

ORDINANCE NO. 5585

AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTIES LOCATED EAST OF CLOVER RIDGE ROAD; AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on July 28, 2004, reviewed this annexation request, adopted findings, and concluded that the City's annexation eligibility and timeliness criteria can be met; and

WHEREAS, the Albany City Council on July 28, 2004, referred this annexation request as a ballot measure to the Linn and Benton Counties Elections Filing Officers for the approval or rejection of the proposed annexation by the legal voters of Albany (pursuant to Albany City Charter Chapter 54); and

WHEREAS, the question of annexation of the property generally located on the east side of Clover Ridge Road, shown on Linn County Assessor's Map No. 11S-03W-03B; Tax Lot(s) 300, 400, 500, 600, and 700, containing 27 acres, more or less, and as further described in the attached legal description labeled Exhibit "A", was submitted to the electorate at a general election held November 2, 2004, as required by Albany City Charter Chapter 54; and

WHEREAS, the City Clerk has certified that the annexation was approved by a majority vote; and

WHEREAS, the Albany Development Code applies specific zoning upon annexation;

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

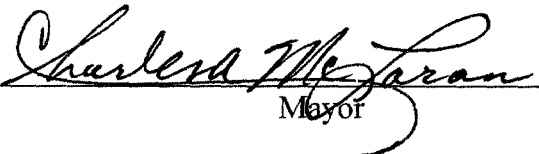
Section 1: The described real property to-wit (see attached Exhibit A) is hereby annexed to the City of Albany and zoned RS-6.5 (Residential Single Family).

Section 2: The City Clerk shall file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of the State of Oregon, and the State of Oregon Department of Revenue. The City Clerk shall also submit to the Secretary of State an abstract of the vote within the City.

Passed by the Council: January 12, 2005

Approved by the Mayor: January 12, 2005

Effective Date: January 12, 2005



Mayor

ATTEST:



City Clerk

EXHIBIT A
LEGAL DESCRIPTION
FILE AN-02-04

Beginning at a point on the East line of and South 0° 05' West 1092.96 feet South of the Northeast corner of the Robert Houston DLC No. 38 in Township 11 South, Range 3 West, Section 3 of the Willamette Meridian in Linn County, Oregon, said point being the Northeast corner of that tract of land conveyed to Matthew & Julie James by deed recorded in Microfilm Volume 886, Page 613, Linn County Deed Records; thence along the North line of said James tract North 89° 39' West 1259.94 feet to the Southeast corner of that tract of land conveyed to Iris Patton by deed recorded in Microfilm Volume 1421, Page 613 Linn County Deed Records; thence North 0° 16' West 251.33 feet to the Northeast corner of said Patton tract; thence along the North line of said Patton tract North 89° 39' West 346.63 feet to the centerline of Clover Ridge Road (County Road No. 320); thence along said center line South 0° 16' East 930.07 feet, more or less, to the Southwest corner of that tract of land conveyed to Breadner Parker & Associates by deed recorded in Microfilm Volume 1404, Page 733, Linn County Deed Records; thence along the South line of said Breadner tract South 89° 39' East 1602.41 feet to the Southeast corner of said Breadner tract; thence along the East line of said Robert Houston DLC No. 38 North 0° 05' East 678.74 feet to the Point of Beginning.

NW1/4 SEC.03 T.11S. R.03W. W.M.
LINN COUNTY, OREGON

NE COR
DLC 38
ROBERT
HOUSTON

100
97.99A

4 3

200
18.02A

300
2.00A

400
9.43A

500
0.57A

600
3.92A

700
10.90A

8-26

8-30

800
13.55A

2000
7.73A

1800
2.00A

ALBANY
11S-03W-03B

AN-02-04

P. PLAT
200-23

900
1.69A

1000
2.00A

1100
1.00A

1200
1.00A

1300
1.00A

1401
0.74A

1600
1.38A

1700
0.92A

1501
0.31A

1400
0.19A

1500
0.81A

1900
0.51A

CLOVER RIDGE RD

KNOX BUTTE RD

SEE MAP 11 3W 4DA