

RESOLUTION NO. 4998

A RESOLUTION PROPOSING THE ANNEXATION OF PROPERTY LOCATED ON THE NORTH SIDE OF SANTIAM HIGHWAY WEST OF GOLDFISH FARM 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-C7-04), 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 0.4 acres of property located on the north side of Santiam Highway west of Goldfish Farm 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 SANTIAM HIGHWAY SE

**QUESTION:** Shall the 0.4-acre parcel on the north side of Santiam Highway west of Goldfish Farm Road be annexed?

**SUMMARY:** Approval of this measure would annex approximately 0.4 acres to the City of Albany. The property to be annexed is located on the north side of Santiam Highway and west of Goldfish Farm Road. The property is surrounded on all sides by the city limits of Albany. Upon annexation, the zoning would be CC (Community 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 north side of Santiam Highway and west of Goldfish Farm Road, shown on Linn County Assessor's Map No. 11S-03W-09A; Tax Lot 1411, as further described in the attached legal description labeled Resolution Exhibit A. The subject property containing 0.4 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.

Charles McLean  
Mayor

ATTEST:

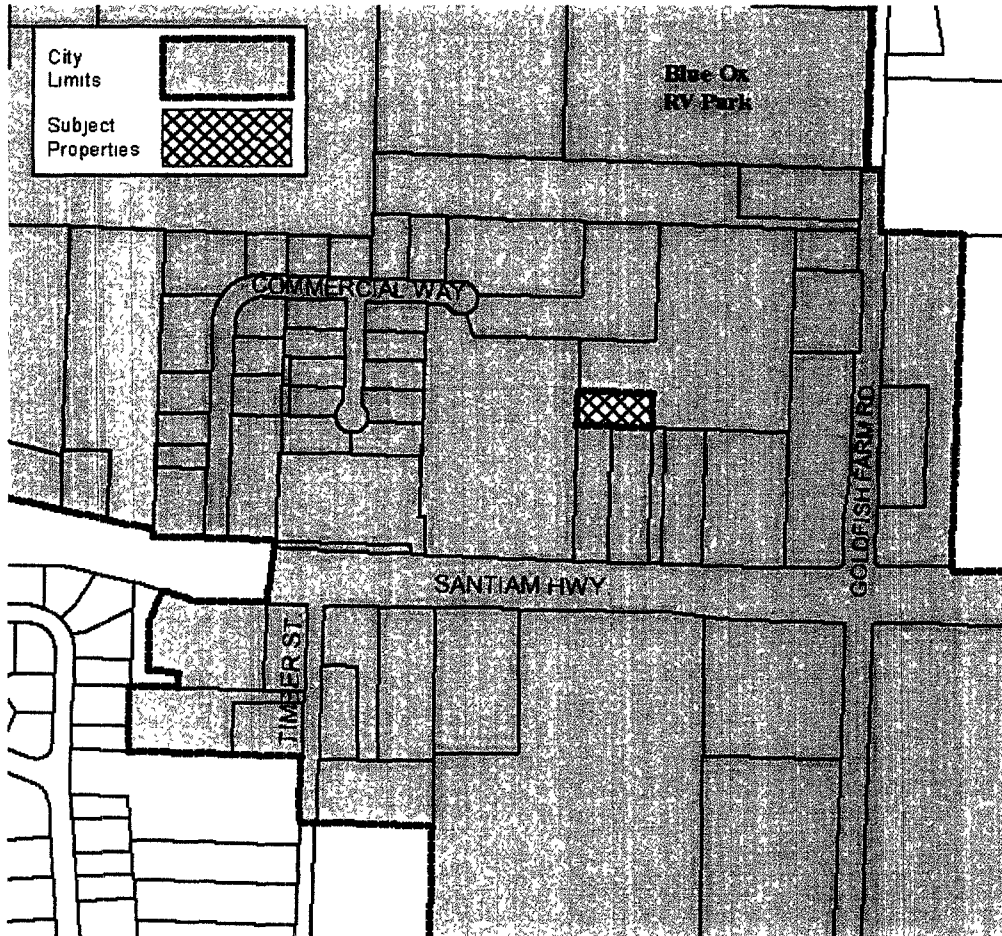
Betty Langwell  
City Clerk

**RESOLUTION EXHIBIT A  
LEGAL DESCRIPTION  
FILE AN-C7-04**

Beginning at a point South 545.45 feet and South 89° 59' West 557.0 feet from the Southwest corner of the Hugh Nickerson Donation Land Claim No. 39, in Section 9 of Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon, said point also being the Northeast corner of that tract of land conveyed to GMVR LLC by deed recorded in Microfilm Volume 1319, Page 308 of the Linn County Deed Records; thence along the North line of said GMVR tract South 89° 59' West 198.0 feet to a 1/2-inch iron rod; thence North 90.0 feet; thence North 89° 59' East 198.0 feet; thence South 90.0 feet to the Point of Beginning.

**Island Annexation Staff Report  
Resolution Exhibit B  
July 2004 (AN-C7-04)**

***Santiam Highway (Map C Island 7)***



<b>Number of Parcels – 1</b>	<b>Gross Area – 0.4 Acres</b>
<b>Comprehensive Plan Designation – Light Industrial</b>	<b>Proposed Zoning Designation – Light Industrial (LI)</b>
<b>Current Land Use – Personal Storage Building</b>	<b>Current Infrastructure Availability –</b> Sanitary Sewer - Yes Water - Yes Storm Drainage - Yes Street (Access) - Yes