

ORDINANCE NO. 3739

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 AREA LOCATED NORTH OF QUEEN AVENUE BETWEEN OAK STREET AND GEARY STREET AS R-2 AND RA-2 RESIDENTIAL DISTRICTS AND C-2 LOCAL COMMERCIAL ZONE 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:

Parcel 2: Lots 3, 4, 5, 6, 7, 8, 9, 10, and 11, Block 1; Lots 3, 4, 5, 6, 7, 10 and that portion of Lot 8 lying East of the center of Periwinkle Creek, Block 2, in EASTERN ADDITION TO OAK GROVE ACRES, Linn County, Oregon. Together with the following described property: Beginning at a 1 1/4 inch pipe on the North line of Eastern Addition to Oak Grove Acres, which is also North 1°35' West 988.6 feet and South 89°10' West 704.35 feet from the Southeast corner of the Abram Hackleman Donation Land Claim No. 62, in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence South 89°50' West (old bearing South 89°10' West) along the North line of said addition a distance of 437.75 feet to the center line of a county road; thence along the center line of said road, North 25°50' West 308.2 feet and North 0°02' East 759.0 feet, more or less, to the South right of way line of the Southern Pacific Railroad; thence North 72°27' East along the South line of said railroad right of way 886.0 feet, more or less, to a point 6.67 chains West of the East line of said claim; thence South 1°35' East parallel to the East line of said claim 10.54 chains to a pipe; thence South 89°10' West 4.002 chains to a 1 1/4 inch pipe; thence South 1°35' East 7.50 chains to the point of beginning, including all vacated streets or roads lying within said premises. EXCEPTING THE FOLLOWING: The North 95 feet of lots 3 and 4 and the North 95 feet of the East 20.22 feet of Lot 5, all in Block 1, EASTERN ADDITION TO OAK GROVE ACRES.

Parcel 3: That portion of Lot 8, lying West of the center of Periwinkle Creek and all of Lot 9, Block 2, EASTERN ADDITION TO OAK GROVE ACRES, in Linn County, Oregon, together with that portion of vacated 15th Street adjoining the above described property.

Parcel 4: Beginning at the Southeast corner of the Abram Hackleman Donation Land Claim No. 62 in Township 11 South, Range 1 West of the Willamette Meridian in Linn County, Oregon; and running thence North 0°29' West along the east line of said claim 563.6 feet; thence South 89°50' West parallel to the south line of said claim 935.5 feet to the center line of a County Road; thence South 25°50' East along said line 625.3 feet to the South line of said claim; thence North 89°50' East 667.8 feet to the place of beginning, situated in Linn County, State of Oregon; EXCEPTING therefrom the South 40 feet of even width.

Parcel 5: Beginning at a point marked by a pipe which is South 89°10' West 6.67 chains from a point on the East line of and 22.63 chains North 1°35' West of the Southeast corner of the Abram Hackleman Donation Land Claim No. 62 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; running thence South 1°35' East parallel to the East line of said Claim a distance of 7.50 chains; thence South 89°10' West 4.002 chains to a 1 1/4 inch pipe; thence North 1°35' West 7.50 chains to a 1 1/4 inch pipe; thence North 89°10' East 4.002 chains to the place of beginning.

BE DISPENSED WITH.

Section 2: HEARING

ITEM A

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 14th day of November, 1973, 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 proposed annexation of the property described herein be disposed of at the earliest possible moment, and that the City facilities be made available to this property at the time of annexation; 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: October 10, 1973

Approved by the Mayor: October 10, 1973

Effective Date: October 10, 1973

Rottolano
Mayor

ATTEST:

Ernest W. Scham
City Recorder