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ORDINANCE NO. 4019

AN ORDINANCE ANNEXING PROPERTY LOCATED BETWEEN GEARY STREET AND WAVERLY DRIVE AND NORTH OF QUEEN AVENUE AS R-2 PUD AND DECLARING AN EMERGENCY.

WHEREAS, on the 13th day of April, 19 77, at a regular Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. 4011, wherein it was provided that a public hearing would be held on the 27th day of April, 19 77, concerning the advisability of annexing

property located between Geary Street and Waverly Drive and north of Queen Avenue as R-2 PUD and declaring an emergency

WHEREAS, the hearing was duly held on the 27th day of April 19 77, and at that time the Council determined that the Notices of Hearing had been given as provided in the said Ordinance, and pursuant to the terms of ORS 222.111, 222.120 and 222.170, and

WHEREAS, the Council after said hearing determined that the area described herein as being located between Geary Street and Waverly Drive and north of Queen Avenue as R-2 PUD should be annexed; now, therefore,

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

Section 1: That the following described property be and is hereby annexed to the City of Albany, to-wit:

Assessor's Parcel Map 11-3W-8D, Tax Lot 1101
(legal description available at final reading)

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4019

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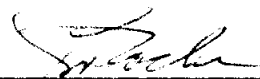
Section 2: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the City of Albany.

Section 3: 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 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: May 11, 1977

Approved by the Mayor: May 11, 1977

Effective Date: May 11, 1977



Mayor

ATTEST:



City Recorder

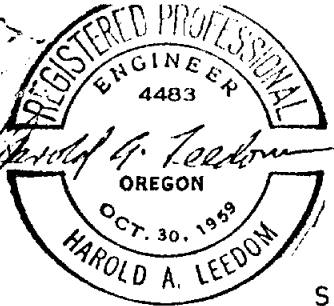
48

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FINDINGS OF FACT

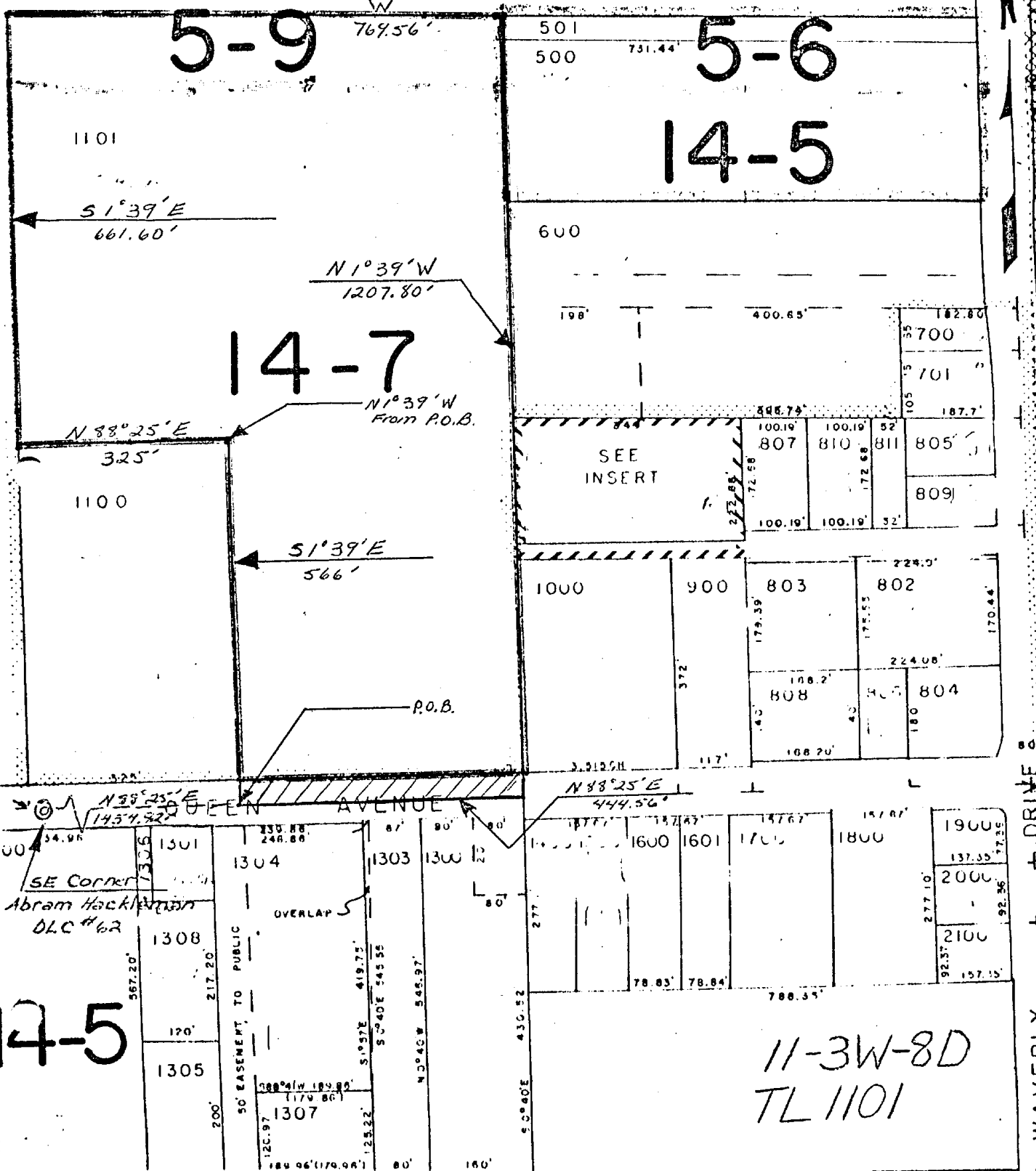
1. The request is in compliance with the Comprehensive Land Use Plan and General Goal Statements.
2. The property is presently part of an island area which allows the City to initiate annexation and zoning by its own motion and adoption of an ordinance.
3. The Planning Commission by prior action has recommended that the subject property be zoned R-2 Limited Multiple Residential as part of the island annexation area issue.
4. The property has major frontage and access on a four-lane arterial street (Queen Avenue) which will eliminate potential increased traffic impacts on adjoining residential areas.
5. The property can be easily served by sanitary sewers and other basic utility systems (interceptor sewer line extends north-south through property).

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See Map II 3W BAC

Scale 1" = 200'



5-9

769.56'

5-6

14-5

14-7

1101

S 1° 39' E
661.60'

N 1° 39' W
1207.80'

501
500

731.44'

600

198' 400.65' 182.80'
5700 701 187.7'

SEE INSERT

807 810 811 805
100.19' 100.19' 52'
172.68' 172.68'
100.19' 100.19' 52'

1100

N 88° 25' E
325'

S 1° 39' E
566'

1000 900 803 802
179.39' 175.55' 224.0'
108.2' 224.08' 170.44'
808 805 804
108.20' 180'

P.O.B.

N 88° 25' E
1454.92' GREEN AVENUE
444.56'

14-5
1301 1304 1303 1302
SE Corner Abram Hackleman
DLC #62
50' EASEMENT TO PUBLIC
OVERLAP
S 1° 39' E 419.75'
S 2° 40' E 545.55'
N 3° 40' W 189.85'
179.80'
125.22'
184.96' (179.96')
120.97'
217.20'
567.20'
170'
1305
1307
80'
160'

1600 1601 1700 1800 1900
1477' 1474' 1476' 157.87'
137.35' 17.35'
2000 2100
277.10' 92.37' 157.15'

11-3W-8D
TL 1101



W A V E R L Y D R I V E

Cache Acquisition

EXHIBIT "A"

Beginning at a point which is North 88°25' East 1454.92 feet from the Southeast corner of Abram Hackleman and wife Donation Land Claim No. 62, in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; thence North 88°25' East 444.56 feet; thence North 1°39' West 1207.80 feet to the South line of H. D. Burkhart's land; thence Westerly along said South line 769.56 feet to the Southwest corner of said A. D. Burkhart land; thence South 1°39' East 661.60 feet to a point; thence North 88°25' East 325 feet to a point North 1°39' West from the point of beginning; thence South 1°39' East 566.0 feet to the point of beginning, EXCEPT the South 35 feet of even width lying within the limits of Queen Avenue.

SUBJECT TO: Regulations, including levies, liens, assessments, rights of way and easements of the Grand Prairie Water Control District.

SUBJECT TO: Regulations, including levies, liens, assessments, rights of way and easements of the Periwinkle Sub-District.

SUBJECT TO: An easement in favor of the City of Albany for sewer pipeline recorded in MF Vol. 29, Pg. 745.

SUBJECT TO: City of Albany lien for sewer assessment.

11-34-8D 7/2 1101