

ORDINANCE NO. 5453

AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTY LOCATED AT 1650 QUEEN AVENUE SW (LINN COUNTY ASSESSOR'S MAP NO. 11S-04W-13BA, TAX LOT 3600) CONTAINING APPROXIMATELY 0.17 ACRES (FILE AN-03-00).

WHEREAS, the Albany City Council on March 8, 2000, reviewed this annexation request, adopted findings, and concluded that the City's annexation eligibility and timeliness criteria can be met; and

WHEREAS, the Albany City Council on March 8, 2000, referred this annexation request as a ballot measure to the Linn and Benton Counties Elections Filing Officers for the approval or rejection of the proposed annexation by the legal voters of Albany (pursuant to Albany City Charter Chapter 54); and

WHEREAS, the question of annexation of the property at 1650 Queen Avenue SW (Linn County Assessor's Map No. 11S-04W-13BA, Tax Lot 3600) was submitted to the electorate at a general election held May 16, 2000, as required by Albany City Charter Chapter 54; and

WHEREAS, the City Recorder has certified that the annexation was approved by a majority vote; and

WHEREAS, the Albany Development Code applies specific zoning upon annexation;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The following described real property to-wit (also see attached Exhibit A) is hereby annexed to the City of Albany and zoned RS-6.5 (Residential Single Family).

"PARCEL I: A tract of land situated in the County of Linn, State of Oregon, described as follows: Beginning at an ½ inch iron pipe on the Southeasterly right of way line of the Albany-Corvallis State Secondary Highway No. 210, said point being North 1° 30' West 48.84 feet; thence South 51° 15' West 350.46 feet and South 38° 45' East 30.00 feet from the Southwest corner of the Walter Monteith Donation Land Claim No. 55 in Township 11 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence South 38° 45' East 140.15 feet to a ½ inch iron rod; thence North 58° 45' East 50.43 feet to a 5/8 inch iron rod; thence North 38° 45' West 146.73 feet to a ½ inch iron rod on the above right of way line; thence South 51° 15' West 50.00 feet to the place of beginning.

TOGETHER WITH an easement for roadway purposes as described in instrument recorded August 11, 1970, Book 351, page 686, Linn County Deed Records.

PARCEL II: A tract of land situated in the County of Linn, State of Oregon, described as follows: A portion of that Ficq Tract described by deed recorded in Book 152, page 156 of the Linn County Deed Records on August 6, 1940 that is more particularly described as follows: Beginning at the Northwesterly corner of said Ficq Tract, which point is South 0° 32' East 198.9 feet and South 59° 02' West 201.0 feet from the southwest corner of the Walter Monteith Donation Land Claim No. 55 in Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon; thence North 59° 02' East, along the North line of said Ficq Tract, 50.43 feet to a 5/8 inch rod; thence South 38° 28' East 1.45 feet to a 5/8 inch rod; thence South 54° 12' 15" West 50.05 feet to a 5/8 inch rod on the West line of said Ficq Tract; thence North 38° 28' West 5.70 feet to the point of beginning."

Section 3: The City Recorder shall, within 10 days of the effective date of this ordinance, file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of the State of Oregon, and the State

of Oregon Department of Revenue. The City Recorder shall also submit to the Secretary of State an abstract of the vote within the City.

Passed by Council: May 24, 2000

Approved by Mayor: May 24, 2000

Effective Date: May 24, 2000


Mayor

ATTEST:


City Recorder

EXHIBIT A
ZONING MAP
FILE AN-03-99

