

ORDINANCE NO. 3621

**TITLE:** An Ordinance annexing property located at the northwest corner of Ermine and 31st Avenue to City of Albany, Oregon, with annexation to take place with a proportionate share of city services furnished and assessed over a five (5) year basis and declaring an emergency.

**RECITALS:** WHEREAS, on the 9th day of February, 1972, at a regular council meeting, the Council of the City of Albany did pass an Ordinance No. 3609, calling a public hearing on the 22nd day of March, 1972, concerning the advisability of annexation of property at the northwest corner of Ermine and 31st Avenue to the City of Albany, hereinafter described, and

WHEREAS, the public hearing was duly held on the 22nd day of March, 1972, and that the Council determined due notice of hearing had been given as provided in the Ordinances of the City of Albany and pursuant to the terms of ORS Section 222.120, and

WHEREAS, the Council, after said hearing, determined that the property lying at the northwest corner of Ermine and 31st Avenue, hereinafter described, should be annexed to the City of Albany, with levy of taxes to be apportioned according to services furnished by the city over a period of five (5) years and that the property owners have filed their consent to the annexation on this basis.

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

Section 1: PROPERTY DESCRIPTION

That the following described property be and it is hereby annexed as R-6 Residential Zone to the City of Albany, Linn County, Oregon, to-wit:

Beginning at a 1/2" iron rod, said rod being the Southeast corner of Davidson Park Subdivision in Section 17, Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; running thence North 13° 17' 30" East along the Easterly boundary of said subdivision a distance of 813.29 feet; thence South 31° 31' 15" East 81.00 feet; thence South 42° 57' 15" East 290.00 feet to the Westerly boundary of a road right-of-way; thence South 13° 19' 30" West 542.58 feet along said right-of-way; thence North 86° 38' West 302.74 feet to the true place of beginning, Also Except the Southerly 1 foot of even width thereof, ALSO beginning at the Southeast corner of Davidson Park Subdivision in Section 17, Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon, said corner being on the Southerly line of Jason Wheeler Home Farm Tracts; thence South 86° 39' East along said Southerly line 297.98 feet to the Northeast corner of the Fourth Addition to Vista Homes, a recorded subdivision, Linn County, Oregon; thence South 1° 36' East, 1 foot, more or less, to a point on the Northerly line of East 31st Avenue; thence North 86° 39' West along the Northerly line of East 31st Avenue to a point which bears South 13° 17' 30" West from the Southeast corner of said Davidson Park; thence North 13° 17' 30" East 1 foot, more or less, to the point of beginning. SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways. 11 3W 17A 3301 Area code 147

Section 2: PROPORTIONATE TAX

That the annexation provided for herein is on the basis that services will be furnished by the City of Albany and a levy of a proportionate share of the city taxes made against the property over a five (5) year period pursuant to the following schedule:

First year	96%
Second year	97%
Third year	98%
Fourth year	99%
Fifth year	100%

Section 3: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the City of Albany.

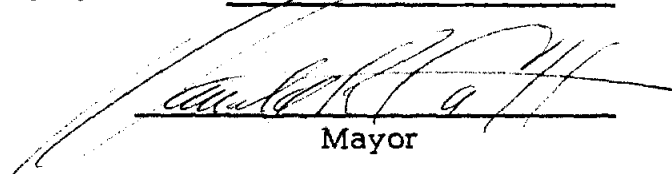
Section 4: EMERGENCY CLAUSE

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 herein described be disposed of at the earliest possible moment, and 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: March 22, 1972

Approved by the Mayor: March 22, 1972

Effective Date: March 22, 1972

  
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Mayor

ATTEST:

  
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City Recorder