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ORDINANCE NO. 4070

AN ORDINANCE ANNEXING PROPERTY LOCATED EAST OF WAVERLY DRIVE AND NORTH OF THE EXTENSION OF QUEEN AVENUE AS R-1(6), R-1(8), R-2, and R-A(2) AND DECLARING AN EMERGENCY.

WHEREAS, on the 12th day of October, 1977, at a regular Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. 4066, wherein it was provided that a public hearing would be held on the 26th day of October, 1977, concerning the advisability of annexing property located east of Waverly Drive and north of the extension of Queen Avenue as R-1(6), R-1(8), R-2, and R-A(2).

WHEREAS, the hearing was duly held on the 26th day of October 1977, 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 be annexed as R-1(6), R-1(8), R-2, and R-A(2); 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:

(see attached legal description)

Section 2: Conditions To Be Met.

1. The entire parcel of land shall be designated as a Planned Unit Development and shall meet all provisions thereof.
2. The owner shall provide the city with accurate metes and bounds legal descriptions for each of the R-1(6), R-1(8), R-2, and R-A(2).

Section 3: Findings of Fact.

See Attachment

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Section 4: 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 5: 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: November 30, 1977

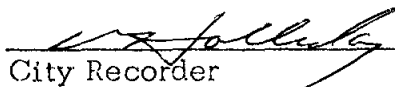
Approved by the Mayor: November 30, 1977

Effective Date: November 30, 1977



\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

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### FINDINGS OF FACT

1. The request conforms to the Comprehensive Land Use Plan and General Goal Statements from the standpoint of the property being designated as future Urban Residential Development (urban residential element allows densities ranging from R-1(6) to R-A(3)).
2. The properties have direct access to and frontage on a major 4-lane arterial street which will reduce traffic impacts on adjacent residential areas and provide a maximum point for traffic control.
3. All utility systems within the area are properly located and of adequate size to serve the proposed residential use (existing 8-inch sanitary sewer line on Waverly and a 66-inch interceptor storm sewer line extending east of Queen Avenue).
4. The R-1(6) and R-1(8) Single Family Classifications serve as a land use extension or buffer to Lehigh Neighborhood and the R-2 and R-A(2) Multiple Family Classifications screen or buffer Waverly Drive traffic impacts from the proposed single-family development extension of the Lehigh Neighborhood.
5. The surrounding areas to the Lehigh Neighborhood are presently mixed residential types and densities.

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TELEPHONE 503-928-2583

December 15, 1977

DESCRIPTION OF FULTON SUBDIVISION  
(R1-8 Single Family Zone)  
77-29

Beginning at a point which is 3405.72 feet, North 1° 39' West; 528.94 feet, North 88° 40' 30" East; 330.01 feet, North 1° 38' 40" West; 1.04 feet, North 88° 01' 50" East; 50.00 feet, North 1° 39' 00" West; and 366.95 feet, North 69° 28' 24" East from the Southwest corner of the Anderson Cox Donation Land Claim No. 49 in Sections 8 and 9 of Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North 27° 22' 25" West 280.79 feet; thence North 20° 00' 00" East 203.00 feet; thence South 70° 50' East 242.00 feet; thence South 1° 23' East 253.60 feet; thence South 88° 37' West 45.00 feet; thence on a 50.00 foot radius curve left (the chord of which bears South 30° 19' 26" West 85.07 feet) 101.73 feet; thence South 69° 28' 24" West 93.00 feet to the point of beginning. Containing 2.07 acres.

SMR:jg

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December 15, 1977

FULTON-KAUFFMAN P.U.D.  
(R-3 Multi-Family Zone)  
77-29

Beginning at a point which is 3405.72 feet, North 1° 39' West; and 40.00 feet, North 88° 40' 30" East from the Southwest corner of the Anderson Cox Donation Land Claim No. 49 in Sections 8 and 9 of Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North 1° 38' 27" West 291.08 feet; thence North 88° 41' 57" East 90.00 feet; thence on a 250 foot radius curve left (the chord of which bears North 67° 27' 29" East 181.15 feet) 185.36 feet; thence on a 500 foot radius curve left (the chord of which bears North 82° 52' 31" East 231.78 feet) 233.91 feet; thence South 1° 39' 00" East 50.00 feet; thence South 88° 01' 50" West 1.04 feet; thence South 1° 38' 40" East 330.01 feet; thence South 88° 40' 30" West 488.94 feet to the point of beginning. Containing 3.71 acres.

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December 15, 1977

FULTON - KAUFFMAN P.U.D.  
(R1-6 Single Family Attached Zone)  
77-29

Beginning at a point which is 3405.72 feet, North 1° 29' West; 528.94 feet, North 88° 40' 30" East; 330.01 feet, North 1° 38' 40" West; 1.04 feet, North 88° 01' 50" East, and 50.00 feet, North 1° 39' 00" West from the Southwest corner of the Anderson Cox Donation Land Claim No. 49 in Sections 8 and 9, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence along a 500 foot radius curve right (the chord of which bears South 82° 52' 31" West 231.78 feet) 233.91 feet; thence along a 250 foot radius curve left (the chord of which bears North 22° 27' 29" East 201.45 feet) 207.34 feet; thence North 88° 41' 57" East 20.00 feet; thence North 12° 50' East 401.29 feet; thence North 72° 20' East 210.50 feet; thence South 70° 50' East 134.78 feet; thence South 20° 00' 00" West 203.00 feet; thence South 27° 22' 25" East 280.79 feet; thence South 69° 28' 24" West 366.95 feet to the point of beginning.  
Containing 4.86 acres.

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December 16, 1977

FULTON-KAUFFMAN P. U. D.

(R-2 Multi-Family Zone)

77-29

Beginning at a point which is 3405.72 feet; North 1° 39' West; 40.00 feet, North 88° 40' 30" East; and 291.08 feet, North 1° 38' 27" West of the Southwest corner of the Anderson Cox Donation Land Claim No. 49 in Sections 8 and 9 of Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North 1° 38' 27" West 572.75 feet; thence on a 2904.79 foot radius curve left (the chord of which bears North 3° 18' 04" West 171.66 feet) 171.69 feet; thence on a 2824.79 foot radius curve right (the chord of which bears North 3° 17' 22" West 166.77 feet) 166.79 feet; thence North 1° 40' 58" West 287.22 feet; thence South 70° 49' 17" East 722.09 feet; thence South 1° 26' 32" East 247.08 feet; thence South 72° 20' West 210.50 feet; thence South 12° 50' West 401.29 feet; thence South 88° 41' 57" West 20.00 feet; thence on a 250 foot radius curve right (the chord of which bears South 43° 41' 57" West 353.55 feet) 392.70 feet; thence South 88° 41' 57" West 90.00 feet to the point of beginning.

Containing 11.86 acres.

SMR:jg