ORDINANCE NO. ___3399___

AN ORDINANCE RELATING TO DISPENSING WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON, UNDER ORS 222.111, 222.120 AND 222.170 REGARDING THE CONDITIONAL ANNEXATION OF CERTAIN PROPERTY LYING IMMEDIATELY SOUTH OF 34TH AVENUE AND EAST OF THE SOUTHERN PACIFIC RAIL-ROAD KNOWN AS ORE MET, AND DECLARING AN EMERGENCY

WHEREAS, on the 9th day of April, 1969, there was filed with the City Recorder of the City of Albany, a petition and consent by the Petitioners, representing to be the owners of property contiguous to the City of Albany, Oregon, to elect to dispense with an election within the City of Albany concerning the annexation of said property and setting a date for the hearing of the same.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: DESCRIPTION OF PROPERTY.

That an election within the City of Albany regarding the annexation of the following described property to-wit:

Tr. 1   Begg at 1/2"' ir on the E r/w of the SPRR S 0°06' E 1931.23' fr a pt
on the N li of & N 88°55' E 1416.10' fr the NW cor of the Truett
Davis DLC, being Claim 38 in T 11 S, R 4 W and Claim 54 in T 11 S,
R 3W of the WM, Li Co, O; and rng th S 0°06' E alg sd r/w 2746.87'
to a 3/4" iron bolt; th N 88°55' E, pll to the N li of sd Truett
Davis DLC 1361.26' to the E li of the W half of sd Turett Davis
DLC; th N 1°02' W alg sd E li 2746.87' to a 3/4" ip which bears
N 88°55' E of the pob; th S 88°55' W 1312.67' to the pob; and
containing 84.31 acres, m/l.

Tr. 2   Begg on the S li of and S 88°55' W 18.682 chs from the SE cor of
the Isaac Hutchins DLC No. 70, in T 11 S, R 3W of the WM, Li Co,
O, sd bgg pnt being on the E r/w li of the SP Railway; and rnng th
N 88°55' E alng sd S li of DLC No. 70, a distance of 13.594 chs;
th S 62°13' E 6.646 chs to a 3/4" rod on the E li of the W half of
the Truett Davis DLC No. 54, in sd T and R; th S 1°02' E, alng sd
E li of sd DLC no. 54, a distance of 26.047 chs; th S 88°55' W
19.889 ch to a 1/2" rod set on the E li of the r/w of sd S P Rail-
way; th N 0°06' W 29.261 chs, alng sd r/w to the pob all in Linn
County, Oregon. Containing 57.19 acres.

Subject to easement and right of way to Mountain States Power Company
recorded October 28, 1947 in Deed Book 196, page 713; SUBJECT to
easement and right of way to UNITED STATES OF AMERICA for electrical
transmission line, recorded August 3, 1947 in Deed Book 209, page 664.

as an M-3 Zone,

shall be and is hereby dispensed with.

Section 2: HEARING

That there shall be a Public Hearing as to the advisability of annexing the property described in Section 1 to the City of Albany, Oregon on the 14th day of May, 1969, and the City Recorder is hereby directed to give Notice of Public Hearing by publishing in a newspaper of general circulation published in the said City once (1) a week for two (2) successive and consecutive weeks and by posting in four (4) public places a Notice setting forth the time and place of the said hearing, the purpose for which the hearing is to be held, and the description of the property to be considered for annexation on the following basis:

First Year	Fire Protection and Sewage Disposal	22.50%
Second Year	Police Protection	42.60
Third Year	Airport	43.20
Fourth Year	Swimming Pool	44.20
Fifth Year	Municipal Court and Law	45.50
Sixth Year	Parks	48.60
Seventh Year	Engineering	51.90
Eighth Year	Recreation	55.20
Ninth Year	Library	59.60
Tenth Year	All remaining services	100.00

<u>Section 3</u>: EMERGENCY CLAUSE

WHEREAS, it is in the betterment of the public health, interest, safety and general welfare of the Citizens of the City of Albany that this matter of annexation of the property described herein be disposed of at the earliest possible moment, and should the same be annexed, that the City facilities be made available to this property, therefore, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: __April 9, 1969__

Approved by the Mayor: __April 9, 1969__

Russell W. Tripp
                    Mayor

Effective Date: __April 9, 1969__

ATTEST:

Ernest Wickham
City Recorder