

ORDINANCE NO 4957

AN ORDINANCE DECLARING THE ANNEXATION OF THE UNINCORPORATED BENTON COUNTY PORTION OF THE ALBANY URBAN GROWTH BOUNDARY, UPON THIS CONDITION THAT A MAJORITY OF VOTES CAST IN THAT TERRITORY IN THE JUNE 25, 1991 ELECTION IS IN FAVOR OF ANNEXATION.

WHEREAS, in 1989, the State of Oregon declared that a Health Hazard existed in portions of the North Albany Urban Growth Boundary due to inadequate sewage disposal.

WHEREAS, in 1990 Benton County and the City of Albany adopted an Alternative Plan to Health Hazard Annexation to alleviate this hazardous condition.

WHEREAS, because the passage of Ballot Measure 5 made some of the provisions of the Alternative Plan financially infeasible, an amendment to the timetable of the Alternative Plan was approved by the State Environmental Quality Commission. The amendment provided additional time to develop other financing options.

WHEREAS, public meetings have been held with the North Albany Citizen's Advisory Committee, Benton County representatives, and the citizens of the North Albany to discuss annexation and options to the Alternative Plan.

WHEREAS, an annexation election and annexation petition drive were identified as desirable courses of action at these meetings.

WHEREAS, an election for North Albany residents has been scheduled for June 25, 1991, on the question of annexation.

WHEREAS, a public hearing was held on May 28, 1991, to consider the views of residents of the City of Albany on the proposed annexation.

WHEREAS, the proposed annexation is within the Urban Growth Boundary and represents a logical and efficient extension of city limit boundaries.

WHEREAS, the City is capable of providing City services commensurate with the needs of existing and any proposed new uses in the subject area without significantly impairing City service to existing portions of the City or without extending services in contradiction to Comprehensive Plan policies or an adopted Public Facility Plan.

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

Section 1: Declaration of Annexation

The unincorporated Benton County portion of the Albany Urban Growth Boundary is hereby declared to be annexed to the City of Albany upon the condition that the majority of votes cast in the June 25, 1991, election is in favor of annexation.

Section 2: Effective Date of Annexation

The effective date of this annexation shall be the date upon which the information required by ORS Section 222.177 is filed with the Secretary of State.

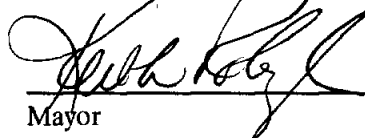
Section 3: Legal Description of Annexed Territory

The territory to be annexed is generally described as the unincorporated Benton County portion of the Albany Urban Growth Boundary and more specifically described in the attached Exhibit "A".

Passed by the Council: May 28, 1991

Approved by the Mayor: May 29, 1991

Effective Date: May 27, 1991



Mayor

ATTEST:



City Recorder

NORTH ALBANY ANNEXATION BOUNDARY
URBAN GROWTH BOUNDARY
- EXHIBIT A -

Beginning at a point which is South 00° 05' 30" East 20.00 feet and North 89° 56' 30" West 20.00 feet from the South Quarter Corner of Section 35, Township 10 South, Range 4 West, Willamette Meridian, Benton County, Oregon; thence on the westerly right-of-way line of Scenic Drive, County Road Number 14410, North 00° 05' 30" West 2,327.72 feet, to the south right-of-way line of Gibson Hill Road, County Road Number 04910; thence on said south right-of-way line, North 89° 50' 00" West 10.00 feet, to the westerly right-of-way line of Scenic Drive, County Road Number 14410; thence on said westerly right-of-way line, North 00° 21' 00" West 2,995.67 feet; thence continuing on said westerly right-of-way line, North 00° 13' 00" East 245.41 feet, to the southeast corner of Princeton Heights Subdivision, as recorded in Volume 6, Page 17, Benton County Plat Records, said point being the intersection of the westerly right-of-way line of said Scenic Drive with the southerly right-of-way line of 25th Avenue, Public Road Number P04931; thence on the south exterior boundary line of said subdivision and the southerly right-of-way line of said 25th Avenue, North 89° 47' 00" West 57.98 feet; thence continuing on said southerly boundary line, North 79° 14' 00" West 1,133.78 feet, more or less, to the southwest corner of said subdivision; thence on the west exterior boundary line of said subdivision, North 04° 52' 00" East 894.25 feet, more or less, to the northwest corner of said subdivision; thence on the north exterior boundary line of said subdivision, North 89° 52' 00" East 586.68 feet, to the westerly right-of-way line of Scenic Drive, County Road Number 14410; thence on said westerly right-of-way line the following bearings and distances: on the arc of a 1,175.92 foot radius curve to the right, (the long chord of which bears North 27° 34' 03" West 39.50 feet) 39.50 feet; South 63° 23' 43" West 10.00 feet; on the arc of a 1,185.92 foot radius curve to the right (the long chord of which bears North 24° 06' 17" West 103.46 feet) 103.49 feet; North 68° 23' 43" East 5.00 feet; on the arc of a 1,180.92 foot radius curve to the right (the long chord of which bears North 20° 21' 17" West 51.52 feet) 51.52 feet;

North 70° 53' 43" East 5.00 feet; on the arc of a 1,175.92 foot radius curve to the right (the long chord of which bears North 09° 39' 46" West 385.82 feet) 385.57 feet; North 00° 13' 15" West 72.32 feet; South 89° 51' 00" West 5.00 feet; North 00° 13' 15" West 97.66 feet; North 89° 51' 00" East 5.00 feet; North 00° 13' 15" West 987.11 feet, to a point which is South 00° 13' 15" East 77.85 feet and South 89° 46' 45" West 30.00 from the southeast corner of the John J. Haskins Donation Land Claim Number 71, in Section 26, Township 10 South, Range 4 West, Willamette Meridian; thence leaving said Scenic Drive right-of-way line, North 89° 52' 00" East 1,095.42 feet, more or less, to the northeast corner of the parcel of land described in M-6917, Benton County Deed Records; thence North 00° 11' 00" West 208.71 feet; thence North 89° 52' 00" East 904.41 feet to the southeast corner of the parcel of land described in M-56720-84, Benton County Deed Records; thence South 00° 11' 00" East 315.67 feet to the northwest corner of that parcel of land described in M-17465, Benton County Deed Records; thence South 89° 58' 30" East 1,175.87 feet, more or less, to the intersection of the westerly right-of-way line and the southerly right-of-way line of Countryman Circle, Public Road Number P04944; thence South 89° 47' 00" East 791.63 feet, more or less, to a point on the westerly exterior boundary line of Kingston Heights Subdivision, as recorded in Volume 6, Page 18, Benton County Plat Records; thence on the exterior boundary of said subdivision, North 00° 15' 30" East, 1,150.84 feet, more or less, to the northwest corner of the First Addition to Kingston Heights Subdivision, as recorded in Volume 7, Page 55, Benton County Plat Records; thence leaving said subdivision, South 89° 13' 41" East 1,354.04 feet, more or less, to the northwest corner of the parcel of land described in M-34859-81, Benton County Deed Records; thence on the west line of the parcels of land described in M-34859-81 and Book 198, Page 77, Benton County Deed Records, South 00° 11' 00" East 700.66 feet, more or less, to the southwest corner of the parcel of land described in Book 198, Page 77, Benton County Deed Records; thence on the south line of the last mentioned parcel, South 89° 45' 30" East 368.48 feet, more or less, to the southeast corner of the last mentioned parcel; thence on the west line of the parcel of land described in M-38787-82, Benton County Deed Records, North 00° 19' 00" East, 25.70 feet, more or less, to the northwest corner of the last mentioned parcel; thence on the north line of the last mentioned parcel,

South 89° 40' 30" East 300.44 feet, more or less, to the northeast corner of the last mentioned parcel; thence on the east line of the last mentioned parcel, South 00° 15' 30" West, 145.00 feet, more or less, to the southeast corner of the last mentioned parcel; thence on the south line of the parcel of land described in M-89881, Benton County Deed Records, South 89° 40' 30" East, 432.81 feet, more or less, to the southeast corner of the last mentioned parcel; thence South 11° 23' 00" West 676.32 feet, more or less, to the southeast corner of the parcel of land described in M-17870, Benton County Deed Records; thence South 02° 20' 47" West 2,008.83 feet, more or less, to a 1 inch iron pipe as shown on County Survey Number 4487; thence on the east line of the parcel of land described in M-89826, Benton County Deed Records, South 14° 01' 45" West 622.38 feet, more or less, to the interior corner of Gallatin Adkins Donation Land Claim Number 43, in Section 25, Township 10 South, Range 4 West, Willamette Meridian; thence South 56° 28' 06" East 1,955.70 feet, more or less, to the southwest corner of the parcel of land described in Book 157, Page 969 Benton County Deed Records; thence South 54° 29' 18" East 1,534.54 feet, more or less, to the northeast corner of the parcel of land described in M-23784, Benton County Deed Records; thence South 03° 29' 00" East 993.36 feet, more or less, to the north right-of-way line of Quarry Road, County Road Number 04042; thence on said north right-of-way line, North 89° 58' 00" East 1,149.06 feet, more or less, to a point which is North 04° 06' 00" East 20.05 feet from the southeast corner of Gallatin Adkins Donation Land Claim Number 79, in Section 31, Township 10 South, Range 3 West, Willamette Meridian; thence on the east line of said Donation Land Claim, North 04° 06' 00" East 932.96 feet, more or less, to the northwest corner of Lot 25, Fairway Terrace Subdivision, Volume 5, Page 57, Benton County Plat Records; thence continuing on said east line of said Donation Land Claim, North 04° 06' 00 East 109.28 feet, more or less, to a point where the westerly extension of the north line of Lots 7 and 8, of said subdivision intersect the east line of said Donation Land Claim; thence on said westerly extension, North 80° 11' 48" East 1,042.13 feet, more or less, to the northeast corner of Lot 7 of said subdivision; thence North 04° 27' 30" East 400.00 feet to the northwest corner of Lot 1 of said subdivision; thence on the west line of that parcel of land described in M-31112, Benton County Deed Records, North 14° 11' 00" East 177.55 feet, more or less, to the northwest corner of said

parcel; thence on the north line of said parcel and the easterly extension thereof, South 85° 32' 30" East 170.00 feet, more or less, to the easterly right-of-way line of Springhill Drive, County Road Number 13470; thence on the easterly right-of-way line of said road, North 04° 27' 30" East 30.02 feet, more or less, to the northwest corner of Parcel A as shown on County Survey 6733; thence on the north line of said parcel, South 85° 31' 41" East, 362.89 feet to the northeast corner of said parcel; thence on the east line of Parcels A, B, and C, as shown on County Survey 6733, South 04° 27' 30" West, 719.92 feet; thence North 85° 32' 30" West 74.85 feet; thence South 04° 27' 30" West 382.58 feet, more or less, to the centerline of North Nebergall Loop, County Road Number 03420; thence on the centerline of said road, North 89° 38' 30" East, 816.69 feet, more or less, to the east line of the Sarah Adkins Donation Land Claim Number 45 in Section 31, Township 10 South, Range 3 West, Willamette Meridian; thence on the east line of said Donation Land Claim, South 03° 41' 00" West, 20.06 feet, more or less, to a point which is North 03° 41' 00" East 1,253.21 feet, from the southeast corner of said Donation Land Claim; thence North 89° 54' 30" East 594.46 feet, more or less, to the northeast corner of the parcel of land described in Book 169, Page 719, Benton County Deed Records; thence South 89° 44' 00" East 172.20 feet; thence South 00° 04' 00" East 284.23 feet to the northwest corner of the parcel of land described in Book 194, Page 199, Benton County Deed Records; thence North 89° 44' 00" East 190.00 feet, more or less, to the northeast corner of the last mentioned parcel; thence South 00° 04' 00" East 200.00 feet, more or less, to a point on the south right of way line of South Nebergall Loop, County Road Number 03420; thence on the south right-of-way line of said road, North 89° 53' 00" East, 52.43 feet, more or less, to the northwest corner of the parcel of land described in M-72202; thence South 03° 41' 00" West 436.70 feet, more or less; thence South 89° 53' 00" West 150.00 feet, more or less, to the northeast corner of the parcel of land described in M-26601; thence on the east line of the last mentioned parcel, South 00° 07' 00" East 100.00 feet, more or less, to the southeast corner of the last mentioned parcel; thence South 89° 53' 00" West 230.00 feet, more or less, to the southeast corner of Lot 9, First Addition to Strawberry Acres Subdivision, as recorded in Volume 7, Page 51, Benton County Plat Records; thence on the exterior boundary of said subdivision the following

bearings and distances: South 21° 46' 30" East 53.80 feet; South 00° 07' 00" East 100.00 feet, to the southeast corner of Lot 3 Block 3 of said First Addition to Strawberry Acres Subdivision; thence North 89° 53' 00" East 945.55 feet, more or less, to a point on the west line of Lot 43, Evergreen Acres Subdivision, as recorded in Volume 5, Page 66, Benton County Plat Records; thence on the exterior boundary of said subdivision the following bearings and distances: North 00° 07' 45" West 392.72 feet, more or less, to the northwest corner of Lot 47; North 89° 41' 00" East 39.83; South 89° 46' 00" East 147.17 feet, more or less, to the southwest corner of Lot 49; North 00° 07' 45" West 291.28 feet to the south right-of-way line of South Nebergall Loop, County Road Number 03420; thence leaving said subdivision, on the south right-of-way line of said county road, North 89° 42' 00" East 150.44 feet; thence South 00° 09' 00" East 180.00 feet, more or less, to the northeast corner of Lot 1, of said Evergreen Acres Subdivision; thence continuing on the exterior boundary of said subdivision the following bearings and distances: South 00° 09' 00" East 1,105.38 feet, more or less, to the northwest corner of Lot 17; South 89° 41' 00" East 135.21 feet, more or less, to the northeast corner of Lot 17; South 00° 09' 00" East 231.26 feet, more or less, to the southeast corner of Lot 18; North 89° 47' 00" West 128.93 feet, more or less, to a point on the south line of Lot 18; thence leaving said subdivision, South 48° 02' 00" West 1,431.61 feet, more or less; thence South 00° 16' 00" West 125.00 feet, more or less, to the south line of Section 31, Township 10 South, Range 3 West, Willamette Meridian; thence on the south line of said Section 31, North 89° 44' 00" West 626.40 feet, more or less, to the northeast corner of Lot 11, Block 1, Golf Club Addition Subdivision, as recorded in Volume 5, Page 42, Benton County Plat Records; thence on the exterior boundary of said subdivision the following bearings and distances: South 48° 52' 00" West 622.77 feet; South 46° 46' 00" West 464.00 feet, more or less, to the most southerly corner of Lot 6, Block 3; thence leaving said subdivision, South 43° 07' 15" East 51.14 feet, more or less, to the northeast corner of the parcel of land described in M-45899-83, Benton County Deed Records; thence on the east line of the parcels of land described in M-45899-83 and M-3841-79, Benton County Deed Records, South 38° 45' 15" West 517.15 feet, more or less, to the southerly right-of-way line of the Southern Pacific Railroad right of way; thence on said right-of-way, on the arc of a 2,241.83 foot radius

curve to the left (the long chord of which bears North 60° 30' 00" West 580.00 feet) 581.63 feet, more or less, to the east right-of-way line of Springhill Drive, County Road Number 13470; thence on the easterly right-of-way line of said Springhill Drive the following bearings and distances:

South 15° 50' 00" West 248.15 feet; on the arc of a 2,894.79 foot radius curve to the right (the long chord of which bears South 20° 26' 29" West 465.13 feet) 465.63 feet; South 25° 02' 30" West 1,186.94 feet; thence South 20° 00' 00" West 318.07 feet, more or less, to the intersection of the easterly right-of-way line of said Springhill Drive, and the existing city limits of the City of Albany, Oregon; thence on the existing city limits of the City of Albany, Oregon, the following bearings and distances: North 11° 31' 36" East 270.00 feet, more or less; North 25° 02' 30" East 338.55 feet, more or less, to the easterly extension of the south right-of-way line of Hickory Avenue, County Road Number 14401; on said easterly extension, North 86° 01' 30" West 105.12 feet, to the intersection of the westerly right-of-way line of said Springhill Drive with the southerly right-of-way line of said Hickory Avenue; on the westerly right-of-way line of said Springhill Drive, North 12° 30' 30" West 44.61 feet; North 56° 26' 45" East 102.95 feet; North 27° 17' 57" East 149.88 feet;

North 44° 12' 20" East 65.31 feet; thence leaving said Springhill Drive right-of-way line and continuing on the city limits line of the City of Albany, Oregon, the following bearings and distances: North 44° 12' 20" East 40.00 feet, more or less; North 23° 56' 40" East 820.00 feet, more or less, to the south line of the John Q. Thornton Donation Land Claim Number 37, in Section 6, Township 11 South, Range 3 West, Willamette Meridian; thence on the exterior boundary line of the North Pointe Subdivision, and continuing on the present city limits line of the City of Albany, Oregon, the following bearings and distances:

South 89° 55' 15" West 182.00 feet; North 15° 52' 42" East 285.43 feet; North 85° 22' 36" West 286.12 feet; North 02° 00' 00" East 287.28 feet, more or less, to the southerly right-of-way line of the Southern Pacific Railroad; on the arc of a 2,242.01 foot radius curve to the left (the long chord of which bears North 88° 09' 38" West 287.53 feet) 287.73 feet, to a point of compound curvature; continuing, on the southerly right-of-way line of the Southern Pacific Railroad, on the arc of a 2,496.64 foot radius curve to the left (the long chord of which bears South 81° 35' 54" West 572.11 feet) 573.37 feet, to the

northwest corner of Block 4, of said North Pointe Subdivision;
South 00° 01' 26" West 511.81 feet; North 89° 55' 15" East 431.87 feet;
South 03° 54' 54" West 269.04 feet; South 03° 55' 50" West 706.71 feet, to the southwest corner of Block 5, of said North Point Subdivision, said point being on the northerly right-of-way line of Hickory Avenue, County Road Number 14401; thence leaving said subdivision, on the northerly right-of-way line of said Hickory Avenue, North 86° 01' 30" West 20.00 feet; thence leaving said northerly right-of-way line of Hickory Avenue, on the existing city limits of the City of Albany, Oregon, the following bearings and distances: North 03° 55' 50" East 736.75 feet; South 89° 57' 30" West 163.38 feet; South 03° 55' 15" West 62.68 feet; South 83° 33' 59" West 280.79 feet; South 03° 55' 15" West 611.90 feet, to the northerly right-of-way line of said Hickory Avenue;
South 03° 58' 30" West 60.00 feet, to the southerly right-of-way line of said Hickory Avenue; thence on the southerly right-of-way line of said Hickory Avenue, and continuing on the existing city limits of the City of Albany, Oregon, North 86° 01' 30" West 1,123.00 feet, more or less, to the southeast intersection of the south right-of-way line of said Hickory Avenue with the easterly right-of-way line of North Albany Road, County Road Number 14400; thence continuing on said city limits line, North 21° 38' 22" West 66.54 feet, to the northeast intersection of the northerly right-of-way line of said Hickory Avenue with the easterly right-of-way line of said North Albany Road; thence continuing on said city limits line and the northerly right-of-way line of said Hickory Ave, North 86° 01' 30" West 337.00 feet, more or less, to the westerly right-of-way line of said Hickory Avenue; thence continuing on said city limits line, and on the westerly right-of-way line of said Hickory Avenue, South 03° 58' 02" West 60.00 feet, to the southerly right-of-way line of said Hickory Avenue; thence continuing on said city limits line and the southerly right-of-way line of said Hickory Avenue, South 86° 13' 14" East 4.65 feet; thence continuing on said city limits line and leaving said southerly right-of-way line of Hickory Avenue, South 00° 17' 36" East 757.17 feet, to a point on the northerly right-of-way line of U.S. Highway 20 at Engineers Station 64+34.85; thence continuing on said city limits line, South 00° 17' 36" East 151.33 feet; thence continuing on said city limits line, North 82° 07' 08" East 534.26 feet; thence continuing on said city limits line, South 04° 32' 00" West 540.00 feet, more or less to the center of

the Willamette River; thence continuing on said city limits line and on the centerline of said Willamette River the following bearings and distances: North 86° 15' 00" West 1,190.00 feet; South 85° 00' 00" West 1,229.31 feet, more or less, to the northwest corner of the existing city limits of the City of Albany, Oregon; thence leaving said city limits of the City of Albany, Oregon, and continuing on the centerline of said Willamette River, South 70° 00' 00" West 175.00 feet, more or less, to a point which is South 00° 07' 35" East 447.37 feet, more or less, from the northwest corner of that parcel of land described in M-36037, Benton County Deed Records; thence North 00° 07' 35" West 447.37 feet, more or less, to said northwest corner, said point being on the southerly right-of-way line of U.S. Highway 20; thence on said southerly right-of-way line the following bearings and distances: South 82° 50' 00" West 195.00 feet; on the arc of a 1,939.86 foot radius curve to the right (the long chord of which bears South 86° 45' 30" West 265.57 feet) 265.78 feet; North 89° 19' 00" West 890.20 feet; on the arc of a 2,894.79 foot radius curve to the right (the long chord of which bears North 87° 18' 30" West 202.90 feet) 202.94 feet; North 85° 18' 00" West 1,493.30 feet; on the arc of a 666.62 foot radius curve to the right (the long chord of which bears North 71° 51' 00" West 310.11 feet) 312.97 feet; North 58° 24' 00" West 432.00 feet; on the arc of a 924.93 foot radius curve to the left (the long chord of which bears North 78° 27' 54" West 634.66 feet) 647.82 feet; South 81° 28' 12" West 156.57 feet to an angle point in said right-of-way line; South 78° 44' 37" West 105.00 feet, more or less, to an angle point in said right-of-way line; South 81° 28' 12" West 38.00 feet, more or less, to an angle point in said right-of-way line; South 70° 09' 36" West 53.00 feet, more or less, to an angle point in said right-of-way line; South 82° 50' 02" West 210.00 feet, more or less, to an angle point in said right-of-way line; South 80° 50' 00" West 198.00 feet, more or less, to the point of curvature; on the arc of a 2,038.48 foot radius curve to the left (the long chord of which bears South 75° 53' 20" West 396.51 feet) 397.14 feet; South 70° 18' 27" West 200.00 feet, more or less, to a point on the southerly right-of-way line of U.S. Highway 20, where the southerly extension of the east line of the parcel of land described in M-22088, Benton County Deed Records, intersects; thence leaving said southerly right-of-way line, North 14° 32' 00" West 1,350.13 feet, more or less, to the most northerly corner

of the last mentioned parcel; thence on the east line of the west half of the northwest quarter of Section 2, Township 11 South, Range 4 West, Willamette Meridian, North 00° 11' 00" East, 364.91 feet, more or less, to the center of the northwest quarter of said section; thence on the south line of the north half of the northwest quarter of said section, North 89° 56' 00" East, 1,269.03 feet, more or less, to the west right-of-way line of Scenic Drive, County Road Number 14410; thence on said westerly right-of-way line the following bearings and distances; on the arc of a 159.05 foot radius curve to the left (the long chord of which bears North 16° 53' 30" East 92.25 feet) 93.60 feet; North 00° 02' 30" East 817.00 feet, to a point which is North 89° 56' 30" West 40.00 feet from the northwest corner of the parcel of land described in M-41449, Benton County Deed Records; thence South 89° 56' 30" East 40.00 feet, to said northwest corner; thence South 89° 56' 30" East 1,131.00 feet, more or less, to the southwest corner of the parcel of land described in M-36951, Benton County Deed Records; thence North 00° 10' 00" East 440.02 feet, to the northwest corner of the said parcel, said point being on the south line of Section 35, Township 10 South, Range 4 West, Willamette Meridian; thence on the south line of said Section 35, North 89° 56' 30" West 1,131.00 feet, more or less, to the easterly right-of-way line of said Scenic Drive; thence on the easterly right-of-way line of said Scenic Drive, South 00° 02' 30" West 20.00 feet; thence on the southerly right-of-way line and the easterly extension thereof of said Scenic Drive, North 89° 56' 30" West 760.47 feet, to the westerly right-of-way line of said Scenic Drive, said point being the point of beginning.

Containing 2,437.15 acres, more or less.