens of the City of Albany that this matter of annexation of the property hereinafter described 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 effective upon its passage by the Council and approval of the Mayor.

Passed by the Council: March 9, 1966

Approved by the Mayor: March 9, 1966

Russell W. Sniff
Mayor

Effective Date: April 8, 1966

ATTEST:

Ernest W. Ashum
City Recorder