

ORDINANCE NO. 3532

AN ORDINANCE ELECTING TO DISPENSE WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON, UNDER THE PROVISIONS OF ORS SECTION 222.111, 222.120 AND 222.170, REGARDING THE ANNEXATION OF AN AREA LOCATED NEAR THE EAST SIDE OF SOUTH GEARY STREET AT APPROXIMATELY 1000 BLOCK, CONTIGUOUS TO THE CITY OF ALBANY, SETTING A TIME FOR PUBLIC HEARING ON THE SAME AND DECLARING AN EMERGENCY.

WHEREAS, 100 per cent of the owners of the property which is the subject matter of this annexation have petitioned and requested the City of Albany to annex the area hereinafter described to the City, and the same being contiguous and in all respects qualifying under present statutes for annexation, and

WHEREAS, it is in the best interest of the City of Albany that a public hearing be held at the earliest possible date to consider objections to the annexation of the property herein described.

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

Section 1: DESCRIPTION OF PROPERTY

That an election within the City of Albany regarding the annexation of the following described property to-wit:

TRACT I: Beginning on the West line of the South 1°11' East 130.81' from the NW corner of the S half of the Leander C. Burkhardt D.L.C. #50, Township 11 S, Range 3 W of the W.M; thence S 89°46' E 526.36' to the N'ly right of way line of the old C. & E. Railroad; thence S 72°39' W along said right of way line 547.87' to the W line of said D.L.C. #50; thence N 1°11' W 165.55 feet to the place of beginning.

AS C-2 COMMERCIAL ZONE

TRACT II: Beginning 296.36' S of the NW corner of the S half of the Leander C. Burkhardt D.L.C. No. 50 in Township 11 South, Range 3 W. of the W.M., said point being the intersection of the N line of the old railroad right-of-way with the W line of said claim; thence N 72°39' E along the N line of said right-of-way 820.3'; thence S 1°35' E 198.7'; thence S 88°25' W 270.38'; thence N 1°35' W 58.08' to the S line of said right-of-way; thence S 72°39' W along said right-of-way 539.48' to the West line of said claim; thence N along the W line of said claim 62.48' to the place of beginning.

AS R-A ZONE

A tract of land in Section 8, township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, more particularly described as follows:

Beginning on the West line of the Leander C. Burkhardt DLC 50, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon 296.36 feet South of the Northwest corner of the South half of said DLC in Section 8 of said township and range, said point being the intersection of the North line of the Old Railroad right of way with the West line of said Claim; running thence North 72°39' East along the North line of said right of way 820.3 feet; thence South 1°35' East 198.7 feet; thence South 88°25' West 270.38 feet to the true place of beginning of the herein described tract; thence South 88°25' West 200 feet, more or less, to the Southerly right of way line of said railroad; thence North 72°39' East along said railroad right of way line to a point North 1°35' West of the true place of beginning; thence South 1°35' East 58.08 feet to the true place of beginning.

AS R-A ZONE

be dispensed with.

Section 2: HEARING


That there shall be a public hearing as to the advisability of annexing the property described in Section 1 to the City of Albany, on the 24th day of March, 1971, at 7:15 p.m. o'clock, and the City Recorder is hereby directed to give notice of said public hearing by publishing in a newspaper of general circulation, published in the said City once a week for two (2) successive and consecutive weeks and by posting in four (4) public places, a notice 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 3: EMERGENCY CLAUSE

WHEREAS, it is in 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 the property described herein be disposed of at the earliest possible moment, and, should the same be annexed, that the City facilities be made available to this property, therefore, 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: February 10, 1971

Approved by the Mayor: February 10, 1971



Mayor

Effective Date: February 10, 1971

ATTEST:



City Recorder