

RESOLUTION NO. 4993

A RESOLUTION PROPOSING THE ANNEXATION OF PROPERTIES LOCATED NORTH OF RIVERSIDE CEMETERY AND SOUTH OF THE CALAPOOIA RIVER, AND FORWARDING THE QUESTION OF ANNEXATION TO THE VOTERS ON THE NOVEMBER 2, 2004 BALLOT.

THE CITY COUNCIL OF THE CITY OF ALBANY resolves that the findings and conclusions contained in Resolution Exhibit B (which consists of the complete staff report to the Albany City Council, including attachments, and dated July 2004; File AN-A2-04), and by this reference incorporated herein, are hereby adopted.

THE CITY COUNCIL OF THE CITY OF ALBANY FURTHER RESOLVES that this annexation, which would annex approximately 3.6 acres of property located north of Riverside Cemetery and south of the Calapooia River, all within Linn County, Oregon, is to be submitted to the legal voters of Albany, Oregon, for their approval or rejection pursuant to Albany City Charter Chapter 54 at an election to be held on November 2, 2004. This election will be conducted by mail-in ballot.

The ballot title of this measure and the form in which it shall be printed on the official ballot is as follows:

CAPTION: MEASURE PROPOSING ANNEXATION OF PROPERTY NORTH OF RIVERSIDE CEMETERY

QUESTION: Shall three parcels totaling approximately 3.6 acres between Riverside Cemetery and the Calapooia River be annexed?

SUMMARY: Approval of this measure would annex approximately 3.6 acres to the City of Albany. The properties to be annexed are located between Riverside Cemetery and the Calapooia River. These properties are surrounded on three sides by the city limits of Albany and on one side by the Calapooia River. Upon annexation, the zoning would be OS (Open Space).

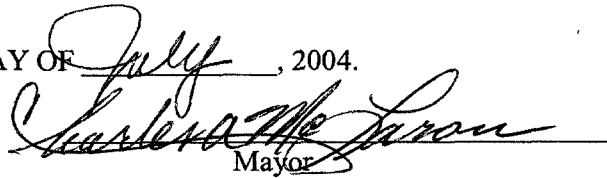
The text of the measure is as follows:

The following described real property, all located in Linn County, Oregon, shall be annexed to the City of Albany upon obtaining a favorable majority vote of the people.

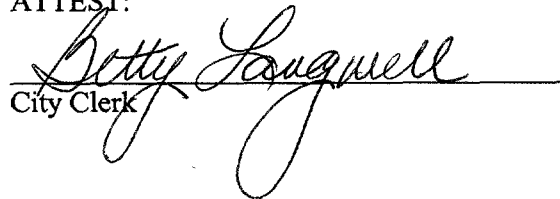
*The property generally located between Riverside Cemetery (near Albany General Hospital) and the Calapooia River, shown on Linn County Assessor's Map No. 11S-04W-12BA; Tax Lot(s) 200, 300, and 400, as further described in the attached legal description labeled Resolution Exhibit A. The subject properties containing 3.6 acres, more or less.*

The City Clerk is authorized and directed to give notice of the submission of this question to the voters, including a true copy of the complete text and the ballot title for the measure in the form in which it shall be printed on the official ballot and any other information required by law to be published. That notice shall be published in not less than two successive and consecutive weekly issues of the *Albany Democrat-Herald*.

IN EFFECT AND DATED THIS 14 DAY OF July, 2004.

  
\_\_\_\_\_  
Mayor

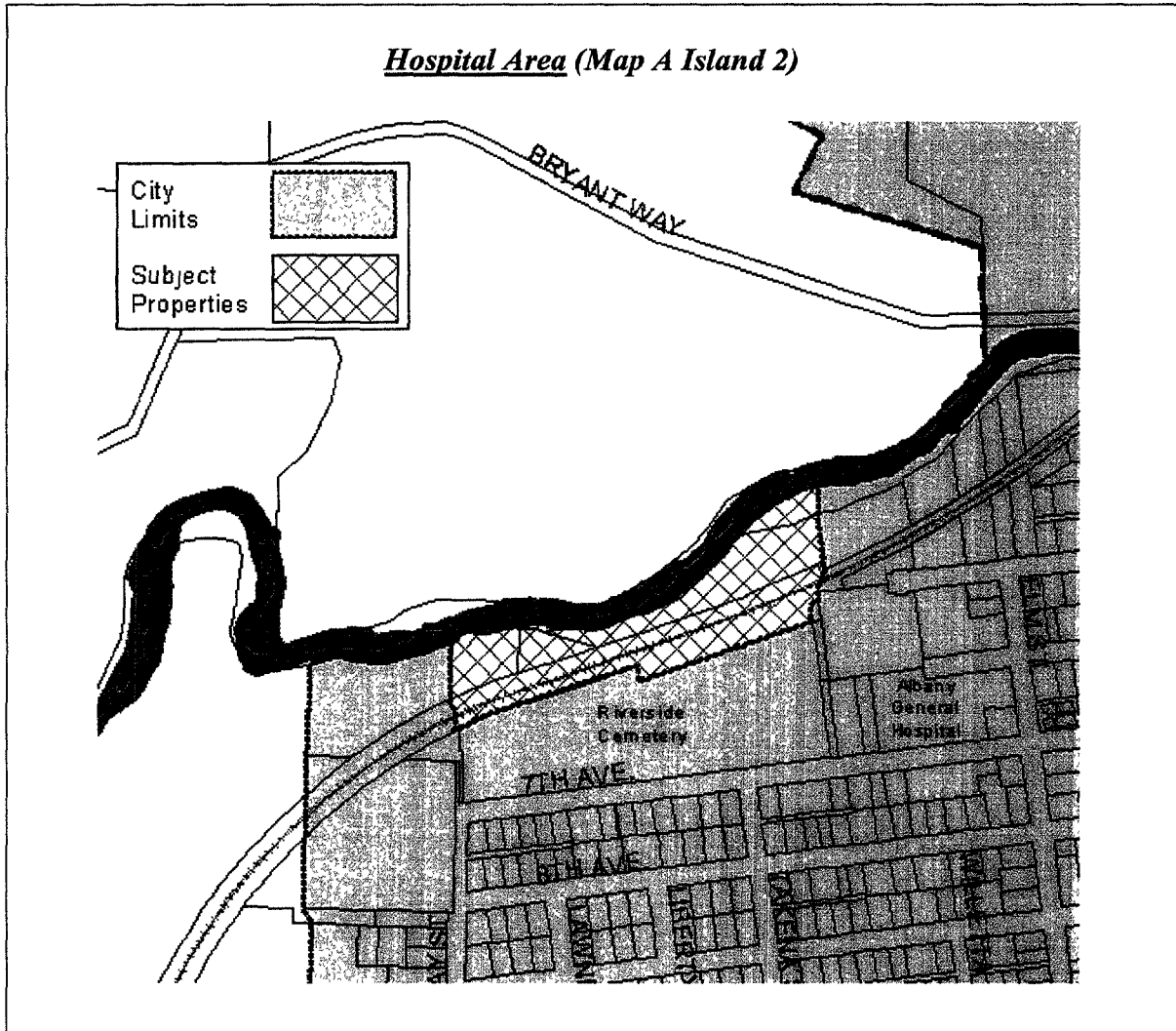
ATTEST:

  
\_\_\_\_\_  
City Clerk

**RESOLUTION EXHIBIT A  
LEGAL DESCRIPTION  
FILE AN-A2-04**

Beginning at a point North 1° 24' West 635.0 feet from the Southeast corner of the Harvey Gorden DLC No. 54, in Section 12 of Township 11 South, Range 4 West of the Willamette Meridian in Linn County, Oregon, said point also being the intersection of the East line of said DLC No. 54 and the center line of the Oregon Electric Railroad; thence along the existing city limits boundary North 22° 37' West 52.0'; thence along the existing city limits boundary West 10.0 feet; thence along the existing city limits boundary North approximately 220 feet to the center line of the Calapooia River; thence Easterly along said center line of the Calapooia River approximately 1300 feet to the point of intersection of said Calapooia River center line and the Northerly extension of the East line of the vacated Umatilla Street; thence Southerly along the existing city limits boundary South 9° 05' 33" East approximately 300 feet to a point on the North line of said railroad; thence along said East line of vacated Umatilla Street South 9° 05' 33" East 163.68 feet; thence along the existing city limits boundary South 80° 55' 06" West 67.52 feet to a 5/8-inch bolt, said point being the Northwest corner of that tract of land conveyed to Albany General Hospital by deed recorded in Microfilm Volume 481, Page 994 in Linn County Deed Records; thence Westerly along the South line of said railroad approximately 1200 feet to the East line of said DLC No. 54; thence Northerly along said East line of DLC No. 54 to the Point of Beginning.

**Island Annexation Staff Report  
Resolution Exhibit B  
July 2004 (AN-A2-04)**



<p><b>Number of Parcels - 3</b></p>	<p><b>Gross Area - 3.6 Acres</b> (Plus railroad right-of-way)</p>								
<p><b>Proposed Zoning Designation -</b> Open Space (OS)</p>	<p><b>Comprehensive Plan Designations -</b> Open Space (All)</p>								
<p><b>Current Land Uses -</b> Undeveloped</p>	<p><b>Current Infrastructure Availability -</b></p> <table border="0"> <tr> <td>Sanitary Sewer -</td> <td>No</td> </tr> <tr> <td>Water -</td> <td>No</td> </tr> <tr> <td>Storm Drainage -</td> <td>No</td> </tr> <tr> <td>Street (Access) -</td> <td>No</td> </tr> </table>	Sanitary Sewer -	No	Water -	No	Storm Drainage -	No	Street (Access) -	No
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