

ORDINANCE NO. 374 <sup>3742</sup>

AN ORDINANCE ELECTING TO DISPENSE WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON, UNDER THE PROVISIONS OF ORS SECTIONS 222.111, 222.120 AND 222.170, REGARDING THE ANNEXATION OF AREA LOCATED NORTH OF 21ST AVENUE AND ON THE EAST SIDE OF WAVERLY DRIVE AS R-1 (6) RESIDENTIAL AND DECLARING AN EMERGENCY.

WHEREAS, 100 per cent 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 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 property to-wit:

Beginning at a point which is N 1°39' W 2876.28 feet and N 88°45' E 35.0 feet from the SW corner of the Anderson Cox D.L.C. #49 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon (said point being on the east right-of-way line of Waverly Drive); thence:

N 88°45' E 687.70 feet; thence  
S 1°39' E 75.0 feet; thence  
S 88°45' W 687.70 feet; thence  
N 1°39' W 75.0 feet to point of beginning.

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 28th day of November, 1973, 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 the 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 the 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 general welfare of the citizens of the City of Albany that this matter of proposed annexation of the property described herein be disposed of at the earliest possible moment, and that the City facilities be made available to this property upon annexation; 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: October 24, 1973  
President

Approved by the Mayor: October 24, 1973

Effective Date: October 24, 1973

*David C Hayes*  
Mayor (Council President)

ATTEST:

*Ernest W. Lehman*