

ORDINANCE NO. 4406

AN ORDINANCE PROVIDING FOR THE ANNEXATION AND ZONING OF CERTAIN TERRITORY WITHDRAWING THE SAME FROM THE NORTH ALBANY RURAL FIRE PROTECTION DISTRICT, NORTH ALBANY SERVICE DIST. PENSING WITH A CITY ELECTION ON THE QUESTION OF ANNEXATION; FIXING DAY FOR THE PUBLIC HEARING ON THE ANNEXATION AND WITHDRAWAL FROM THE NORTH ALBANY RURAL FIRE PROTECTION DISTRICT AND THE NORTH ALBANY SERVICE DISTRICT; DIRECTING THAT NOTICES BE PUBLISHED AND DECLARING AN EMERGENCY. (For 15.87 acres west of Springhill Rd. and south of the SPRR as R-1(8)).

WHEREAS, there has been submitted to the City of Albany a written proposal for annexation to the City by more than 50% of the landowners who also own more than 50% of the land in the contiguous territory described below which real property therein represents more than 50% of the assessed value of all real property in the contiguous territory to be annexed; and

WHEREAS, the City Charter does not expressly prohibit the City from dispensing with submitting the question of annexation of the registered voters of the City; and

WHEREAS, a public hearing should be held concerning the concurrent withdrawal of the contiguous territory described below from the Rural Fire Protection District and the North Albany Service District; now, therefore,

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

Section 1: Annexation Area

It appears to be in the best interest of the City of Albany that the following described contiguous territory be annexed:

- 11-3W-6BB, TL 3400, 3401, 3500, 3600, and 3601
- 11-3W-6BC, TL 100, 200 and 300 (Benton County)

Section 2: Annexation Without Election

The City Council does hereby elect to dispense with submitting the question of annexation to an election by the registered voters of the City as authorized by ORS 222.120.

Section 3:

That the territory described in Section 1 is currently in a Rural Fire Protection District and the North Albany Service District and the same should be withdrawn therefrom at the time that said territory is annexed to the City of Albany.

Section 4: Public Hearing

The public hearing on the question of annexation/zoning and the question of withdrawal of said territory shall be held at the City Hall of Albany, Oregon, on the 25th day of March, 1981, at 7:15 o'clock p.m., at which time the registered voters of the City may appear and be heard on the question of annexation and on the question of withdrawal of the territory from the Rural Fire Protection District and the North Albany Service District.

Section 5: Notice of Hearing

The City Recorder shall give notice of the hearing by publication once each week for two(2) successive weeks prior to the day of said hearing in a newspaper of general circulation within the City. The City Recorder shall further cause notice of this hearing to be posted in four (4) public places within the City for a period of time.

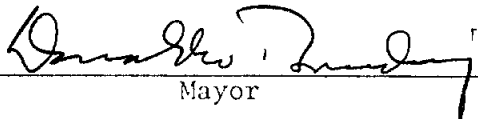
Section 6: Emergency Clause:

Inasmuch as the peace, health and safety of the persons who live or own property within the area to be annexed are affected, it is effective and an emergency is hereby declared to exist and this ordinance shall become in full force and effect immediately on its passage by the Council and approval by the Mayor.

Passed by the Council: March 11, 1981

Approved by the Mayor: March 11, 1981

Effective Date: March 11, 1981

  
\_\_\_\_\_  
Mayor

ATTEST:

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

S.P.R.B.

L= 573.37

L= 267.73

S. 2° 00' W. 267.28

N. 0° 51' 20" E 511.81

ELLISON  
PROPERTY  
15.07 AC. (±)

S. 65° 22' 30" E 200.12

S. 15° 31' 41" W 285.43

431.67

S. 89° 55' 15" W

161.64

573.19

S. 23° 50' 14" W  
47.89

N. 30° 54' 08" E  
249.04

S. 73° 51' W. 811.46

CITY LIMITS, ALBANY, OR.

HICKORY ST.

SPRING HILL ROAD



TO BE STAMPED BY  
ENGINEER

October 28, 1980

ELLISON ANNEXATION DESCRIPTION

80-30

Beginning at a 5/8 inch iron rod on the South line of the John Q. Thornton Donation Land Claim No. 37, said rod being 573.69 feet, South 89° 55' 15" West of the Southeast corner of said John Q. Thornton Donation Land Claim No. 37, in Section 6, Township 11 South, Range 3 West, Willamette Meridian, Benton County, Oregon: Running thence South 23° 50' 14" West 47.89 feet to a 5/8 inch iron rod on the present city limits of Albany; thence along the present city limits of Albany South 73° 51' 00" West 811.45 feet to a 5/8 inch iron rod; thence North 3° 54' 54" East 269.04 feet to a 5/8 inch iron rod on the aforesaid Donation Land Claim line; thence South 89° 55' 15" West along the aforesaid Donation Land Claim line 431.87 feet to an iron pipe at the Southeast corner of that parcel conveyed to Bruce P. Stone, et ux, and described in Deed recorded M-65132 Microfilm Records of Benton County, Oregon; thence North 0° 01' 26" East along the East line of said Stone parcel, 511.81 feet to the South line of the Southern Pacific Railroad right-of-way; thence Easterly along the South right-of-way line of the aforesaid railroad on a 2496.64 foot radius curve to the right (the chord of which bears North 81° 35' 54" East 572.11 feet) 573.37 feet to a point of compound curvature; thence continuing along said right-of-way on a 2242.01 foot radius curve to the right (the chord of which bears South 88° 09' 38" East 287.53) 287.73 feet; thence South 2° 00' 00" West 287.28 feet to a 1/2 inch iron

pipe; thence South 85° 22' 36" East 286.12 to a 1/2 inch iron pipe; thence South 15° 52' 42" West 285.43 feet to a 1/2 inch iron pipe; thence North 89° 55' 15" East 161.64 feet to the point of beginning.

ALSO:

Beginning at a 5/8 inch iron rod at the intersection of the West right-of-way line of Springhill Road with the East line of that property described by Benton County Microfilm Deed Number 79206, said rod being more particularly described as being 66.0 feet, North 89° 55' 15" East; 943.12 feet, South 3° 55' 15" West; 786.05 feet, South 86° 01' 30" East; 74.68 feet, North 56° 26' 45" East; 149.88 feet, North 27° 17' 57" East; and 65.31 feet, North 44° 12' 20" East of the Northeast corner of the A.M. Rainwater Donation Land Claim No. 61 in Township 11 South, Range 3 and 4 West, Willamette Meridian, Benton County, Oregon; running thence along the same aforesaid East line of said property North 23° 56' 40" East 848.88 feet to the North line of the A.M. Rainwater Donation Land Claim No. 61; thence North 89° 55' 15" East along the North line of said Donation Land Claim to the West right-of-way line of Springhill Road; thence Southwesterly along said right-of-way line on a curve and then a tangent section, to a 5/8 inch iron rod, said rod being North 44° 12' 20" East 37.93 feet from the point of beginning; thence South 44° 12' 20" West 37.93 feet to the Point of Beginning.

Containing 15.87 acres more or less.