

RESOLUTION NO. 4996

A RESOLUTION PROPOSING THE ANNEXATION OF PROPERTIES LOCATED ON THE EAST SIDE OF PACIFIC BOULEVARD SOUTH OF ALLEN LANE, 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-B5-04), 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 2.2 acres of property located on the east side of Pacific Boulevard south of Allen Lane, 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 ON PACIFIC BOULEVARD SW

**QUESTION:** Shall two parcels totaling approximately 2.2 acres on the east side of Pacific Boulevard south of Allen Lane be annexed?

**SUMMARY:** There are three islands on south Pacific Boulevard that are proposed for annexation. This is the middle island. Approval of this measure would annex approximately 2.2 acres to the City of Albany. The properties to be annexed are located on the east side of Pacific Boulevard and south of Allen Lane. These properties are surrounded on all sides by the city limits of Albany. Upon annexation, the zoning would be IP (Industrial Park).

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 on the east side of Pacific Boulevard and south of Allen Lane, shown on Linn County Assessor's Map No. 11S-03W-30; Tax Lot(s) 604 and 605, as further described in the attached legal description labeled Resolution Exhibit A. The subject properties containing 2.2 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.

Charles M. Dean  
Mayor

ATTEST:

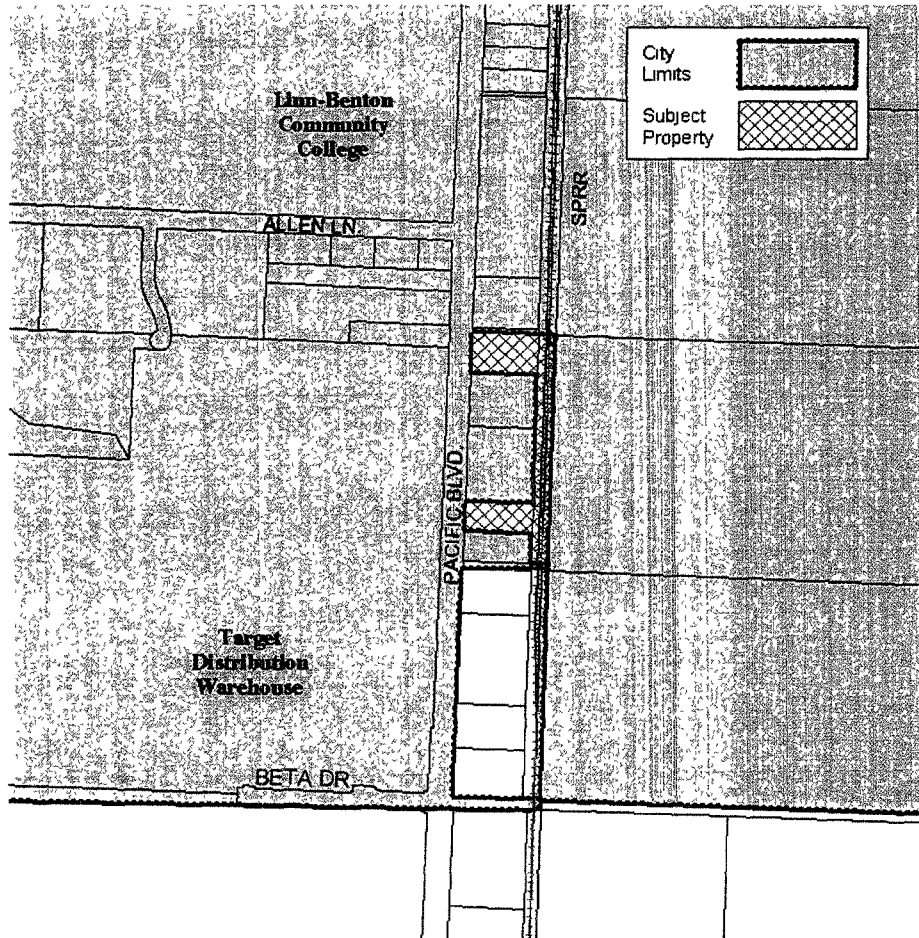
Betty Langwell  
City Clerk

**RESOLUTION EXHIBIT A**  
**LEGAL DESCRIPTION**  
**FILE AN-B5-04**

Beginning at a 1-inch iron rod on the East right-of-way line of State Highway 99 East, said iron rod being South 0° 31' 30" West 1427.77 feet and South 89° 37' East 38.49 feet from the Northwest corner of the Southwest quarter of Section 30 in Township 11 South, Range 3 West of the Willamette Meridian, in Linn County, Oregon; thence South 89° 37' East 319.48 feet to a 1-inch iron rod; thence South 0° 07' West 136.13 feet to a 1-inch iron rod; thence South 89° 37' East 60.0 feet, more or less, to the East right-of-way line of the Southern Pacific Railroad; thence Northerly along said railroad East right-of-way line North 0° 07' East 1034.87', more or less, to a point 531.3 feet South of the North line of the Southwest quarter of said Section 30; thence North 89° 37' West, parallel to said North line 372.5 feet to the East right-of-way line of said State Highway 99 East; thence South 0° 32' West 186.0 feet along said East right-of-way line to a 1/2-inch iron rod; thence South 89° 37' East 293.57 feet to the West right-of-way line of said Southern Pacific Railroad; thence South 0° 07' West 576.04 feet to a 1-inch iron rod; thence North 89° 37' West 298.29 feet, more or less, to a 1-inch iron rod on the East right-of-way line of said State Highway 99 East; thence South 0° 32' West 136.56 feet to the Point of Beginning.

**Island Annexation Staff Report**  
**Resolution Exhibit B**  
 July 2004 (AN-B5-04)

***LBCC Area (Map B Island5)***



<p><b>Number of Parcels - 2</b></p>	<p><b>Gross Area - 2.2 Acres</b> (Plus railroad right-of-way)</p>								
<p><b>Comprehensive Plan Designation -</b> Light Industrial</p>	<p><b>Proposed Zoning Designation -</b> Industrial Park (IP)</p>								
<p><b>Current Land Uses -</b> Single-Family Houses</p>	<p><b>Current Infrastructure Availability -</b></p> <table style="width: 100%;"> <tr> <td>Sanitary Sewer -</td> <td>Yes</td> </tr> <tr> <td>Water -</td> <td>Yes</td> </tr> <tr> <td>Storm Drainage -</td> <td>Yes</td> </tr> <tr> <td>Street (Access) -</td> <td>Yes</td> </tr> </table>	Sanitary Sewer -	Yes	Water -	Yes	Storm Drainage -	Yes	Street (Access) -	Yes
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