

ORDINANCE NO. 3538

AN ORDINANCE ELECTING TO DISPENSE WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON, UNDER THE PROVISIONS OF ORS SECTIONS 222.11, 222.120 AND 222.170, REGARDING THE ANNEXATION OF AN AREA NORTH OF GRAND PRAIRIE ROAD, ADJACENT TO EAST OF PERRYWINKLE CREEK, CONTIGUOUS TO THE CITY OF ALBANY, SETTING A TIME FOR PUBLIC HEARING ON THE SAME 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:

Parcel I: Beginning at the Northwest corner of tract deed to Fred and Stella May Hoflich and recorded November 8, 1955 in Book 246, page 14, of Linn County Deed Records, which corner is North 66° West 369 feet and North 4°30' East 500 feet from Southeast corner of Lot 11 of the Jason Wheeler's Home Farm in Linn County Oregon; and running thence North 12°45' East parallel to the West line of said Lot 11, a distance of 717 feet to the North line of said Lot, thence East on said line 70 feet to the Southwest corner of Doerfler tract as recorded March 9, 1942 in Book 157, page 497, Deed Records; thence Northerly along the West line of said tract 171.6 feet to the Northwest corner thereof, thence Easterly parallel to the South line of Leander C. Burkhart Donation Land Claim No. 50 in Township 11 South, Range 3 West of the Willamette Meridian, a distance of 663.64 feet to a 5/8 inch rod which is North 89°51' West 352.10 feet from the East line of said claim; thence South 1°39' East parallel to the West line of Anderson Cox Donation Land Claim No. 49 in said Township and Range, a distance of 618.67 feet to a 5/8 inch rod on the North line of Lot 8, in Jason Wheeler's Home Farm; thence West on the North line of Lots 8 and 9 a distance of 591.7 feet to a point 64.2 feet West of the Northwest corner of Lot 9, thence South 4°30' West parallel to the West line of Lot 9, a distance of 385 feet to the North line of Hoflich tract; thence North 66° West along said line 297 feet to the point of beginning.

Parcel II: Beginning at a point North 89°49' West, 150.0 feet from the Southeast corner of the Leander C. Burkhart Donation Land Claim No. 50, in Township 11 South, Range 3 West of the Willamette Meridian, in Linn County, Oregon; thence North 1°39' West parallel with the East line of said Donation Land Claim 171.60 feet; thence North 89°51' West parallel with the South line of said Donation Land Claim 202.10 feet to a 5/8 inch iron rod; thence South 1°39' East parallel with the West line of the Anderson Cox Donation Land Claim No. 49, a distance of 371.21 feet to a 1/2 inch pipe; thence South 89°49' East 202.11 feet; thence North 1°39' West 80.10 feet; Thence South 89°49' East, 150.0 feet to a point on the West boundary of the Anderson Cox Donation Land Claim in the center of the public road; thence North 1°39' West along the center of said public road and the West line of said Cox Donation Land Claim 49.89 feet; thence North 89°49' West. 150.0 feet; thence North 1°39' West, 70.0 feet to the 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 April, 1971, 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.

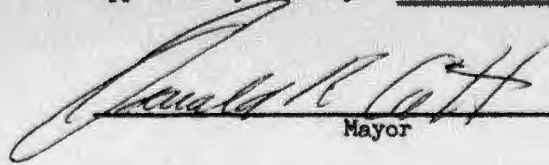
Section 3: EMERGENCY CLAUSE

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 annexation of the property described herein be disposed of at the earliest possible moment, and, should the same be annexed, that the City facilities be made available to this property, 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: March 10, 1971


Approved by the Mayor: March 10, 1971



Mayor

Effective Date: March 10, 1971

ATTEST:



City Recorder