

RESOLUTION NO. 2749

A RESOLUTION PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTY LOCATED SOUTH OF SOUTHERN PACIFIC RAILROAD TRACKS AND EAST OF COLUMBUS STREET SE (COUNTY MARKET ROAD NO. 11A) AND CONTAINING APPROXIMATELY 63.84 ACRES (FILE NO. AN-01-88).

WHEREAS, the City Council has proposed to annex in accordance with the provisions of ORS 222.750 certain property described by attached Exhibit A which is surrounded by the city of Albany; and

WHEREAS, provisions of state law and the Albany Development Code waive requirements for Planning Commission review and public hearings for such annexations; and

WHEREAS, the Albany Development Code provides for the application of specific zoning districts upon annexation of territory under these circumstances.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the territory described by attached Exhibit A is hereby proclaimed to be annexed to the city of Albany and zoned R-1 (Single Family Residential).

BE IT FURTHER RESOLVED that the findings, attached Exhibit B, are hereby adopted in support of this annexation and zoning action.

BE IT FURTHER RESOLVED that the City Recorder shall be directed to submit to the Secretary of the State of Oregon a transcript of the annexation proceedings, a copy of this resolution (ordinance), and a copy of the complete consent document signed by the landowners and electors, if any are present, within the territory annexed. The City Recorder shall also be directed to submit to the Oregon State Department of Revenue a copy of this resolution (ordinance), and a copy of the legal description and map of the territory annexed. The City Recorder shall also, within 10 days after the transcript has been filed with the Secretary of State of the State of Oregon, report this annexation to the County Clerk and to the County Assessor of Linn County, Oregon.

BE IT FURTHER RESOLVED that the property described by attached Exhibit A shall be effectively annexed to the city of Albany on the date that the complete abstract of the annexation proceedings described above is filed with the Secretary of State of the State of Oregon.

DATED THIS 27th day of January 1988.

*Dale Rouse*

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Council President

ATTEST:

*[Signature]*  
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City Recorder

EXHIBIT 'A'

LEGAL DESCRIPTION FOR ANNEXATION (FILE No. AN-01-88)

Beginning at a 5/8 inch iron rod 30.00 feet South 89°43'15" East and 2262.50 feet North 0°19'35" East from the Southwest corner of the Jordan S. Robinson Donation Land Claim No. 55, in Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon, said iron rod being on the East right-of-way line of Columbus Avenue, Market Road No. 11A; running thence South 89°43'15" East 879.27 feet; thence South 0°19'35" West 1013.98 feet to a point on the centerline of Oak Creek; thence along said centerline South 87°09'30" East 183.67 feet; thence North 17°06'59" East 514.62 feet; thence North 64°14'54" East 290.49 feet; thence South 68°23'12" East 410.89 feet; thence South 61°53'41" East 357.42 feet; thence South 60°11'56" East 308.16 feet; thence South 73°19'06" East 205.15 feet to the East line of said Section 20; thence leaving said creek and running along said East line North 0°24'54" East 935.30 feet to a 5/8 inch iron rod on the southerly right-of-way line of the Southern Pacific Railroad Co.; thence along said southerly right-of-way line North 65°30'17" West 2891.45 feet to a point on the easterly right-of-way line of said Columbus Avenue; thence along said easterly right-of-way line South 0°19'35" West 1193.06 feet to the Point of Beginning. This parcel contains 63.84 acres, more or less.

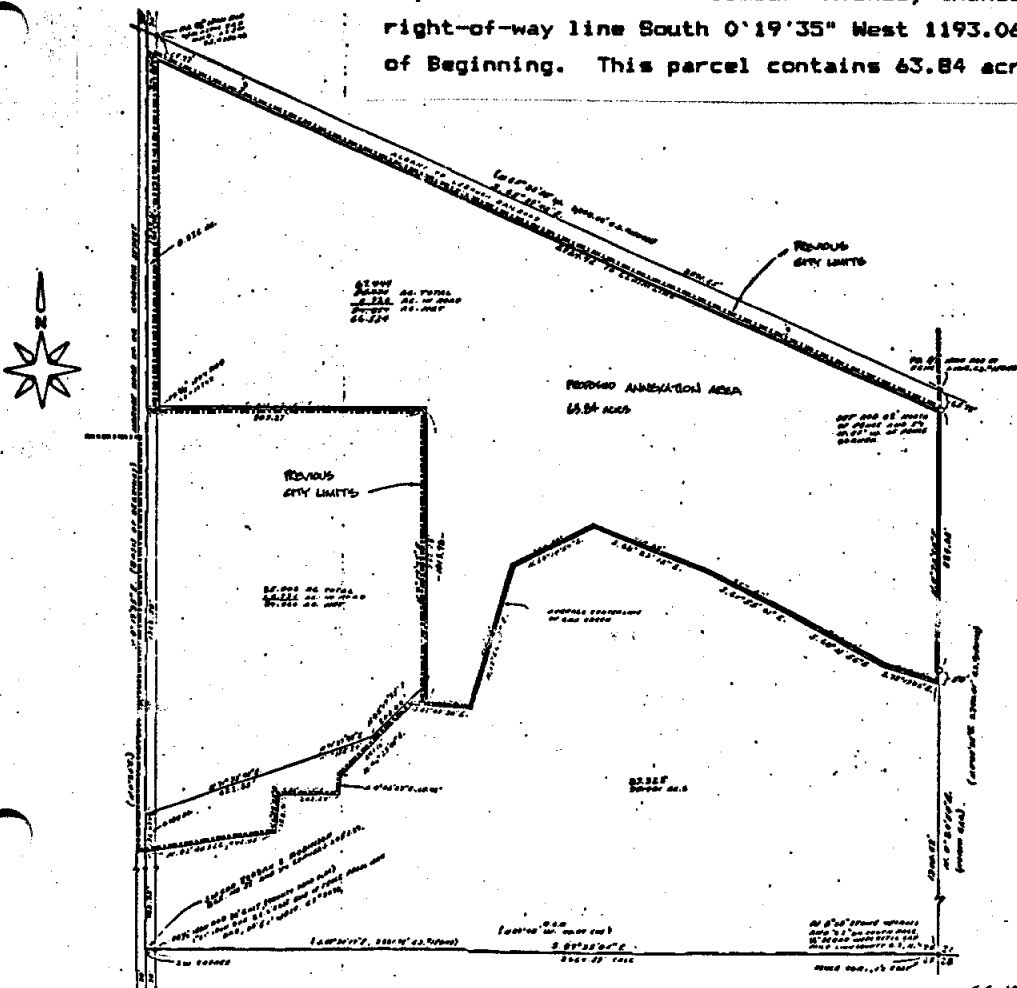


EXHIBIT 'B'

FINDINGS FOR ANNEXATION (FILE No. AN-01-88)

1. Annexation of the subject property is a logical and efficient extension of the city boundary in that the existing city limit boundaries are located on the north, south, and west.
2. The subject property is within the Urban Growth Boundary and will provide for coordinated planning efforts for extension of streets and utilities.
3. The annexation of the subject property was initiated by 100% of the property owners and 100% of the electors residing on the property; thus, annexation may occur without a public hearing or Planning Commission review under the provisions of ORS 222.125 and Albany Development Code Sections 3.015 (5) and (7).
4. The Albany Development Code Annexation Zoning Matrix (Section 3.030(2)) provides for application of the R-1 (Single Family Residential) zoning designation for properties with a Urban Residential Reserve Comprehensive Plan designation upon annexation upon this method.
5. Annexation and zoning of the subject property is in conformance with the acknowledged Albany Comprehensive Plan.
6. Urban services can be extended to the subject property without adversity to other properties in the city.
7. A 12-inch diameter water line extends to the southerly end of the Mennonite Home development and lies on the west side of Columbus Street.
8. A 36-inch diameter sewer line lies on the east side of Columbus Street and has the capacity to serve future development of the subject property.
9. Storm drainage and run-off in the proposed annexation area will be channelled directly into Oak Creek.
10. Gas, electric, telephone, and cable television utilities already extend south to the existing Mennonite Home development. Future development in the proposed annexation area can tie directly into these utilities and the existing Mennonite Home development.
11. The future use and development of the property will be subject to Planned Unit Development approval by the Planning Commission which will assure the provision of adequate public improvements and enhancement of the property through appropriate landscaping.
12. Future dedication of Waverly Drive within the proposed annexation area will allow completion of Waverly Drive as a major uninterrupted north-south arterial and will divert major traffic flow away from South Albany High School and the adjacent residential areas.