

TITLE: An Ordinance annexing an area located south of Queen Avenue and east of Geary Street to the City of Albany, Oregon, with annexation to take place with a proportionate share of city services furnished and assessed over a five (5) year basis and declaring an emergency.

RECITALS: WHEREAS, on the 10th day of May, 1972, at a regular council meeting, the Council of the City of Albany did pass an Ordinance No. 3632, calling a public hearing on the 24th day of May, 1972, concerning the advisability of annexation of an area located south of Queen Avenue and east of Geary Street, hereinafter described, and

WHEREAS, the public hearing was duly held on the 24th day of May, 1972, and that the Council determined due notice of hearing had been given as provided in the Ordinances of the City of Albany and pursuant to the terms of ORS Section 222.120, and

WHEREAS, the Council, after said hearing, determined that the property lying south of Queen Avenue and east of Geary Street, hereinafter described, should be annexed to the City of Albany, with levy of taxes to be apportioned according to services furnished by the City over a period of five (5) years and that the property owners have filed their consent to the annexation on this basis.

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

Section 1: PROPERTY DESCRIPTION

That the following described property be and it is hereby annexed as P.U.D. to the City of Albany, Linn County, Oregon, to-wit:

A portion of the Leander C. Burkhardt D.L.C. 50 in T. 11 S., R. 3 W. of the Will. Mer., Linn County, Oregon, being described as follows: Beginning N. 1°38'W., parallel to the West line of said Claim; 10.74 chains from a point on the South line of and S. 89°49'E. 15.70 chains from the Southwest corner of said D.L.C. 50; and running thence N. 89°49'W., parallel to the South line of said Claim, 856.2 feet to the East line of Meadowview Addition; thence N. 1°38'W. along the East line of said Meadowview Addition 1509.19 feet to the Northeast corner of said Addition and being in the center of East Queen Avenue; thence N. 88°54'E. along the center of said East Queen Avenue 630.0 feet; thence S. 1°38'E., parallel to the West line of said D.L.C. 50 and along the West line of that parcel conveyed to Pacific Power and Light Company by Deed recorded in Book 253, page 493 of Deed Records; a distance of 280.0 feet to the Southwest corner of said Pacific Power and Light Company parcel; thence N. 88°54'E., parallel to the centerline of said East Queen Avenue, 226.20 feet to the Southeast corner of said Pacific Power and Light Company parcel; thence S. 1°38'E. to the point of beginning, subject to the rights of the public in the use of the North 30 feet which lie within East Queen Avenue, and containing 26.83 acres, more or less, clear of said East Queen Avenue. R-A 2) Zone

(Except

(The following described property to be C-2 zone)

Beg at the NW cor of Lt 1 of Meadowview Add, of which pt, also being the SE cor of Geary St and Queen Ave; and running th N 1° 38' W along the E r/w line of Geary St in a Sly direction 400.00 ft; th N 88° 54' E in an Ely direction 375.00 ft. th N 1° 38' W in a Nly direction 400.00 ft to a pt on the S r/w line of Queen Ave; th N 88° 54' E in a Wly direction along the S r/w line of Queen Ave 375.00 ft to the pt of beg.

Lots 1 through 19, Meadowview Addition to Albany, Linn County, Oregon, and the North 60 feet of even width of Lot 28, Meadowview Addition to Albany, Linn County, Oregon; and Beginning on the South Line of and S89°49'E. 180.0 feet from the Southwest corner of the Leander C. Burkhart D.L.C. No. 50 in T.11S., R.3W. of the Will. Mer. in Linn County, Oregon, said beginning point being also the Southeast corner of Lot 29 of Meadowview Addition; and running thence S. 89°49'E., along the South line of said Claim, 856.2 feet; thence N. 1°38'W., parallel to the West line of said Claim, 10.74 chains; thence N89°49'W., parallel to the South line of said Claim, 856.2 feet to the East line of said Meadowview Addition; thence S1°38'E., along said East line, 10.74 chains to the point of beginning.

As R-A Multiple Family zone

ALSO beginning on the South line of and S. 89°49'E. 15.70 chains from the Southwest corner of the Leander C. Burkhart D.L.C. No. 50 in T.11S., R3W. of the Will. Mer. in Linn County, Oregon; and running thence N. 1°38'W., parallel to the West line of said Claim, 5.28 chains; thence S. 89°49'E., parallel to the South line of said Claim, 9.25 chains; thence S. 1°38'E., parallel to the West line of said Claim, 5.28 chains to the South Line of said Claim; thence N. 89°49'W., along said South line, 9.25 chains to the point of beginning, and containing in all 18.93 acres, more or less.

As R-1 Residential zone

Section 2: PROPORTIONATE TAX

That the annexation provided for herein is on the basis that services will be furnished by the City of Albany and a levy of a proportionate share of the city taxes made against the property over a five (5) year period pursuant to the following schedule:

First year	96%
Second year	97%
Third year	98%
Fourth year	99%
Fifth year	100%

Section 3: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the city of Albany.

Section 4: 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 herein described be disposed of at the earliest possible moment, and 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: May 31, 1972
 Approved by the Mayor: May 31, 1972
 Effective Date: May 31, 1972

ATTEST: Ernest W. Isham
 City Recorder

Donald G. Catt
 Mayor

City Recorder