

RESOLUTION PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTY LOCATED AT 1720 AND 1740 QUEEN AVENUE SW AND CONTAINING APPROXIMATELY 0.62 ACRE (FILE AN-03-97).

WHEREAS, the City Council has proposed to annex in accordance with the provisions of ORS 222.750 certain property described by attached Exhibit A and more commonly known as 1720 and 1740 Queen Avenue SW (Linn County Assessor's Map No. 11-4W-13BA, Tax Lots 3300 and 3400) which is adjacent to the City of Albany; and

WHEREAS, provisions of State law and the Albany Development Code waive requirements for Planning Commission review and public hearings for such annexations; and

WHEREAS, the Albany Development Code provides for the application of specific zoning districts upon annexation of territory under these circumstances; and

WHEREAS, a public hearing will be held on August 13, 1997, concerning the withdrawal of said territory from the Albany Rural Fire Protection District under the provisions of ORS 222.524.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the territory described by attached Exhibit A is hereby proclaimed to be annexed to the City of Albany and zoned RS-6.5 (Residential Single Family).

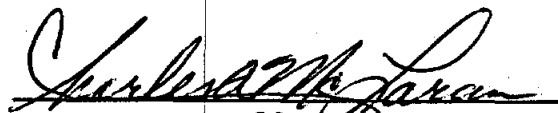
BE IT FURTHER RESOLVED that the findings, attached Exhibit B, are hereby adopted in support of this annexation and zoning action.

BE IT FURTHER RESOLVED by the Albany City Council that a public hearing on the matter of removal of the territory described in Exhibit A from the Albany Rural Fire Protection District be held by the City Council on August 13, 1997.

BE IT FURTHER RESOLVED that the City Recorder shall give notice of the hearing for the removal from the Rural Fire Protection District by publication once each week for two (2) successive weeks prior to the day of said hearing in a newspaper of general circulation within the City. The City Recorder shall further cause notice of this hearing to be posted in four (4) public places within the City for a like time.

BE IT FURTHER RESOLVED that the property described by attached Exhibit A shall be effectively annexed to the City of Albany on the date that the complete abstract of the annexation proceedings described above is filed with the Secretary of State of the State of Oregon.

DATED THIS 9TH DAY OF JULY 1997.


Mayor

ATTEST:



City Recorder

LEGAL DESCRIPTION
File AN-03-97

Tax Lot 3300, Linn County Assessor's Map 11-4W-13BA

Beginning at a point 0.74 chains North 1°30' West and 8.075 chains South 51°15' West from the Southwest corner of the Donation Land Claim of Walter Monteith's Notification No. 1978, Claim No. 55 in Section 12, Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; thence South 38°45' East 2.71 chains; thence South 51°15' West 0.9225 chains; thence North 38°45' West 2.71 chains; thence North 51°15' East 0.9225 chains to the point of beginning. ALSO: Beginning at a point 0.74 chains North 1°39' West and 9.00 chains South 51°15' West and 2.71 chains South 38°45' East from the Southwest corner of Walter Monteigh's Donation Land Claim No. 55, in Township 11 South, Range 4 West of the Willamette Meridian; and running thence South 38°45' East 100 feet; thence North 51°15' East 72 feet; thence North 38°45' West 100 feet; thence South 51°15' West 72 feet to the point of beginning.

Tax Lot 3400, Linn County Assessor's Map 11-4W-13BA

Beginning at a point 0.74 chains North 1°30' West 7.155 Chains South 51°15' West from the Southwest corner of the Donation Land Claim of Walter Monteith's Notification No. 1798, Claim No. 55 in Section 12, Township 11 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence South 38°45' East 2.71 chains; thence South 51°15' West 0.9175 chains; thence North 38°45' West 2.71 chains; thence North 51°15' East 0.9175 chains to the place of beginning.

NE 1/4 NW 1/4 Sec. 13 T.11S. R.4W. W.M.
LINN COUNTY

11 4W 13BA
ALBANY

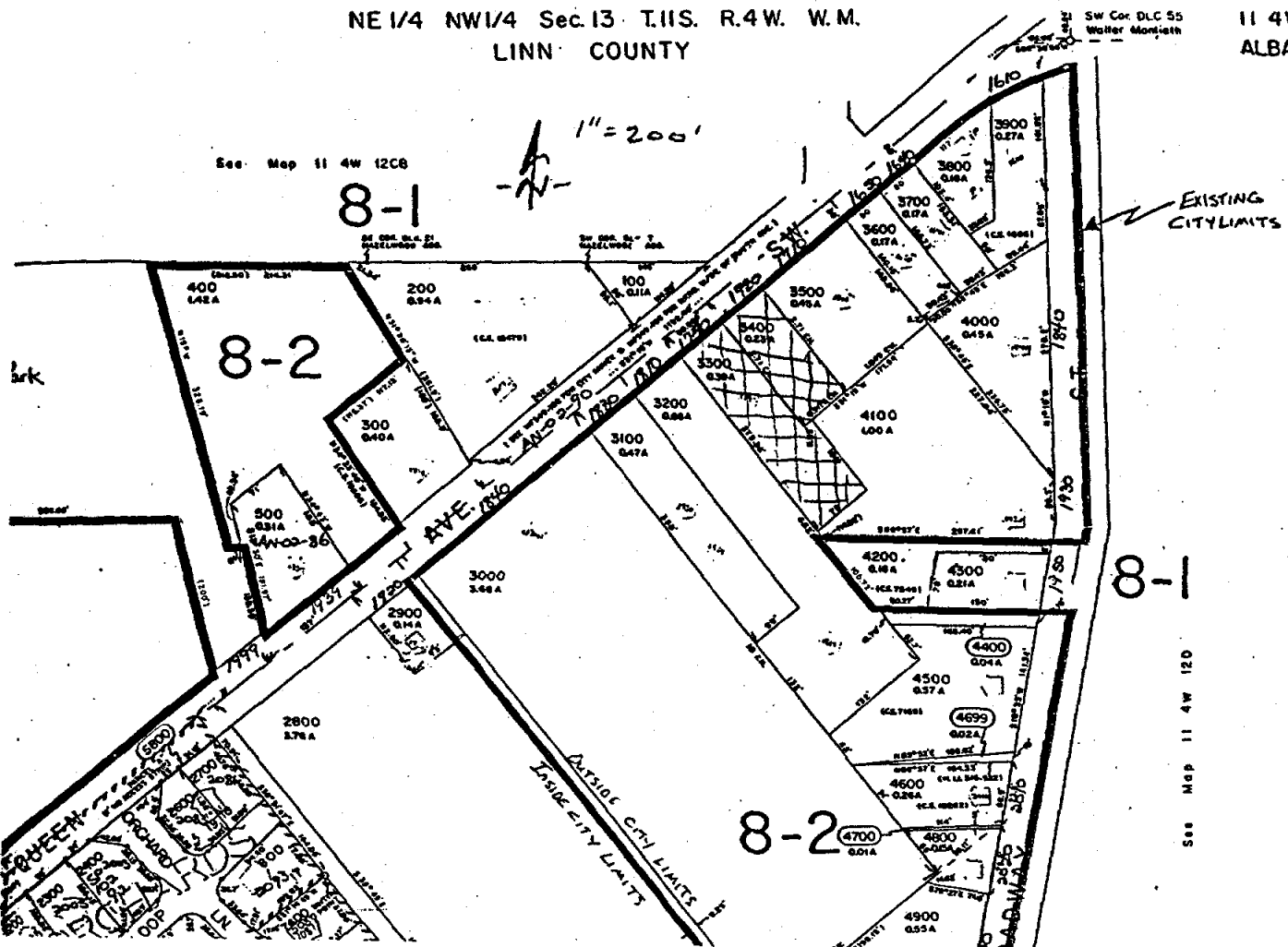


EXHIBIT B

FINDINGS File AN-03-97

1. **Annexation of the subject property is a logical and efficient extension of the boundaries of city limits to facilitate the functional and economic provision of services as the property to the east is currently within the city limits.**
2. **The subject property is within the Urban Growth Boundary and will provide for coordinated planning efforts for extension of streets and utilities.**
3. **Any conflicts between the City and County applications of development standards and requirements for this property will be eliminated through annexation.**
4. **The City is capable of providing city services commensurate with the needs of existing and any proposed new uses in the subject area without significantly impairing city services to existing portions of the City or without extending services in contradiction to Comprehensive Plan policies or an adopted Public Facility Plan.**
5. **Annexation petitioners have the responsibility of installing and paying for the water, sewer, street and storm drainage improvements necessitated by annexation.**
6. **The subject property is located adjacent to an arterial street (Queen Avenue) that is fully improved to City Standards (curb, gutters, storm drainage and sidewalks).**
7. **A public 10-inch water main is located on the south side of Queen Avenue adjacent to the subject parcels.**
8. **The nearest public sanitary sewer is an 8-inch main which crosses Queen Avenue from the north, and terminates in a manhole at the northeast corner of one of the subject parcels (Tax Lot 3300). The Albany Development Code requires connection to the public sanitary sewer system if the property is within 300 feet of a public line. Sewer collection mains must be extended along the full length of a property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.**
9. **The Albany Police Department will be able to provide service to the lots with no appreciable increase in costs at this time.**
10. **The Albany Fire Department reports that the subject property is within the proper running distance of Station Twelve for first-due Engine Company response.**
11. **Annexation and zoning of the subject property are in conformance with the acknowledged Albany Comprehensive Plan.**
12. **This is a small annexation involving an existing residence on a lot of 16,988 square feet and a vacant parcel containing 10,018 square feet. The surrounding area has been developed with single family residences on parcels ranging in size from 7,405 square feet to 3.68 acres. The RS-6.5 zoning designation is appropriate for this area and is in conformance with the zoning matrix found in the Comprehensive Plan.**

13. **The proposed zoning designation of RS-6.5 (Residential Single Family) is in conformance with the Albany Comprehensive Plan designation of Urban Residential Reserve. As such, the property may be developed applying the standards for the RS-6.5 zoning district as provided for in the Albany Development Code.**
14. **The annexation of the subject property was initiated by 100% of the property owners and no electors reside on the property; thus, annexation may occur without a public hearing or an election under the provisions of ORS 222.125.**