

AN ORDINANCE PROCLAIMING THE ANNEXATION OF PROPERTIES LOCATED IN WEST ALBANY BETWEEN THE CITY LIMITS AND THE CALAPOOIA RIVER; AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on July 28, 2004, reviewed this annexation request, adopted findings, and concluded that the City's annexation eligibility and timeliness criteria have been met; and

WHEREAS, the Albany City Council on July 28, 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 in West Albany between the city limits and the Calapooia River, containing 300 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 City Council on January 26, 2005, held a public hearing to determine whether or not the proposed annexation met all applicable land use criteria; and

WHEREAS, the Albany City Council on February 23, 2005, determined that all preconditions to annexation have been satisfied; and

WHEREAS, the Albany City Council believes that the decision to proclaim the annexation is a legislative decision;

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.

Section 2: The act of proclaiming this annexation is a legislative decision.

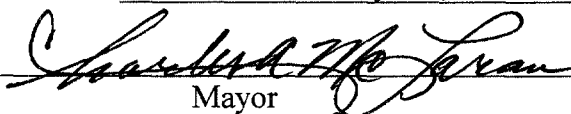
Section 3: The City Clerk shall file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of the State of Oregon, and the State of Oregon Department of Revenue. The City Clerk shall also submit to the Secretary of State an abstract of the vote within the City.

Section 4: It is hereby adjudged and declared that this Ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Albany, and an emergency is hereby declared to exist, and this Ordinance shall take effect and be in full force and effect when passed by the City Council and approved by the Mayor.

Passed by the Council: February 23, 2005

Approved by the Mayor: February 23, 2005

Effective Date: February 23, 2005



Mayor

ATTEST:



City Clerk

Ordinance Exhibit A

Legal Description for West Albany Island Annexation (AN-A1-04)

All that area between the existing City Limits of the City of Albany, Oregon and the existing Urban Growth Boundary of the City of Albany, Oregon, in Sections 11, 12, 13, and 14 in Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon, more particularly described as follows:

Beginning at the northeast corner of the south 1/2 of the Jarvis Briggs DLC No. 83;

thence along the east line of said DLC No. 83 N 0° 03' 30" W 749.27' to the westernmost southwest corner of Lot 11A of the Fir Oaks Addition Revised subdivision;

thence along the south boundary of said subdivision following these bearings: N 76° 30' E 185.23', S 52° 15' E 95.0', S 12° E 110.0', N 86° E 135.0', and N 88° 45' E 95.0' to the southeast corner of said Lot 11A;

thence further along the south boundary of said subdivision S 0° 26' W 74.0' to the southwest corner of Lot 14 of said Fir Oaks Addition Revised subdivision;

thence along the south boundary of said subdivision S 78° 19' E 78.0' and S 62° 32' E 282.76' to the southeast corner of that tract of land conveyed to Doris M. Scharpf by deed recorded in MF506-822 of the Linn County Microfilm Deed Records;

thence along the east line of said Scharpf tract and the northerly extension thereof N 0° 26' E 381.94' to the north boundary of the Lakewood Drive right-of-way;

thence along said north right-of-way line of Lakewood Drive N 66° 19' W 29.79', more or less, to the east right-of-way line of Lawnridge Street, said point also being the southwest corner of Lot 41 of the Fir Oaks Addition Revised subdivision;

thence along said east right-of-way line of Lawnridge Street N 0° 26' E 242.85', more or less, to a point which is the intersection of the east right-of-way line of Lawnridge Street and the easterly extension of the north boundary of Lot 16 of the Fir Oaks Addition Revised subdivision;

thence along said north boundary of Lot 16 (and its easterly extension) N 89° 34' W 240.59' to the east right-of-way line of Park Terrace, said point also being the northwest corner of said Lot 16;

thence along said east right-of-way line N 0° 26' E 85.91' to a point which is the intersection of the east right-of-way line of Park Terrace and the easterly extension of the north boundary of Lot 10 of the Fir Oaks Addition Revised subdivision;

thence along said north boundary of Lot 10 (and its easterly extension) N 89° 34' W 460.51' to a point on the west boundary of the drainage ditch right-of-way dedicated to the City of Albany by deed recorded in Book 159, Page 174 of the Linn County Microfilm Deed Records;

thence along said west boundary of the drainage ditch right-of-way N 40° 20' E 336.58', more or less, to the southwest corner of Lot 8 of the Fir Oaks Addition Revised subdivision;

thence along the west boundary of said Lot 8 N 14° 12' W 274.72' to the northwest corner of said Lot 8;

thence along the north boundary of said Lot 8 N 75° 48' E 150.0' to the west right-of-way line of Park Terrace, said point also being the northeast corner of said Lot 8;

thence along the west right-of-way line of Park Terrace S 14° 12' E 167.86' to the southeast corner of said Lot 8;

thence along the extension of the north right-of-way line of said drainage ditch N 40° 20' E 73.67' to the east right-of-way line of Park Terrace;

thence along the east right-of-way line of Park Terrace S 14° 12' E 49.11' to the northwest corner of Lot 19, of Fir Oaks Addition Revised to the City of Albany;

thence along the north boundary of said Lot 19 N 40° 20' E 78.11' to a 3/4-inch iron rod;

thence further along the north boundary of said Lot 19 N 48° 34' E 113.72' to the northeast corner of said Lot 19;

thence in a northwesterly direction approximately 40' to the southeast corner of Lot 20 of Fir Oaks Addition Revised to the City of Albany;

thence along the east boundaries of Lots 20, 21, 22, and 23 of the Fir Oaks Addition Revised subdivision N 14° 12' W 571.6' to the northeast corner of said Lot 23;

thence along the north boundary of said Lot 23 S 75° 48' W 150.50' to the east right-of-way line of said Park Terrace, said point also being the northwest corner of said Lot 23;

thence along said east right-of-way line of Park Terrace N 14° 12' W 345.0' to the south right-of-way line of 27th Avenue, said point also being the northwest corner of Lot 25 of the Fir Oaks Addition Revised subdivision;

thence along said south right-of-way line of 27th Avenue S 89° 42' E 155.45' to the northeast corner of said Lot 25;

thence along the northerly extension of the east boundary of said Lot 25 N 14° 12' W 61.97' to the north right-of-way line of said 27th Avenue;

thence westerly along said north right-of-way line of 27th Avenue N 89° 42' W 410.89', more or less, to the centerline of Broadway Street;

thence along said centerline of Broadway Street N 10° 30' E 413.49' to the intersection of said centerline of Broadway Street and the easterly extension of the south boundary of that tract of land conveyed to Absolute General Contracting Inc. by deed recorded in MF1502-69 of the Linn County Microfilm Deed Records;

thence along said south property boundary (and its extension) N 89° 42' W 632.59' to the southwest corner of said Absolute General Contracting Inc. tract;

thence along the west boundary of said Absolute General Contracting Inc. tract N 16° 15' W 320.76' to the northwest corner of said tract;

thence along the north boundary (and its easterly extension) of said Absolute General Contracting Inc. tract S 89° 42' E 781.22' to the centerline of Broadway Street;

thence along said centerline of Broadway Street N 10° 30' E 148.58' to the intersection of the centerline of Broadway Street and the easterly extension of the south boundary of that tract of land conveyed to Craig Wibbens by deed recorded in MF1589-555 of the Linn County Microfilm Deed Records;

thence along said south property boundary (and its easterly extension) N 89° 42' W 349.46' to the southwest corner of said Wibbens tract;

thence along the west boundary of said Wibbens tract, and its northerly extension, N 10° 48' E 478.08' to the southwest corner of that tract of land conveyed to Clifford and Ruth Phelps by deed recorded in MF169-679 in the Linn County Microfilm Deed Records;

thence along the south boundary of said Phelps tract (and its easterly extension) S 88° 55' 03" E 381.30' to the centerline of Broadway Street;

thence along said centerline of Broadway Street N 10° 33' E 615.0 feet, more or less, to the intersection of the centerline of Broadway Street and the easterly extension of the south property boundary of the tract of land conveyed to Roland and Karen Carpenter by deed recorded in Volume 467, Page 321 of the Linn County Microfilm Deed Records;

thence along south boundary (and its easterly extension) of said Carpenter tract N 88° 37' W 210.85' to the southwest corner of said Carpenter tract;

thence along the west boundary of said Carpenter tract N 38° 45' W 100.72' to the northwest corner of said Carpenter tract;

thence along the north boundary of said Carpenter tract (and its easterly extension) S 88° 37' E 288.05' to the centerline of Broadway Street;

thence along said centerline of Broadway Street approximately 528 feet, more or less, to the intersection of the centerline of Broadway Street and the extension of the south right-of-way line of Queen Avenue, said point bearing S 1° 30' W 30.01' from the southwest corner of the Walter Montieth DLC No. 55;

thence westerly along said south right-of-way line of Queen Avenue 30.01' to the northeast corner of that tract of land conveyed to Chester Stoelting by deed recorded in MF1249-713 of the Linn County Microfilm Deed Records, said point also being the intersection of the south right-of-way line of Queen Avenue and the west right-of-way line of Broadway Street;

thence continuing southwesterly along said south right-of-way line of Queen Avenue 182.0', more or less, to the northwest corner of said Stoelting tract;

thence continuing southwesterly along said south right-of-way line of Queen Avenue S 51° 32' W 50.0' to the northwest corner of that tract of land conveyed to Terry and Patricia Stoelting by deed recorded in MF299-620 of the Linn County Microfilm Deed Records;

thence along the west boundary of said Stoelting tract S 38° 28' E 146.73' to the southwest corner of said Stoelting tract;

thence along the south boundary of that tract of land conveyed to Kenneth Reikofski by deed recorded in MF 1211-683 of the Linn County Microfilm Deed Records S 54° 12' 15" W 50.05' to the southwest corner of said Reikofski tract;

thence S 38° 28' E 3.01' to the north corner of that tract of land conveyed to Allen and Jodel Nelson by deed recorded in MF 1070-774 of the Linn County Microfilm Deed Records;

thence along the northwest boundary of said Nelson tract S 51° 15' W 171.54' to the northwest corner of said Nelson tract;

thence along the westerly boundary of said Nelson tract S 38° 45' E 100.0' to an interior corner of said Nelson tract;

thence along the north boundary of said Nelson tract S 51° 15' W 70.78' to the southwest corner of that tract of land conveyed to James Schmaltz by deed recorded in MF569-16 of the Linn County Microfilm Deed Records;

thence along the west boundary of said Schmaltz tract N 38° 45' W 248.86' to the south right-of-way line of Queen Avenue, said point also being the northwest corner of said Schmaltz tract;

thence along the said south right-of-way line of Queen Avenue S 51° 15' W 132.00' to the northeast corner of Lot 19 of the Summerfield subdivision;

thence along the east boundary of said Summerfield subdivision S 38° 45' E 629.45' to the southeast corner of Lot 10 of said Summerfield subdivision;

thence along the south boundary of said Summerfield subdivision and Chase Orchards subdivision S 51° 15' W 1189.92' to the southwest corner of Lot 67 of the Chase Orchards (Phase Two) subdivision;

thence along the west boundary of said Chase Orchards subdivision N 38° 45' W 634.78' to the south right-of-way line of Queen Avenue, said point also being the northwest corner of Lot 7 of Chase Orchards (Phase One) subdivision;

thence along the extension of the west boundary of said Chase Orchards subdivision N 38° 45' W 55.0' to the north right-of-way line of Queen Avenue;

thence along the north right-of-way line of Queen Avenue N 51° 15' E 675.0' to the west property line of Hazelwood Park, a City of Albany property described in Linn County Microfilm deed records Book 189, Page 84 and Book 345, Page 73;

thence along the west property line of said Hazelwood Park property N 13° 30' W 182.0' to an interior property corner;

thence along the common property line between Hazelwood Park and the United States of America property described in Linn County Microfilm deed records Book 233, Page 135 S 89° 12' 12" W 336.69';

thence along the west property line of said Hazelwood Park N 13° 26' 40" W 295.0' to the south boundary of the Hazelwood Addition to Albany subdivision;

thence westerly along the south line of said Hazelwood Addition 151.0' to the southwest corner of Lot 5, Block 28, Hazelwood Addition;

thence N 63° 39' W 361.84' to the west line of Block 32, Hazelwood Addition;

thence northerly along the west line of said Block 32 50.0' to its intersection with the north right-of-way line of 17th Avenue extended westerly;

thence easterly along the north right-of-way line of 17th Avenue extended 133.57' to the southwest corner of Lot 5, Block 31, of Hazelwood Addition;

thence southerly 25.0' to the centerline of vacated 17th Avenue;

thence easterly along the centerline of vacated 17th Avenue 200.0' to the west right-of-way line of Bonnie Street;

thence southerly 25.0' to the south right-of-way line of 17th Avenue;

thence east along the south right-of-way line of 17th Avenue 40.0' to the east extended line of Bonnie Street;

thence north along the east right-of-way line of Bonnie Street 524.0' to the south right-of-way line of 15th Avenue, said point also being the northwest corner of Lot 4, Block 30 of the Hazelwood Addition to Albany subdivision;

thence easterly along said south right-of-way line of 15th Avenue 500.0' to the east right-of-way line of Fisher Street, said point also being the northwest corner of Lot 4, Block 23 of the Hazelwood Addition to Albany subdivision;

thence northerly along said east right-of-way line of Fisher Street 150.0' to the northwest corner of Lot 5, Block 24 of the Hazelwood Addition to Albany subdivision;

thence easterly along the north boundary of said Lot 5, Block 24 of the Hazelwood Addition to Albany subdivision 50.0' to the northeast corner of said Lot 5, Block 24 of the Hazelwood Addition to Albany subdivision;

thence southerly along the east boundary of said Lot 5, Block 24 of the Hazelwood Addition to Albany subdivision (and its southerly extension) 150.0' to the south right-of-way line of 15th Avenue, said point also being the northeast corner of Lot 4, Block 23 of the Hazelwood Addition to Albany subdivision;

thence easterly along said south right-of-way line of 15th Avenue 50.0' to the northeast corner of Lot 3, Block 23 of the Hazelwood Addition to Albany subdivision;

thence northerly along the northerly extension of the east boundary of said Lot 3, Block 23 of the Hazelwood Addition to Albany subdivision 156.06' to a 1/2-inch iron rod set on the centerline of the alley in Block 24 of the Hazelwood Addition to Albany subdivision;

thence easterly along said alley centerline 150.0' to the east right-of-way line of Hop Street, said point also being at the intersection of said east right-of-way line of Hop Street and the centerline of the alley in Block 17 of the Hazelwood Addition to Albany subdivision;

thence northerly along said east right-of-way line of Hop Street 356.0' to the south right-of-way line of 13th Avenue, said point also being the northwest corner of Lot 4, Block 16 of the Hazelwood Addition to Albany subdivision;

thence S 89° 43' 51" W along the westerly extension of said south right-of-way line of 13th Avenue 30.0' to the west right-of-way line of Hop Street;

thence N 0° 28' 32" W along said west right-of-way line of Hop Street 4.0' to the northeast corner of Block 43 of the Hazelwood Addition to Albany subdivision;

thence along the north boundary of said Block 43 of the Hazelwood Addition to Albany subdivision S 89° 24' 45" W 364.50' to the northwest corner of said Block 43 of the Hazelwood Addition to Albany subdivision;

thence North 30.0' to the southwest corner of Block 42 of the Hazelwood Addition to Albany subdivision;

thence northerly along the west boundary of said Block 42 of the Hazelwood Addition to Albany subdivision 252.0';

thence N 39° 00' 53" E 243.12';

thence East 84.0';

thence N 58° 15' E 70.5' to the southwest corner of Block 1 of Sprenger's Supplemental Plat to Hazelwood Addition to Albany;

thence along the south boundary of said Block 1 of Sprenger's Supplemental Plat N 89° 38' E 197.0' to the northwest corner of Lot 1, Block 14 of the Hazelwood Addition to Albany;

thence along the east boundary of that tract of land conveyed to American General Finance Inc. by deed recorded in MF1438-813 of the Linn County Microfilm Deed Records N 0° 15' W 315.50' to the north boundary of the Sprenger's Supplemental Plat to Hazelwood Addition to Albany, said point also being the northwest corner of that tract of land conveyed to Lance Stein by deed recorded in MF739-537 of the Linn County Microfilm Deed Records;

thence along the north boundary of said Sprenger's Supplemental Plat to Hazelwood Addition to Albany N 89° 40' E 150.0' to the east right-of-way line of Gale Street, said point also being the northwest corner of that tract of land conveyed to Stephen and Phyllis Slayer by deed recorded in MF629-228 of the Linn County Microfilm Deed Records;

thence along said east right-of-way line of Gale Street (and its northerly extension) N 0° 22' 45" W 487.78' to the north boundary of the George Cline DLC No. 84;

thence along said north boundary of DLC No. 84 S 89° 27' 22" W 32.8', more or less, to the southwest corner of the Masonic Cemetery;

thence N 0° 24' W 495.0' to the northwest corner of the Masonic Cemetery;

thence N 89° 59' 20" W 4.30' to the westerly southwest corner of that tract of land conveyed to Rand Cooper by deed recorded in MF1250-780 of the Linn County Microfilm Deed Records;

thence along the west boundary of said Cooper tract N 2° 31' E to the centerline of the Calapooia River;

thence upstream along the centerline of the Calapooia River, said centerline coinciding with the City of Albany's Urban Growth Boundary line, to a point on the south property line of that property conveyed to Jack and Donna Doty by deed recorded in Linn County Microfilm Deed Records Volume 784, Page 590;

thence easterly along the south boundary of said Doty tract 530', more or less, to the Point of Beginning.

West Albany
Island Annexation
(AN-A1-04)

BRYANT WAY

BRYANT DR

Calapoopa River

RIVERSIDE DR

RIVERSIDE DR

OAKVILLE RD

CE ST

7TH AVE

8TH AVE

9TH AVE

10TH AVE

11TH AVE

12TH AVE

13TH AVE

14TH AVE

15TH AVE

16TH AVE

17TH AVE

18TH AVE

19TH AVE

20TH AVE

21TH AVE

22TH AVE

23TH AVE

24TH AVE

25TH AVE

26TH AVE

27TH AVE

28TH AVE

29TH AVE

30TH AVE

31TH AVE

32TH AVE

33RD AVE

34TH AVE

35TH AVE

36TH AVE

37TH AVE

38TH AVE

39TH AVE

40TH AVE

41ST AVE

42ND AVE

43RD AVE

44TH AVE

45TH AVE

46TH AVE

47TH AVE

Annexation Area 

UGB 

City Limits 

This map is intended only to be a general representation of the area to be annexed. The actual metes and bounds legal description should be used to identify the exact boundaries of the annexation area