

RESOLUTION NO. 2719

A RESOLUTION PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTY LOCATED AT 1395 TIMBER STREET SE (EAST SIDE OF TIMBER STREET, SOUTH OF SANTIAM HIGHWAY) AND CONTAINING APPROXIMATELY 38,365.17 SQUARE FEET.

WHEREAS, under the provisions of ORS 222.125, 100% of the property owners and not less than 50% of the electors, if any are present, have petitioned for the annexation of territory to the City of Albany; and

WHEREAS, provisions of state law and the Albany Development Code waive requirements for Planning Commission review and public hearings for such annexations; and

WHEREAS, the Albany Development Code provides for the application of specific zoning districts upon annexation of territory under these circumstances.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the territory described by attached Exhibit A is hereby proclaimed to be annexed to the city of Albany and zoned C-2 (Community Commercial)(Annexation File No. AN-01-87).

BE IT FURTHER RESOLVED that the findings, attached Exhibit B, are hereby adopted in support of this annexation and zoning action.

BE IT FURTHER RESOLVED that the City Recorder shall be directed to submit to the Secretary of the State of Oregon and the Oregon State Department of Revenue a transcript of the annexation proceedings, a copy of this resolution, and a copy of the complete consent document signed by the landowners and electors, if any are present, 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.

BE IT FURTHER RESOLVED that the property described by attached Exhibit A shall be effectively annexed to the city of Albany on the date that the complete abstract of the annexation proceedings described above is filed with the Secretary of State of the State of Oregon.

DATED THIS 14TH DAY OF OCTOBER, 1987.



Mayor

ATTEST:



City Recorder

EXHIBIT 'A'

LEGAL DESCRIPTION FOR ANNEXATION

TO

THE CITY OF ALBANY, OREGON

Beginning at a point on the west right-of-way line of Timber Street (County Road File #725, MF 240-574), said point being S 0°54'E, 270 feet from a point on the north line of and N 89°54'E, 2326.44 feet from the northwest corner of the Edward N. White DLC No.48, Section 9, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence N 89°54'E along the south property line of that parcel conveyed to Elizabeth R. Meyers by deed recorded in Volume 191, Page 155, Linn County Deed Records, 139.53 feet to a 5/8 inch iron rod; thence S 1°30'E along the west property line of that parcel conveyed to Jake J. Meyer, Jr. by deed recorded in Volume 114, Page 824, Linn County Deed Records, 250.42 feet; thence S 88°58'W along the south property line of those parcels conveyed to Daniel F. Ropp by deed recorded in Volume 177, Page 681 and Book 293, Page 19, Linn County Deed Records, 145.67 feet to the west right-of-way line of said Timber Street; thence N 0°06'W along the west right-of-way line of said Timber Street, 652.72 feet to the point of beginning and containing 0.823 acres more or less.

SE 1/4 Sec. 9 T. 11 S. R. 3 W. W.M.

1" = 200'

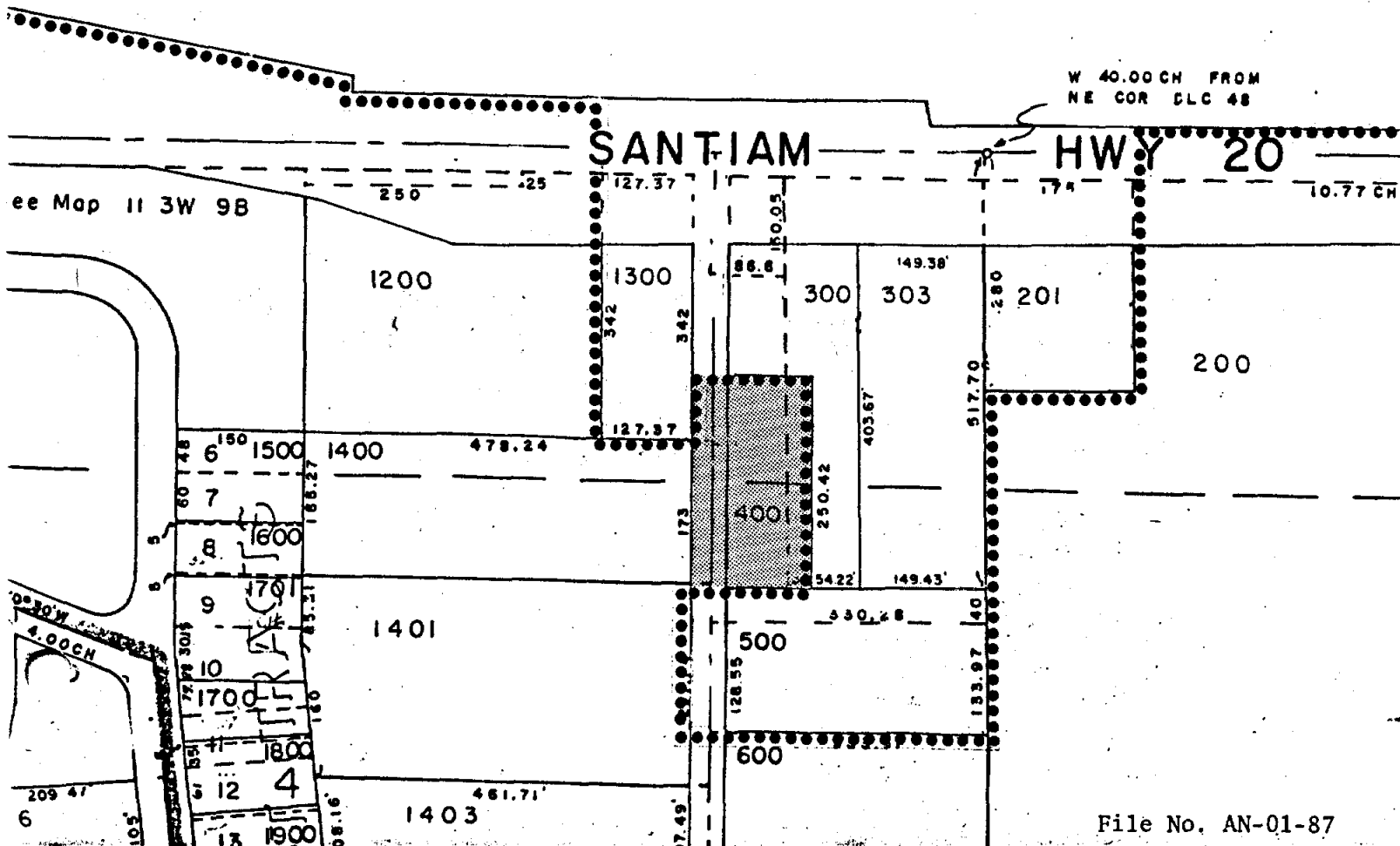


EXHIBIT 'B'
FINDINGS FOR ANNEXATION (FILE NO. AN-01-87)

1. Annexation of the subject property is a logical and efficient extension of the city boundary in that the existing city limit boundaries are located on the north, east, and south.
2. The subject property is within the Urban Growth Boundary and will provide for coordinated planning efforts for extension of streets and utilities.
3. The subject property is currently vacant.
4. The annexation of the subject property was initiated by 100% of the property owners and no electors reside on the property; thus, annexation may occur without a public hearing or Planning Commission review under the provisions of ORS 222.125 and Albany Development Code Sections 3.010 (5) and (7).
5. The Albany Development Code Annexation Zoning Matrix (Section 3.030(2)) provides for application of the C-2 (Community Commercial) zoning designation for properties with a General Commercial Plan designation upon annexation by this method.
6. Annexation and zoning of the subject property is in conformance with the acknowledged Albany Comprehensive Plan.
7. The existing zoning designation Urban Growth Management-Community Commercial (C-2) is in conformance with the Albany Comprehensive Plan designation of General Commercial. As such, the property may be developed applying the standards for the C-2 (Community Commercial) zoning district as provided for in the Albany Development Code.
8. Urban services can be extended to the subject property without adversity to other properties in the city.
9. The future use and development of the property will be subject to Site Plan Review approval which will assure the provision of adequate public improvements and enhancement of the property through appropriate landscaping.