

ORDINANCE NO. 5594

AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTIES LOCATED ON THE WEST SIDE OF THREE LAKES ROAD AND SOUTH OF 18TH AVENUE; 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 west side of Three Lakes Road and south of 18th Avenue, shown on Linn County Assessor's Map No. 11S-03W-09D; Tax Lot(s) 1107, 1109, and 1112, containing 4.3 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 RS-6.5 (Residential Single Family).

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

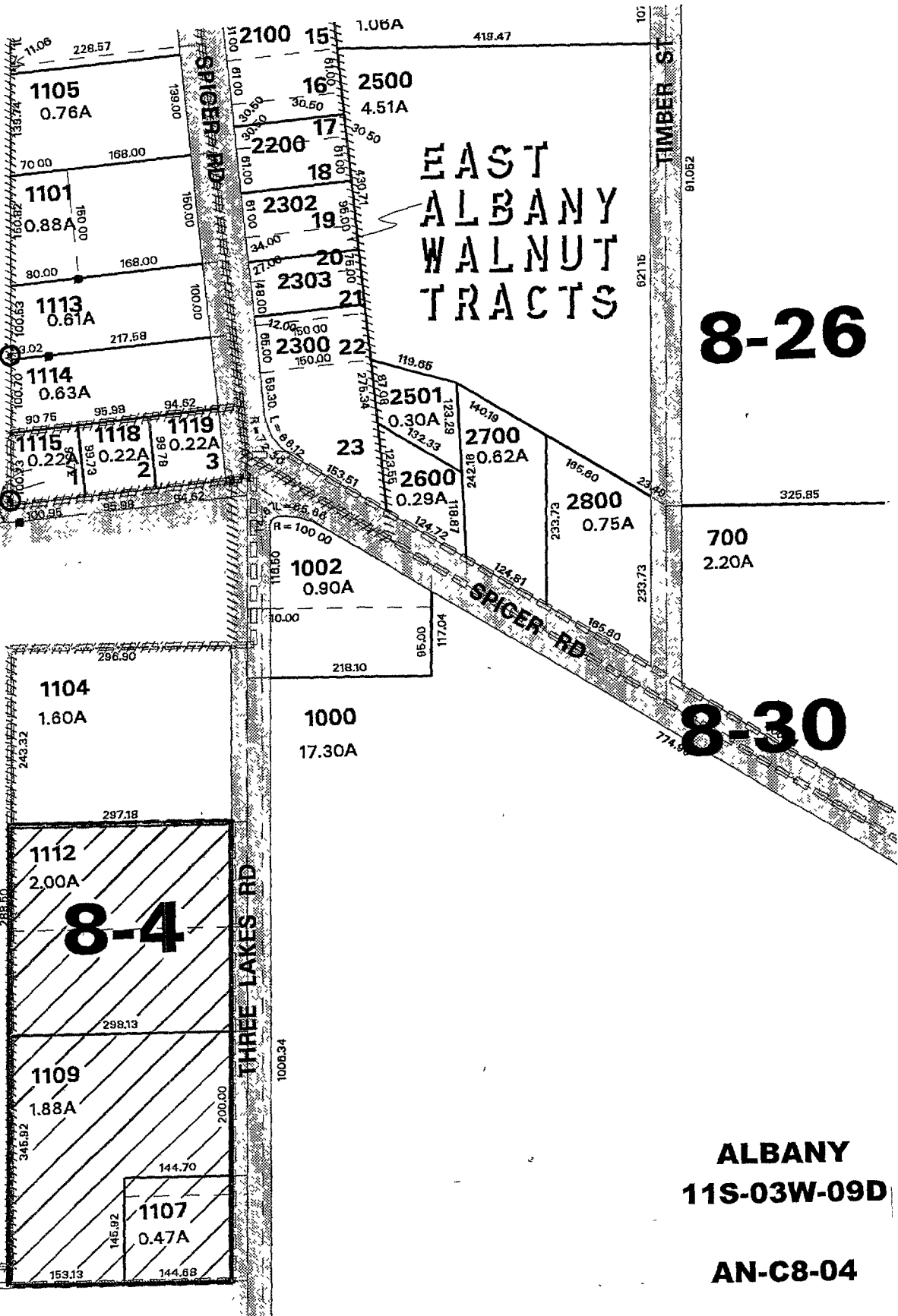
EXHIBIT A
LEGAL DESCRIPTION
FILE AN-C8-04

Beginning at a point North 0° 17' East 608.5 feet from the Southeast corner of the Lawndale Subdivision, said point also being described as the Northwest corner of that tract conveyed to Clara M. Dittmer by deed recorded in Microfilm Volume 190, Page 886 of Linn County Deed Records; thence along the East line of said subdivision South 0° 17' West 634.42 feet to the Southwest corner of that tract conveyed to Robert V. and Marjorie I. Collier by deed recorded in Microfilm Volume 21, Page 772 of Linn County Deed Records; thence Easterly along the South line of said Collier tract 297.81 feet, more or less to the West right-of-way line of Three Lakes Road; thence North 0° 17' East along the West line of said road 634.42 feet, more or less, to a point where the West right-of-way line of Three Lakes Road intersects the North line of said Dittmer tract; thence Westerly along the North line of said Dittmer tract 297.18 feet, more or less, to the Point of Beginning.

8-4 SEE

PLAT 1992-02

SEE MAP 113W 9DC



8-26

8-30

ALBANY 11S-03W-09D

AN-C8-04