

ORDINANCE NO. 5590

AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTIES LOCATED ON THE EAST SIDE OF PACIFIC BOULEVARD NORTH OF ELLINGSON ROAD; AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on July 14, 2004, reviewed this annexation request, adopted findings, and concluded that the City's annexation eligibility and timeliness criteria can be met; and

WHEREAS, the Albany City Council on July 14, 2004, referred this annexation request as a ballot measure to the Linn and Benton Counties Elections Filing Officers for the approval or rejection of the proposed annexation by the legal voters of Albany (pursuant to Albany City Charter Chapter 54); and

WHEREAS, the question of annexation of 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, containing 2.9 acres, more or less, and as further described in the attached legal description labeled Exhibit "A", was submitted to the electorate at a general election held November 2, 2004, as required by Albany City Charter Chapter 54; and

WHEREAS, the City Clerk has certified that the annexation was approved by a majority vote; and

WHEREAS, the Albany Development Code applies specific zoning upon annexation;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:


Section 1: The described real property to-wit (see attached Exhibit A) is hereby annexed to the City of Albany and zoned NC (Neighborhood Commercial).

Section 2: The City Clerk shall file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of the State of Oregon, and the State of Oregon Department of Revenue. The City Clerk shall also submit to the Secretary of State an abstract of the vote within the City.

Passed by the Council: January 12, 2005

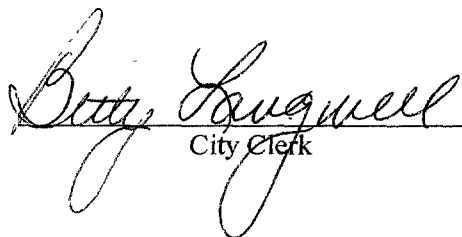
Approved by the Mayor: January 12, 2005

Effective Date: January 12, 2005



Mayor

ATTEST:



City Clerk

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.

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