

RESOLUTION NO. 3080

A RESOLUTION PROCLAIMING THE ANNEXATION OF PROPERTY LOCATED ON SPICER ROAD APPROXIMATELY 500 FEET SOUTHEAST OF THE SPICER ROAD/SANTIAM HIGHWAY INTERSECTION, NEAR THE I-5 INTERCHANGE, MORE COMMONLY KNOWN AS 3425 AND 3435 SPICER ROAD (Tax Lots 500 AND 600, 11-3W-09B) AND CONTAINING APPROXIMATELY 35,283 SQUARE FEET (.81 ACRES) (FILE NO. AN-AN-04-91) AND SETTING A PUBLIC HEARING FOR THE REMOVAL OF TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT.

WHEREAS, the City Council has proposed to annex in accordance with the provisions of ORS 222.750 certain property described by attached Exhibit A and more commonly known as 3425 and 3435 Spicer Road, which is adjacent to the City of Albany; and

WHEREAS, provisions of state law waive requirements for an election or public hearings for such annexations; and

WHEREAS, a public hearing should be held concerning the withdrawal of said territory from the Albany Rural Fire Protection District under the provisions of ORS 222.524.

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.

BE IT FURTHER RESOLVED that the statements in support of annexation, attached as Exhibit B, are hereby adopted in support of this annexation.

BE IT FURTHER RESOLVED by the Albany City Council that a public hearing on the matter of removal of the territory described in Exhibit A from the Albany Rural Fire Protection District be held by the City Council on August 28, 1991, at 7:15 p.m.

BE IT FURTHER RESOLVED that the City Recorder shall give notice of the hearing by publication once each week for two (2) successive weeks prior to the day of said hearing in the Albany Democrat-Herald. The City Recorder shall further cause notice of this hearing to be posted in four (4) public places within the city for a like time.

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 14th DAY OF August, 1991.

*[Handwritten Signature]*  
\_\_\_\_\_  
Mayor

ATTEST:

*Norme Withrow*  
\_\_\_\_\_  
Deputy City Recorder

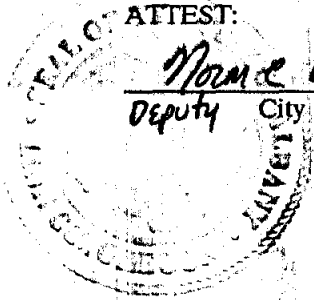
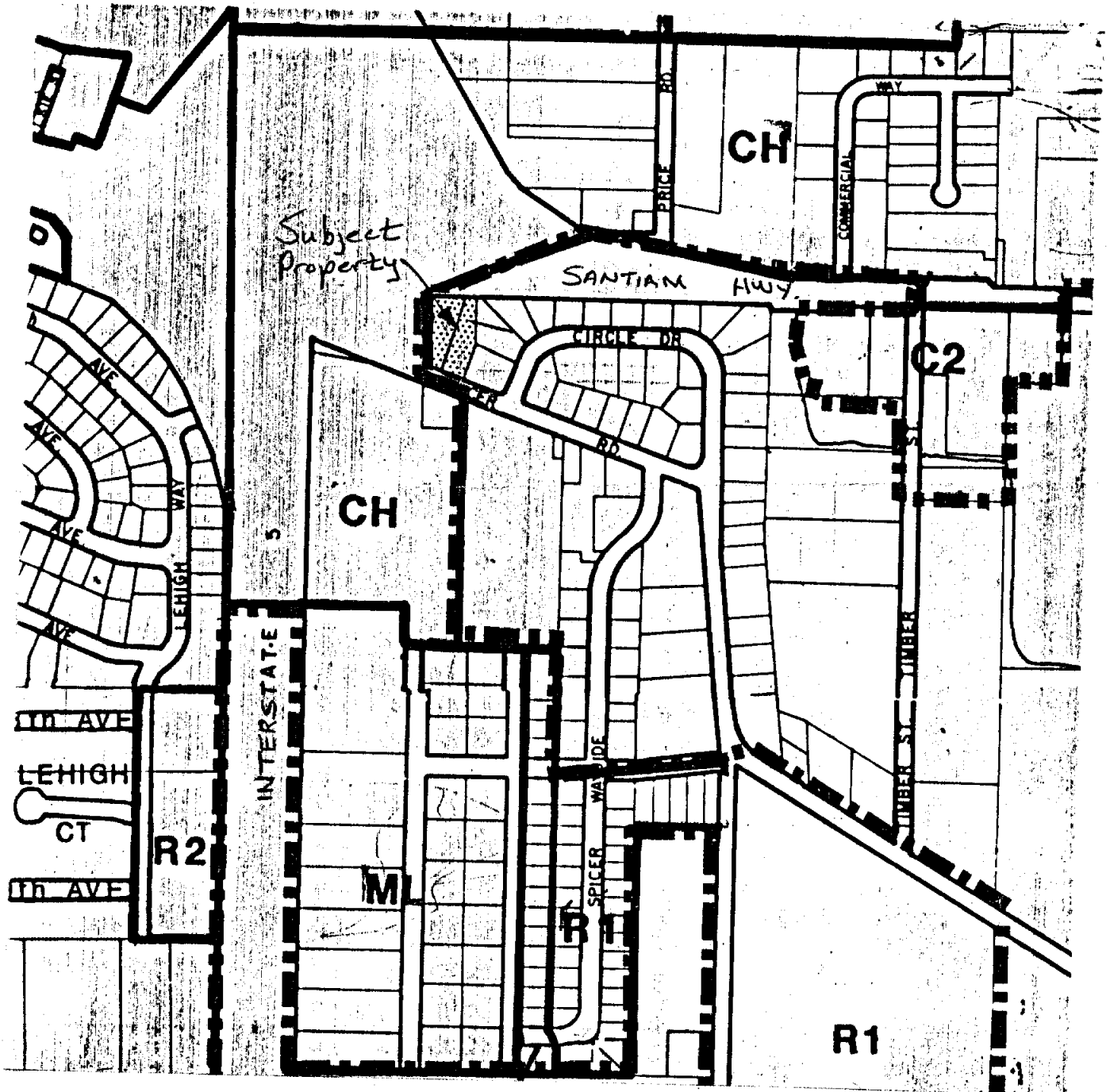


EXHIBIT A  
LEGAL DESCRIPTION  
CASE NO. AN-04-91

Supplemental Plat, East Albany Walnut Tract 2; Lot 1 and Lot 2, Linn County, Oregon including adjacent street rights-of way.



**EXHIBIT B  
STATEMENTS IN SUPPORT OF ANNEXATION  
CASE NO. AN-04-91**

1. Annexation of the subject property is a logical and efficient extension of the city limits boundaries to facilitate the functional and economic provision of services as the contiguous property to the west is currently within the city limits.
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 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 services to existing portions of the city or without extending services in contradiction to Comprehensive Plan policies or an adopted Public Facility Plan and more particularly:
  - a. **Water.** Water service is provided via an 8-inch water line in Spicer Road.
  - b. **Sanitary Sewer.** Sanitary sewer service is located at the western property line of tax lot 500, and on the northern property line of tax lot 600.
  - c. **Fire Protection.** The Albany Fire Department reports that the subject property is within the proper running distance of Station One for first-due Engine Company response.
  - d. **Police Protection.** The Albany Police Department will be able to provide service to the lots with no appreciable increase in costs at this time.
4. Annexation and zoning of the subject property are in conformance with the acknowledged Albany Comprehensive Plan.
5. The conflicts between the City and County applications of development standards and requirements for this property will be eliminated through annexation.
6. The annexation of the subject property was initiated by 100% of the property owners, and no electors reside on the property; thus, annexation may occur without a public hearing or election under the provisions of ORS 222.125.
7. A zone change (ZC-03-91) has been requested in conjunction with this annexation request to zone the subject site Office Professional (OP).

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STATE OF OREGON  
County Of Linn

I hereby certify that the attached was  
received and duly recorded by me in  
Linn County records:

Volume: MF 579 Page: 918

STEVE DRUCKENMILLER  
Linn County Clerk

By *[Signature]*, Deputy

*City of Albany*