

ORDINANCE NO. 4733

AN ORDINANCE ADOPTING ATTACHED EXHIBIT "A" KNOWN AS "FINDINGS" AND PROCLAIMING THE ANNEXATION TO THE CITY OF ALBANY OF CONTIGUOUS TERRITORY CONSISTING OF 2.841 ACRES MORE OR LESS OF PROPERTY LOCATED EAST OF COLUMBUS STREET AND NORTH OF OAK CREEK, AND WITHDRAWING SAID TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT.

WHEREAS, 100% of the property owners have consented to annexation of said property pursuant to ORS 222.125; and

WHEREAS, the City Council did hold a public hearing at 7:15 p.m. on the 22nd day of October, 1986, in the City Hall Council Chambers on the annexation question, and the further question of withdrawing said annexed territory from the Albany Rural Fire Protection District, during which time and place the voters of the city were given an opportunity to be heard on the questions involved; and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and the public hearing was duly held by and before the City Council as provided by law and by the terms of said Ordinance and the published notice, and it appears to be in the best interest of the City and of the area involved that it be annexed to the City of Albany and withdrawn from the Albany Rural Fire Protection District.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Exhibit "A" known as "Findings" is hereby adopted as the Albany City Council's findings in support of this decision.

Section 2: The following described property to-wit: (See attached legal description) is hereby proclaimed to be annexed to the city of Albany, Oregon.

Section 3: That the above described territory annexed to the city of Albany is hereby withdrawn from the Albany Rural Fire Protection District.

Section 4: After the effective date of this ordinance, the City Recorder shall submit to the Secretary of State of the State of Oregon and the Oregon State Department of Revenue a transcript of the annexation proceedings, a copy of this ordinance, and a copy of the complete consent document signed by the landowners within the territory annexed. The City Recorder shall also, within 10 days after the transcript has been filed with the Secretary of State of the State of Oregon, report this annexation to the County Clerk and to the County Assessor of Linn County, Oregon.

Section 5: That the property described in Section 1 hereof shall be effectively annexed to the City of Albany on the date that the complete abstract of the annexation proceedings as specified in Section 3 of this ordinance is filed with the Secretary of State of the State of Oregon.

Passed by the Council: October 22, 1986

Approved by the Mayor: October 24, 1986

Effective Date of this Ordinance: November 21, 1986

Effective Date of this Annexation: November 20, 1986
(date filed with Oregon Secretary of State)

Tom Holman
Mayor

ATTEST:

Deborah
City Recorder

EXHIBIT 'A'

FINDINGS FOR ANNEXATION ((FILE NO. AN-04-86))

1. Annexation of the subject property is a logical extension of the City boundary and will provide for coordinated planning efforts for extension of streets and utilities.
2. The subject property is within the Urban Growth Boundary and is a 100% consent annexation.
3. Annexation of the subject property is in conformance with the acknowledged Albany Comprehensive Plan.
4. The existing zoning designation Urban Growth Management 20-acre minimum is in conformance with the Albany Comprehensive Plan designation of Urban Residential Reserve. As such, the property may be developed applying the standards of residential zoning districts as provided for in the Albany Development Code.
5. The conflicts between the City and County applications of development standards and requirements for this property will be eliminated through Annexation.
6. Urban services can be extended to the subject property without adversity to other properties in the city.
7. The future use and development of the property will be subject to Site Plan Review approval which will assure the provision of adequate public improvements and enhancement of the property through appropriate landscaping.

**LEGAL DESCRIPTION FOR ANNEXATION
TO
THE CITY OF ALBANY, OREGON**

Beginning at a point which is on the West line of and North 0 19'35" East, 763.93 feet, from the Southwest corner of the Jordan S. Robinson Donation Land Claim No. 55, in Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon, said point is also on the centerline of Oak Creek; thence along the centerline of said creek, North 82 40'52" East, 442.45 feet; thence North 1 22'42" East, 128.71 feet; thence South 88 42'13" East, 202.24 feet; thence North 4 05'23" East, 65.46 feet; thence North 46 25'01" East, 341.16 feet; thence South 87 09'30" East, 16.12 feet; thence leaving said creek, North 0 19'35" East, 71.70 feet, to the Easterly-most Southeast corner, of a 25.002 acre tract of land, thence along the South boundary of said tract, South 45 19'35" West, 240.44 feet; thence South 71 37'45" West, 158.34 feet; thence South 71 33'45" West, 622.35 feet, to the West line of said Donation Land Claim and Tract; thence South 0 19'35" West, 136.07 feet, to the place of beginning, containing 2.841 acres more or less.

