

ORDINANCE NO. 2898

TITLE: AN ORDINANCE ELECTING TO DISPENSE WITH AN ELECTION WITHIN THE CITY OF ALBANY PURSUANT TO 222.120 ORS REGARDING ANNEXATION OF FIR OAKS ADDITION REVISED AND 2ND ADDITION TO FIR OAKS ADDITION AND ADJACENT AREA, AND A CERTAIN AREA LYING WEST OF LIBERTY STREET AND SOUTH OF 27TH AVENUE; SETTING A TIME FOR PUBLIC HEARING ON THE SAME AND DECLARING AN EMERGENCY.

RECITALS:

WHEREAS, there has heretofore been filed with the City Recorder of the City of Albany petition by persons representing themselves as owners of certain property lying west of Liberty Street and south of 27th Avenue, requesting the Council of the City of Albany to elect to dispense with an election within the City of Albany for annexing that certain area lying west of Liberty Street and South of 27th Avenue and requesting that a date be set for hearing on the said proposal,

AND WHEREAS, it has heretofore been determined to hold an election in Fir Oaks Acres, Revised and 2nd Addition to Fir Oaks Addition and adjacent area for the purpose of determining whether or not the residents of that area desire to be annexed to the City of Albany,

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

Section 1: DESCRIPTION OF PROPERTY

That an election within the City of Albany for the purpose of annexing the following described property, to-wit:

Beginning at the S.E. corner of Lot 31, Fir Oaks Addition Revised, Linn County, Oregon; running thence South $89^{\circ}42'E$ to the West line of Liberty Street; thence South $14^{\circ}12'$ East approximately 320 feet to the North line of a City of Albany owned ditch; thence South $30^{\circ}59'$ West 180' more or less to the S.E. corner of Lot 34 Fir Oaks Addition, Revised; thence North $14^{\circ}12'$ West to the point of beginning, all in Linn County, Oregon,

shall be and is hereby dispensed with pursuant to and under the terms of 222.120 ORS.

Section 2: DESCRIPTION OF PROPERTY

That an election within the City of Albany for the purpose of annexing the following described property, to-wit:

Beginning at a point which is the intersection of the N. margin of 34th Ave. and the Easterly right-of-way line of State Hwy. 99-E; thence in a Westerly direction to the S.E. corner of Lot 54, Fir Oaks 2nd Addition; thence along the S. boundary line of Fir Oaks 2nd Addition to the S.E. corner of Fir Oaks Addition; thence along the Southerly and Westerly boundaries of Fir Oaks Addition to the N. line of 27th Ave.; thence along the N. line of 27th Ave. in an Easterly direction to the E. line of Broadway St.; thence along the present city limits line to the W. line of Liberty St.; thence Southerly, thence Northeasterly; thence Easterly to the E. right-of-way line of State Hwy. 99-E., all being along present city limits line; thence Southerly along the E. right-of-way line of said highway to the N. margin of 34th Avenue which is also the point of beginning,

shall be and is hereby dispensed with pursuant to and under the terms of 222.120 CRS.

Section 3: TIME AND PLACE OF HEARING - NOTICES

That there shall be held a public hearing as to the advisability of annexing Fir Oaks Addition Revised and 2nd Addition to Fir Oaks Addition and adjacent area, described in Section 1, and that certain area lying west of Liberty Street and south of 27th Ave. as described in Section 2, to the City of Albany on the 27th day of April, 1960, at the hour of 7:15 p.m. in the City Hall, Albany, Oregon, and the City Recorder of the City of Albany is hereby directed to give notice of the said public hearing by publishing in a newspaper of general circulation in said city once a week for two (2) successive weeks prior to the election and by posting a notice in four (4) public places for the same length of time 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 4: EMERGENCY CLAUSE

Whereas; it is for 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 property described herein be disposed of at the earliest possible moment and 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: March 23, 1960

Approved by the Mayor: March 23, 1960

W. F. Sigfatiel
Mayor

Effective Date: March 23, 1960

ATTEST:

Constance A. Shann
City Recorder