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ORDINANCE NO. 4081

AN ORDINANCE ANNEXING PROPERTY LOCATED NORTH OF QUEEN AVENUE BETWEEN GEARY STREET AND WAVERLY DRIVE AS R-2 PUD AND DECLARING AN EMERGENCY.

WHEREAS, on the 30th day of November , 1977 , at a regular Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. 4077, wherein it was provided that a public hearing would be held on the 30th day of November , 1977 , concerning the advisability of annexing property located north of Queen Avenue between Geary Street and Waverly Drive; and

WHEREAS, the hearing was duly held on the 14th day of December, 19 77 , and at that time the Council determined that the Notices of Hearing had been given as provided in the said Ordinance, and pursuant to the terms of ORS 222.111, 222.120 and 222.170, and

WHEREAS, the Council after said hearing determined that the area described herein be annexed as R-2 PUD.

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

Section 1: That the following described property be and is hereby annexed to the City of Albany, to-wit:

(see attached legal description)

Section 1a: Findings of Fact.

(see Attachment)

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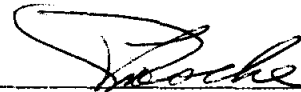
Section 2: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the City of Albany.

Section 3: 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 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: December 28, 1977

Approved by the Mayor: December 28, 1977

Effective Date: December 28, 1977



Mayor

ATTEST:



City Recorder

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FINDINGS OF FACT

1. The request conforms to the Comprehensive Land Use Plan and Goal Statements from the standpoint of the property being designated as future Urban Residential.
2. The request complies with the appropriate LCDC Goals and Guidelines, in particular the proposal will meet a specific housing need, will preserve agricultural lands by providing for compact urban development within the core area of the community adjacent to existing urban services, and is located within the proposed urban growth boundary.
3. This property is an island area, completely surrounded by the City and can be annexed at any time by the City of Albany.
4. The requested R-2 PUD zoning is consistent with zoning recently approved for the surrounding area.
5. The property is adjacent to a major arterial street and a sanitary sewer trunk line and is easily served by all other public utilities and services.
6. The Planning Commission by prior action has recommended that this property be zoned R-2 Limited Multiple Family Residential.

BOB MITCHELL HOMES ANNEXATION

LEGAL DESCRIPTION

Beginning at a point which is North 88°25' East 17.12 chains distant from the Southeast corner of the Donation Land Claim of Abram Hackleman and wife, being Notification No. 699 and Claim No. 62 in Tp. 11 S., Range 3 West of the Willamette Meridian, Oregon, and running thence North 88° 25' East 11.66 chains, thence North 1°39' West 18.30 chains to the south line of H. D. Burkhardt's land, thence westerly along said South line 11.66 chains to the Southwest corner of said H. D. Burkhardt's land, thence South 1°39' East 18.60 chains to the place of beginning, containing 21.51 acres, more or less, all being in Linn County, Oregon, save and excepting a strip of land 30 feet wide along the full length of the South side of the said tract of land to be used as a perpetual road or highway.

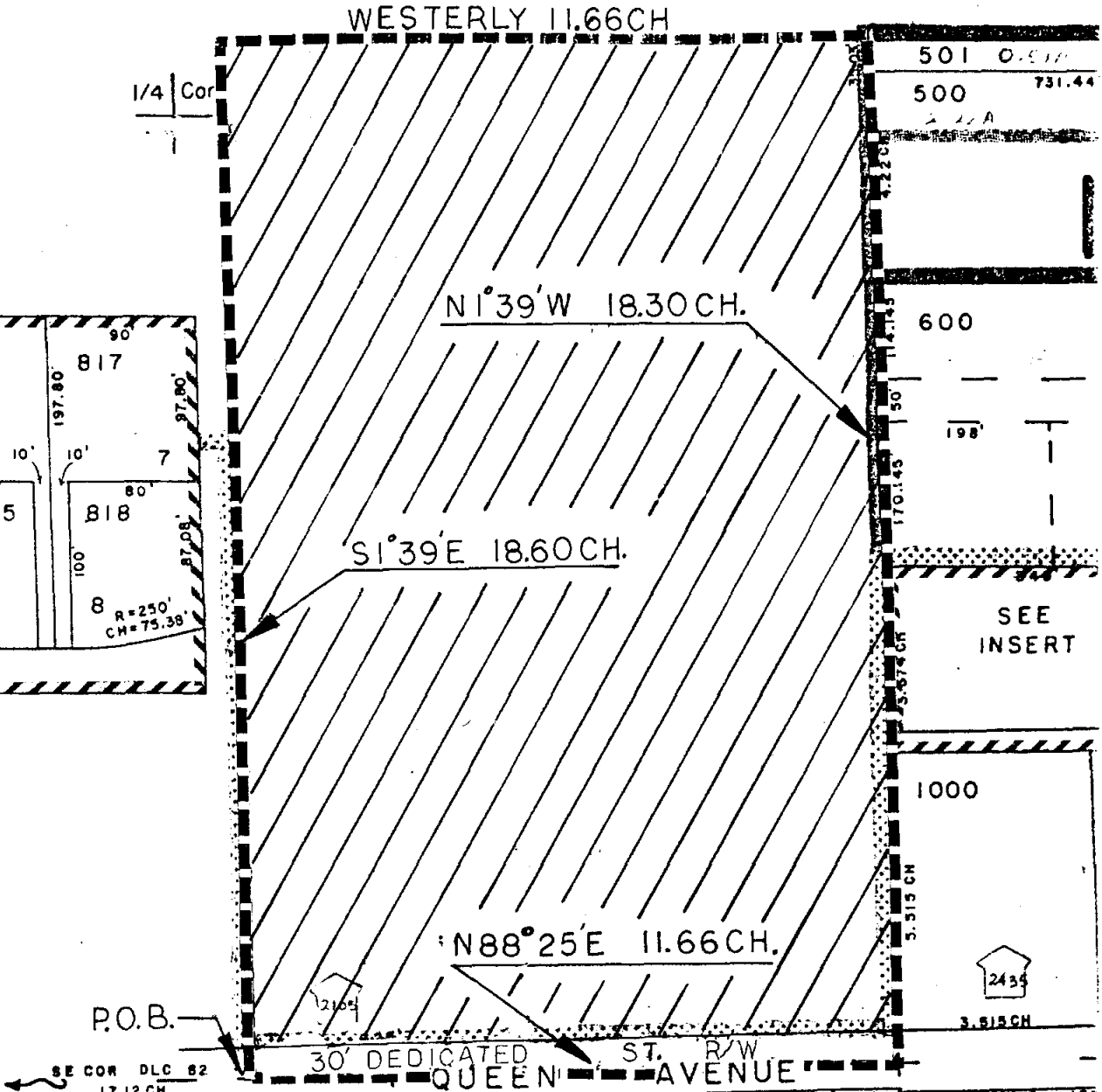
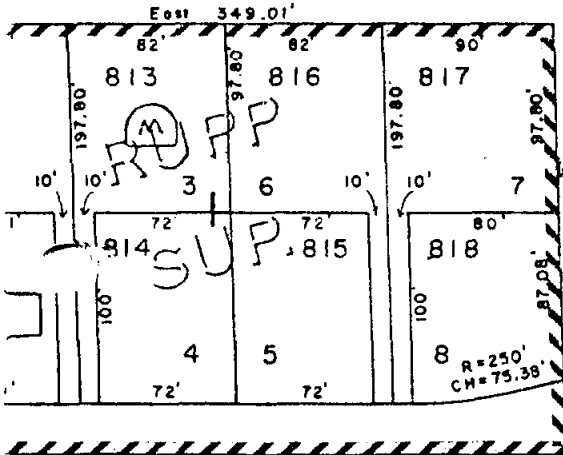
MITCHELL HOMES ANNEXATION

1/17/78

1" = 200'



INSERT
1" = 100'



**REGISTERED
PROFESSIONAL
LAND SURVEYOR**
Harold A. Leedom
**OREGON
SEPTEMBER 23, 1977
HAROLD A. LEEDOM
1249**