

ORDINANCE NO. 3248

AN ORDINANCE ANNEXING PROPERTY SOUTH OF 31ST AVENUE TO THE SANTIAM CANAL BETWEEN SOUTH MARION STREET AND THE WEST BOUNDARY OF RODGERSDALE ADDITION TO THE CITY OF ALBANY, OREGON, AND DECLARING AN EMERGENCY.

WHEREAS, on the 9th day of March, 1966, at a regular Council meeting the Council of the City of Albany, Oregon, did duly pass Ordinance No. 3244, wherein it was provided that a public hearing would be held on the 23rd day of March, 1966, concerning the advisability of annexing the area described as the 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, Oregon, and

WHEREAS, the hearing was duly held on the 23rd day of March, 1966, and at that time the Council determined that the Notices of Hearing had been given as provided in the said Ordinance, and pursuant to the terms of 22.110, 22.120 and 22.170 ORS, and

WHEREAS, the Council, after said hearing, determined that the area described as the 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, Linn County, Oregon, be annexed to the City of Albany, and the consent of the property owners having been filed giving their consent of the annexation,

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

Section 1: That the following described property be and is hereby annexed to the City of Albany, 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, T 11 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 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 as a 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 adjacent 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, R3 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 of 36 feet wide adjacent 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 as a R-5 Residential Zone:

Beginning at the Northeast corner of the Truett Davis D.L.C. #43, T 11 S, R3 W, W.M., and running thence Westerly, along the North line of said claim, 10.25 ch; thence S 01°30' E 17.76 ch to the North line of the right of way of the Albany and Santiam Canal;

th Easterly, along the North line of said canal to the East line of said Claim; th Northerly, along the East line of said claim, 20.90 ch to the place of getting; being 18.0 acres more or less, excepting therefrom the following described parcel:

Beginning at the NE corner of the Truett Davis D.L.C. #54, T 11 S, R 3 W, W.M. and running th Westerly along the North line of said claim, 676.50 feet; th S 01°30' E 166.0 feet; th Easterly, parallel to said North line, 426.50 feet, th Northerly 166.0 feet, th Easterly, parallel to said North line 250.0 feet; th 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 D.L.C. #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 th 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 th S 88°30' W. along the North line of said addition; 20.87 ch to the Northwest corner thereof; th S 01°30' E, along the West line of said addition, 341.53 feet; th Easterly 223.0 feet; th Southerly 130.71 feet; th 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 D.L.C. # 54, T 11 S, R 3 W, W.M., and running th S 01°30' E 193.0 feet; th S 88°42' W 676.50 feet; th N 01°30' W 193.0 feet; th 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 8.7772 ch from the NE corner of D.L.C. #54; th S 1°30' E 8.988ch; 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.

Section 2: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the City of Albany, Oregon.

Section 3: 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 herein described by 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 immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council _____ April 13, 1966

Approved by the Mayor _____ April 13, 1966

Russell _____
Mayor

Effective Date _____ April 13, 1966

ATTEST:

Ernest W. Scham
City Recorder