

ORDINANCE NO. 5592

AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTIES LOCATED ON THE EAST SIDE OF PACIFIC BOULEVARD AND NORTH OF BETA DRIVE; 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 east side of Pacific Boulevard and north of Beta Drive, shown on Linn County Assessor's Map No. 11S-03W-30; Tax Lot(s) 900, 1000, 1001, and 1002, containing 7.1 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 IP (Industrial Park).

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-B6-04

Beginning at a 1/2-inch rod on the East right-of-way line of State Highway 99 East, said point also being North 0° 31' 30" East 40.0 feet and South 89° 35' East 38.3 feet from the Southwest corner of Section 30 in Township 11 South, Range 3 West, of the Willamette Meridian in Linn County, Oregon; thence South 89° 35' East 387.07 feet, more or less, to the East right-of-way line of the Southern Pacific Railroad; thence along said East railroad right-of-way North 0° 07' East 1022.6 feet, more or less, to the Northwest corner of that tract of land conveyed to Schrock Farms, Inc. by deed recorded in Book 269, Page 22 of Linn County Deed Records; thence North 89° 35' West 380.83 feet, more or less, to a point on the East right-of-way line of said State Highway 99 East; thence along the East right-of-way line of said State Highway 99 East South 0° 32' West 1022.6 feet, more or less, to the Point of Beginning.

ALBANY
11S-03W-30

AN-B6-04

602
0.14A

605
1.25A

603
1.62A

600
2.53A

604
0.94A

800
0.94A

900 701
1.38A

1000

1002
1.41A

1001
1.73A

700
51.09A

8-8

1100
49.29A

1200
125.28A

2088.58

2162.18

C.S. 3744

2897.02

CO RD NO 351
BETA DR.

HWY 99E

S.P.R.R.

1062.80

56.38 CH

15.80 CR

440.80

8-8

