

ORDINANCE NO. 3634

TITLE: An Ordinance annexing Ermine Park Subdivision located on the West side Waverly Drive at 22nd Avenue to the City of Albany, Oregon, with annexation to take place with a proportionate share of city services furnished and assessed over a five (5) year basis and declaring an emergency.

RECITALS: WHEREAS, on the 12th day of April, 1972, at a regular council meeting, the Council of the City of Albany did pass an Ordinance No. 3627, calling a public hearing on the 10th day of May, 1972, concerning the advisability of annexation of property, Ermine Park Subdivision, located on the west side of Waverly Drive at 22nd Avenue, hereinafter described, and

WHEREAS, the public hearing was duly held on the 10th day of May, 1972, and that the Council determined due notice of hearing had been given as provided in the Ordinances of the City of Albany and pursuant to the terms of ORS Sections 222.120, and

WHEREAS, the Council, after said hearing, determined that the property lying at the west side of Waverly Drive at 22nd Avenue, herein described, Ermine Park Subdivision, should be annexed to the City of Albany, with levy of taxes to be apportioned according to services furnished by the city over a period of five (5) years and that the property owners have filed their consent to the annexation on this basis.

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

Section 1: PROPERTY DESCRIPTION

That the following described property be and it is hereby annexed as R-1 Residential zone to the City of Albany, Linn County, Oregon, to-wit:

PARCEL I: Beginning at a point on the East boundary line of the Leander C. Burkhart Donation Land Claim No. 50 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, which is North 1°35' West 5.40 chains from the Southeast corner of said Claim No. 50, and running thence North 1°35' West along the East boundary line of said claim 2.44 chains; thence West 24.66 chains to the West line of the property of the grantor; thence South 2°08' East 2.44 chains to the Southwest corner of the property of the grantor; thence East 24.64 chains to the place of beginning.

PARCEL II: Beginning on the East boundary line of the Donation Land Claim of Leander C. Burkhart and wife No. 50 in Township 11 South, Range 3 West, of the Willamette Meridian, Linn County, Oregon, at a point North 1°35' West 2.60 chains distant from the Southeast corner of said claim, and running thence West 15.34 chains to the East boundary line of a small tract of land heretofore deeded to R. L. Burkhart; thence North 2°8' East 2.78 chains; thence East 15.39 chains to the East boundary line of said claim; thence South 1°35' East on said East line to the place of beginning- - - - -

Section 2: PROPORTIONATE TAX

That the annexation provided for herein is on the basis that services will be furnished by the City of Albany and a levy of a proportionate share of the city taxes made against the property over a five (5) year period pursuant to the following schedule:

First year	96%
Second year	97%
Third year	98%
Fourth year	99%
Fifth year	100%

Section 3: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the City of Albany.


Section 4: EMERGENCY CLAUSE

WHEREAS, it is in the betterment of the public health, interest, safety and general 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 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: May 10, 1972

Approved by the Mayor: May 10, 1972

Effective Date: May 10, 1972



Mayor

ATTEST:



City Recorder