

ORDINANCE NO. 4625

AN ORDINANCE PROCLAIMING THE ANNEXATION TO THE CITY OF ALBANY OF CONTIGUOUS TERRITORY CONSISTING OF 27.063 ACRES OF PROPERTY LOCATED AT 5353, 5122, 5120, 5038, AND 5036 COLUMBUS STREET SE AND WITHDRAWING SAID TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT.

WHEREAS, the Planning Commission of the City of Albany has recommended that a certain territory described in Section 1 of this Ordinance which is contiguous to the City of Albany be annexed and that more than 50% of the owners of the property in said area who own more than 50% of the land and real property therein and representing more than one-half of the assessed value of the real property therein have consented in writing to the annexation, said consent having heretofore been filed with the City Recorder in the matter prescribed by law; and

WHEREAS, the City Council by Ordinance No. 4623 adopted on the 11th day of April, 1984, dispenses with an election submitting to the voters of the City the question of annexation of said territory and did at 7:15 o'clock p.m. on the 25th day of April, 1984, in the Council Chambers of the City Hall in said City at the time and place of hearing thereon, and the further question of withdrawing said territory, if annexed, from the Albany Rural Fire Protection District, at which time and place the voters of the City were given an opportunity to be heard on the questions involved; and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and the public hearing was duly held by and before the City Council as provided by law and by the terms of said Ordinance and the published notice, and it appears to be in the best interest of the City and of the area involved that it be annexed to the City of Albany and withdrawn from the Albany Rural Fire Protection District; and

WHEREAS, the City Council has based its decision on facts and conclusions stated in accordance with the findings on file with the City Recorder which are adopted by separate motion and incorporated by reference herein for the annexation and zoning of this property and which are hereby adopted as findings of the Council; now, therefore,

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

Section 1: The following described property to-wit:

(see attached legal description)

is hereby proclaimed to be annexed to the City of Albany, Oregon, and zoned R-1 Low Density Residential and R-2 Medium Density Residential.

Section 2: That the above described territory annexed to the City of Albany is hereby withdrawn from the Albany Rural Fire Protection District.

Section 3: After the effective date of this ordinance, the City Recorder shall submit to the Secretary of State of the State of Oregon and the Oregon State Department of Revenue a transcript of the annexation proceedings, a copy of this ordinance, a copy of Ordinance No. 4623 and a copy of the complete consent document signed by the landowners within the territory annexed. The City Recorder shall also, within 10 days after the transcript has been filed with the Secretary of State of the State of Oregon, report this annexation to the County Clerk and to the County Assessor of Linn County, Oregon.


Section 4: That the property described in Section 1 hereof shall be effectively annexed to the City of Albany on the date that the complete abstract of the annexation proceedings as specified in Section 3 of this ordinance is filed with the Secretary of State of the State of Oregon.

Passed by the Council: May 9, 1984

Approved by the Mayor: May 10, 1984

Effective Date of this Ordinance: June 8, 1984

Effective Date of this Annexation: June 8, 1984
(date filed with Oregon Secretary of State)



Mayor

ATTEST:



City Recorder

MENNONITE ANNEXATION DESCRIPTION

(83-90)

December 23, 1983

Beginning at a point which is 900.00 feet North 0° 19' 35" East of the Southwest corner of the Jordan S. Robinson Donation Land Claim No. 55, said point also being in the Southeast quarter of Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; thence North 71° 33' 45" East 622.35 feet; thence North 71° 37' 45" East 158.34 feet; thence North 45° 19' 35" East 240.44 feet; thence North 0° 19' 35" East 942.28 feet; thence North 89° 43' 15" West 879.27 feet to a point on the East right-of-way line of Columbus Avenue; thence North 0° 19' 35" East, along said right-of-way line 309.33 feet; thence South 89° 42' West 190.00 feet; thence South 0° 20' West 120.00 feet; thence North 89° 42' East 130.00 feet to a point on the West right-of-way line of Columbus Avenue; thence South 0° 19' 35" West 50.00 feet along said right-of-way line; thence South 89° 42' West 130.00 feet; thence South 0° 20' West 110.43 feet; thence North 89° 42' East 130.00 feet to a point on the West right-of-way line of Columbus Avenue; thence South 0° 19' 35" West 1391.40 feet along said West right-of-way line; thence South 89° 40' 25" East 30.00 feet to the Point of Beginning.
All being 27.063 acres, more or less.

Kraus & Dalke
Consulting Engineers

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
SEPTEMBER 23, 1977
HOWARD G. KRAUS
1238

EXHIBIT "A"