

AN ORDINANCE ELECTING TO DISPENSE WITH AN ELECTION WITHIN THE CITY OF ALBANY, OREGON, UNDER THE PROVISIONS OF SECTION 222.110, 222.120 AND 222.1700RS, REGARDING THE ANNEXATION OF PROPERTY ADJACENT ON EAST OF ST. JAMES PARK ADDITION, CONTIGUOUS TO THE CITY OF ALBANY, SETTING A TIME FOR PUBLIC HEARING ON THE SAME AND DECLARING AN EMERGENCY.

WHEREAS, 100 per cent of the owners of the property which is the subject matter of this annexation have petitioned and requested the City of Albany to annex the area hereinafter described to the City and the same being contiguous and in all respects qualifying under the present statutes for annexation, and

WHEREAS, it is in the best interest of the City of Albany that a public hearing be held at the earliest possible date to consider objections to the annexation of the property herein described,

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

**Section 1: DESCRIPTION OF PROPERTY**

That an election within the City of Albany regarding the annexation of the following described property, to-wit:

Tract 1: That part of the North half of the Leander C. Burkhardt DLC #50 in T 11 S, R 3 W of the Willamette Meridian, Linn County, Oregon described as follows: Beginning at the Sly li of the Santiam Hwy at a pt N 1°10' W 426.70' and N 72°39' E 826.34' fr the intersection of the N li of the abandoned Mill City Branch of the Southern Pacific Company and the W li of sd claim; th S 1°10' E 190'; th E 60'; th N 1°37' E 156' to the Sly li of sd hwy; th N 61°18' W alg sd hwy li 69.09' to pob

Tract 2: Beg at a ½" pipe on the N li of the RR r/w, sd pipe being N 72°39' E 888.54' fr a pt on the E li 2370.3' N of the SE cor of the Abram Hackleman DLC #62, T 11 S, R 3 W of the Willamette Meridian; th N 72°39' E alg the N li of sd r/w 76.5' to a ½" pipe; th N 1°03' W 311.76' to a ¾" pipe on the S r/w li of the Santiam Hwy; th N 61°40' W alg sd r/w 85.1' to a ¾" pipe; th S 1°10' E 374.65' to the pob, all in Linn County, Oregon.

Tract 3: Beg at a ½" pipe on the N r/w of the RR now abandoned sd pt being S 89°46' E 530.64', S 1°10' E 129' and N 72°39' E 336' fr the NW cor of the S ½ of the Leander Burkhardt DLC #50 in T 11 S, R 3 W of the Willamette Meridian in Linn County, Oregon and running th S 72°39' W 62.2' to a ½" pipe; th N 1°10' W 236.7' to a ½" pipe; th E 60' to a ½" pipe; th S 1°10' E to the pt of beg, all in Linn County, Oregon.

ALSO: Beg at the SE corner of St. James Park Addition to Albany, sd pt being S 89°46' E 530.64' fr the NW cor of the S ½ of the Leander Burkhardt DLC #50, T 11 S, R 3 W of the Willamette Meridian; th N 1°10' W alg the E li of St. James Park Addn, 498.42' to a 1" pipe on the S li of the State Hwy; th S 67°40' E alg sd hwy 219.99' to a 1" pipe; th S 61°18' E 70.6' to a pipe; th S 1°10' E alg the W li of the Property described in Book 168, page 623, Deed Records, a distance of 426.7' to a pipe on the N li of the old RR r/w; th S 72°39' W alg sd li, 273.8' to a pipe; th N 1°10' W 129' to the pob, in the County of Linn and State of Oregon, be the same, more or less, but subject to all legal hwys.

ALSO: Beg N 72°39' E 965.04' fr a pt 2,370.3' N of the SE cor of DLC #62; th N 72°39' E 85.34'; th N 4°01' W 249.3' to the S li of the Santiam Hwy; th N 61°40' W 79.2'; th S 1°03' E 311.76' to the beg, exc that part in hwy.

ALSO: Beg N 2,370.3' and N 72°39' E 1,050.38' fr the SE cor of DLC #62; th N 72°39' E 59.49'; th N 1°03' W 195.96'; th N 63°26' W 78.13'; th S 4°01' E 249.3' to the beg, exc that part in hwy.

ALSO: Beg on the S li of the Santiam Hwy at the intersection of the E li of Blk 6, Burkhardt Addn extended; th S 1°03' E 193' to the N li of the RR r/w; th N 72°39' E 56.33'; th S 1°29' E 31.21' to the center li of sd r/w; th N 72°39' E 27'; th N 1°03' W 168.8' to the S li of Santiam Hwy; th NWly alg sd li to beg, exc part in hwy.

ALSO: Beg N 1°35' W 2,625.4' and N 88°25' E 1,128.6' fr the SE cor of DLC #62; th S 1°29' E 233'; th S 88°25' W 332.2'; th N 1°35' W 198.7' to the N li of the RR r/w; th N 72°39' E 345.4'; th S 1°29' E 62.42' to beg.

As a C-2 Local Commercial Zone

be dispensed with.

**Section 2: HEARING**

That there shall be a public hearing as to the advisability of annexing the property described in Section 1 to the City of Albany on the 28<sup>th</sup> day of September, 1966, at 7:15 p.m. o'clock, and the City Recorder is hereby directed to give notice of said public hearing by publishing in a newspaper of general circulation, published in the said City once a week for



two (2) successive and consecutive weeks and by posting in four (4) public places, a notice setting forth the time and place for said hearing and the description of said property to be considered for annexation and purpose for which the hearing is held.

Section 3: EMERGENCY CLAUSE

WHEREAS, it is in the betterment of the public health, interest, safety and welfare of the citizens of the City of Albany that this matter of annexation of the property herein described be disposed of at the earliest possible moment, and, should the same be annexed that the City facilities be made available to this property, therefore, an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: September 14, 1966

Approved by the Mayor: September 14, 1966

*Russell W. Cripp*  
Mayor

Effective Date: September 14, 1966

ATTEST:

*Ernest W. Scham*  
City Recorder