

ORDINANCE NO. 5589

AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTIES LOCATED ON THE NORTH SIDE OF QUEEN AVENUE WEST OF BROADWAY STREET; AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on July 14, 2004, 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 July 14, 2004, 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 generally located on the north side of Queen Avenue and west of Broadway Street, shown on Linn County Assessor's Map No. 11S-04W-13BA; Tax Lots 400 and 500 containing 1.6 acres, more or less, and as further described in the attached legal description labeled Exhibit "A", was submitted to the electorate at a general election held November 2, 2004, as required by Albany City Charter Chapter 54; and

WHEREAS, the City Clerk 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:

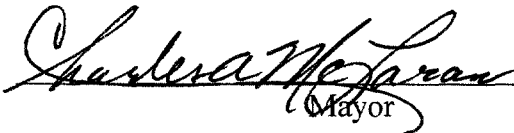
Section 1: The described real property to-wit (see attached Exhibit A) is hereby annexed to the City of Albany and zoned RS-6.5 (Residential Single Family).

Section 2: The City Clerk shall 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 Clerk shall also submit to the Secretary of State an abstract of the vote within the City.

Passed by the Council: January 12, 2005

Approved by the Mayor: January 12, 2005

Effective Date: January 12, 2005



Mayor

ATTEST:



City Clerk

EXHIBIT A
LEGAL DESCRIPTION
FILE AN-A3-04

Beginning at a point that is North 1° 30' West 48.84 feet and South 51° 15' West 1176.12 feet from the Southwest corner of DLC No. 55; thence North 13° 10' 28" West 139.50 feet; thence North 89° 40' 34" West 8.0 feet; thence North 14° 41' 12" West 324.73 feet to the South line of Hazelwood Addition; thence along South line of said subdivision South 89° 41' 15" East 214.30 feet to the Northwest corner of that tract of land conveyed to Loma Investments LLC by deed recorded in Microfilm Volume 1142, Page 512, Linn County Deed Records; thence South 31° 14' 48" East 130.89 feet to the Northernmost corner of that tract of land conveyed to John Bachmeier by deed recorded in Microfilm Volume 807, Page 145, Linn County Deed Records; thence South 51° 15' West 117.13 feet to the Westernmost point on said Bachmeier tract; thence South 34° 23' 40" East 165.00 feet to the center line of Queen Avenue; thence South 51° 15' West 206.10 feet along said center line to the Point of Beginning.

Save and except that portion of the above described property lying within public streets and rights-of-way.

ALBANY
11S-04W-13BA

NE 1/4 NW 1/4 SEC. 13 T. 11S. R. 04W. W.M.
LINN COUNTY, OREGON

1" = 100'

AN-A3-04

SEE MAP 11 4W 12CB

SW COR. DLC 55
WALTER MONTIETH

8-1

8-2

8-1

8-2

BROADWAY ST

QUEEN AVE

