

ORDINANCE NO. 3643

AN ORDINANCE ELECTING TO DISPENSE WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON, UNDER THE PROVISIONS OF ORS SECTIONS 222.111, 222.120 AND 222.170, REGARDING THE ANNEXATION OF PROPERTY AT THE SOUTHEAST CORNER OF SANTIAM HIGHWAY AND CLAY, 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:

Beginning South 1°03' East 82.62 feet from the Southwest corner of Block 9, Supplemental Plat of Burkhart Addition to Albany, Linn County, Oregon; and running thence South 76°35' East, parallel to the Southerly line of said Block 9 a distance of 170.00 feet; thence South 1°34' East 155.18 feet; thence South 88°26' West 164.22 feet; thence North 1°34' West 199.13 feet to the place of beginning.

EXCEPTING THEREFROM that part conveyed to the State of Oregon for highway purposes, and recorded in Book 275, Page 105, of Linn County Deed Records.

SUBJECT TO: Necessary slope easement as set out by deed recorded February 20, 1961, in Deed Book 275, Page 105, to the State of Oregon, said easement being between lines which are parallel to and 40 feet southwesterly and 45 feet southwesterly of the center line of the relocated Santiam Highways.

Rights of the public in and to that portion of a 30-foot roadway lying on the West of the herein described tract to the extent that said roadway extends through the herein described tract.

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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 12th day of July, 1972, 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: June 29, 1972

Approved by the Mayor: June 29, 1972

Effective Date: June 29, 1972

ATTEST:

Ernest W. Isham  
City Recorder

David G. Gale  
Council President