

AN ORDINANCE ELECTING TO DISPENSE WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON, UNDER THE PROVISIONS OF SECTIONS 222.111, 222.120 AND 222.170 ORS, REGARDING THE ANNEXATION OF AN AREA LOCATED NEAR THE EAST SIDE OF SOUTH GEARY STREET AT APPROXIMATELY 1000 BLOCK, MAP NUMBER AND TAX LOT, 11 3W 8BD 600, CONTIGUOUS TO THE CITY OF ALBANY, SETTING A TIME FOR PUBLIC HEARING ON THE SAME AND DECLARING AN EMERGENCY.

WHEREAS, 100 per cent of the owners of the property which is the subject matter of this annexation have petitioned and requested the City of Albany to annex the area hereinafter described to the City, and the same being contiguous and in all respects qualifying under the present statutes for annexation, and

WHEREAS, it is in the best interest of the City of Albany that a public hearing be held at the earliest possible date to consider objections to the annexation of the property herein described.

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:

Part of the Leander C. Burkhart Land Claim No. 50, in Township 11 South, Range 3 West of the Willamette Meridian, described as follows:

Beginning North 88°25' East 520 feet and North 1°35' West 1820 ft from the Southeast corner of the Abram Hackleman Donation Land Claim No. 62 in Township 11 South, Range 3 West of the Willamette Meridian; thence North 88°25' East 602.4 feet; thence North 1°39' West 582.9 feet; thence South 88°25' West 602.4 feet; thence North 1°35' West 58.08 feet to the South line of the Southern Pacific Railroad right-of-way; thence South 72°27' West 269 feet along said South line of said railroad; thence South 1°35' East 503.88 feet; thence South 88°25' West 259.02 feet to the East line of said Claim No. 62; thence South 1°35' East along said Claim line 63 feet; thence North 88°25' East 519.42 feet to the place of beginning. SAVE AND EXCEPTING THEREFROM that portion reserved for street purposes in deed to Augusta Warner, recorded March 16, 1891, in Book 40, Page 338, Deed Records, all being situated in Linn County, Oregon.

SAVE AND EXCEPT FURTHER a portion of the said property conveyed by School District No. 5, Linn County, Oregon to Phillip G. Zeer and Marilyn L. Zeer, Raymond P. Zeer and Beverly R. Zeer, said property being described more particularly described as follows:

A tract of land in Section 8, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, more particularly described as follows:

Beginning on the West line of the Leander C. Burkhart D.L.C. 50, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; 296.36 feet South of the Northwest corner of the South half of said D.L.C. in Section 8 of said Township and Range; said point being the intersection of the North line of the Old Railroad right-of-way with the West line of said claim; running thence North 72°39' East along the North line of said right-of-way 820.3 feet; thence South 1°35' East 198.7 feet; thence South 88°25' West 270.38 feet to the true place of beginning of the herein described tract; thence South 88°25' West 200 feet, more or less, to the Southerly right-of-way line of said railroad; thence North 72°39' East along said railroad right-of-way line to a point North 1°35' West of the true place of beginning; thence South 1°35' East 58.08 feet to the true place of beginning.

be 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, on the 10th day of February, 1971, at 7:15 p.m. o'clock, and the City Recorder is hereby directed to give notice of said public hearing by publishing in a newspaper of general circulation, published in the said City once 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 said hearing and the description of the property to be considered for annexation and the purpose for which the hearing is held.

Section 5: 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 be 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: January 13, 1971

Approved by the Mayor: January 13, 1971



Mayor

Effective Date: January 13, 1971

ATTEST:



City Recorder