

RESOLUTION NO. 4995

A RESOLUTION PROPOSING THE ANNEXATION OF PROPERTIES LOCATED ON THE EAST SIDE OF PACIFIC BOULEVARD NORTH OF ELLINGSON ROAD, AND FORWARDING THE QUESTION OF ANNEXATION TO THE VOTERS ON THE NOVEMBER 2, 2004 BALLOT.

THE CITY COUNCIL OF THE CITY OF ALBANY resolves that the findings and conclusions contained in Resolution Exhibit B (which consists of the complete staff report to the Albany City Council, including attachments, and dated July 2004; File AN-B4-04), and by this reference incorporated herein, are hereby adopted.

THE CITY COUNCIL OF THE CITY OF ALBANY FURTHER RESOLVES that this annexation, which would annex approximately 2.9 acres of property located on the east side of Pacific Boulevard north of Ellingson Road, all within Linn County, Oregon, is to be submitted to the legal voters of Albany, Oregon, for their approval or rejection pursuant to Albany City Charter Chapter 54 at an election to be held on November 2, 2004. This election will be conducted by mail-in ballot.

The ballot title of this measure and the form in which it shall be printed on the official ballot is as follows:

CAPTION: MEASURE PROPOSING ANNEXATION OF PROPERTY ON PACIFIC BOULEVARD SW

QUESTION: Shall two parcels totaling approximately 2.9 acres on the east side of Pacific Boulevard north of Ellingson Road be annexed?

SUMMARY: There are three islands on south Pacific Boulevard that are proposed for annexation. This is the northernmost island. Approval of this measure would annex approximately 2.9 acres to the City of Albany. The properties to be annexed are located on the east side of Pacific Boulevard and north of Ellingson Road. These properties are surrounded on all sides by the city limits of Albany. Upon annexation, the zoning would be NC (Neighborhood Commercial).

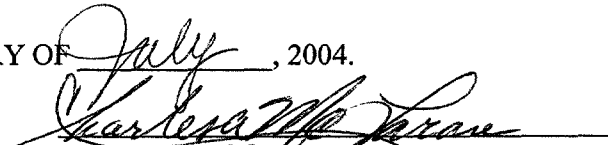
The text of the measure is as follows:

The following described real property, all located in Linn County, Oregon, shall be annexed to the City of Albany upon obtaining a favorable majority vote of the people.

The property generally located on the east side of Pacific Boulevard and north of Ellingson Road, shown on Linn County Assessor's Map No. 11S-03W-30; Tax Lot(s) 201 and 204, as further described in the attached legal description labeled Resolution Exhibit A. The subject properties containing 2.9 acres, more or less.

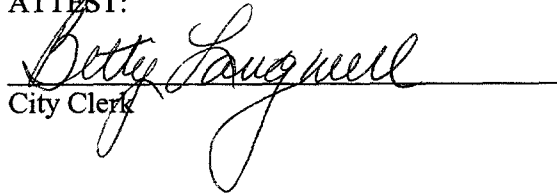
The City Clerk is authorized and directed to give notice of the submission of this question to the voters, including a true copy of the complete text and the ballot title for the measure in the form in which it shall be printed on the official ballot and any other information required by law to be published. That notice shall be published in not less than two successive and consecutive weekly issues of the *Albany Democrat-Herald*.

IN EFFECT AND DATED THIS 14 DAY OF July, 2004.



Mayor

ATTEST:



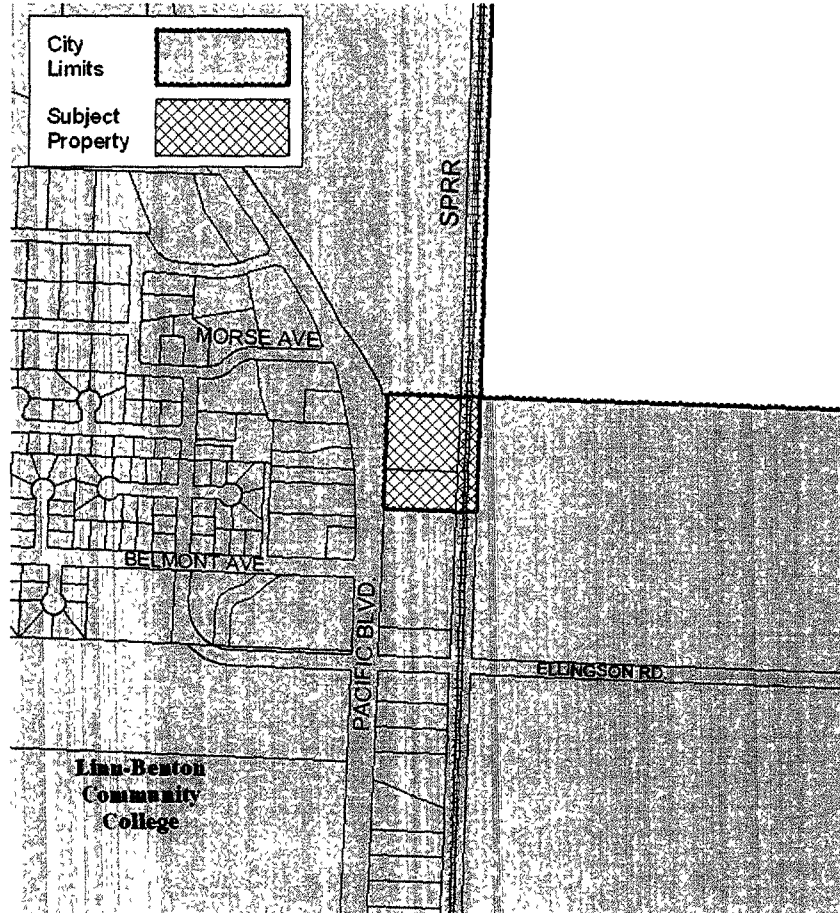
City Clerk

RESOLUTION EXHIBIT A
LEGAL DESCRIPTION
FILE AN-B4-04

Beginning at a point on the East right-of-way line of State Highway 99 East, said point also being on the South line of, and South 89° 41' East 30.28 feet from the Southwest corner of Section 19 in Township 11 South, Range 3 West, of the Willamette Meridian, in Linn County, Oregon. Thence, Southerly along the East right-of-way line of said State Highway 99 East to a point 450.19 feet South of the South line of said Section 19; thence Easterly parallel to the South line of said Section 19 South 89° 41' East 352.04 feet to the East right-of-way line of the Southern Pacific Railroad; thence Northerly, along said East railroad right-of-way North 0° 07' East 450.19 feet to the South line of said Section 19; thence Westerly along said South Section line North 89° 41' West 357.40 feet to the Point of Beginning.

**Island Annexation Staff Report
Resolution Exhibit B
July 2004 (AN-B4-04)**

LBCC Area (Map B Island 4)



<p>Number of Parcels - 2</p>	<p>Gross Area - 2.9 Acres (Plus railroad right-of-way)</p>								
<p>Proposed Zoning Designation - Neighborhood Commercial (NC)</p>	<p>Comprehensive Plan Designation - Light Commercial</p>								
<p>Current Land Uses - Veterinary Clinic (1.9 acres) Single-Family House (1.0 acres)</p>	<p>Current Infrastructure Availability -</p> <table border="0"> <tr> <td>Sanitary Sewer -</td> <td>No</td> </tr> <tr> <td>Water -</td> <td>Yes</td> </tr> <tr> <td>Storm Drainage -</td> <td>Yes</td> </tr> <tr> <td>Street (Access) -</td> <td>Yes</td> </tr> </table>	Sanitary Sewer -	No	Water -	Yes	Storm Drainage -	Yes	Street (Access) -	Yes
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