

ORDINANCE NO. 3977

AN ORDINANCE ANNEXING PROPERTY LOCATED SOUTH OF THE SANTIAM CANAL AND EAST OF COLUMBUS STREET CONTAINING APPROXIMATELY 127 ACRES AS R-1(6) AND R-2 AND DECLARING AN EMERGENCY.

WHEREAS, on the 27th day of October, 1976, at a regular Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. 3975, wherein it was provided that a public hearing would be held on the 17th day of November, 1976, concerning the advisability of annexing

property located south of the Santiam Canal and east of Columbus Street containing approximately 127 acres as R-1(6) and R-2.

WHEREAS, the hearing was duly held on the 17th day of November 1976, and at that time the Council determined that the Notices of Hearing had been given as provided in the said Ordinance, and pursuant to the terms of ORS 222.111, 222.120 and 222.170, and

WHEREAS, the Council after said hearing determined that the area described herein should be annexed, NOW, THEREFORE,

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

Section 1: That the following described property be and is hereby annexed to the City of Albany, to-wit:

See attached legal description (Attachment A)

Section 2: See attached findings of fact (Attachment C)

See Attachment D for additional conditions adopted by motion.

Section 2: 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 3: 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 described herein 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.

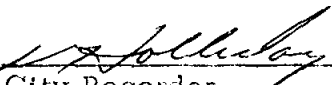
Passed by the Council: November 24, 1976

Approved by the Mayor: November 24, 1976

Effective Date: November 24, 1976

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

ATTACHMENT A

LEGAL DESCRIPTION

CONSENT TO ANNEXATION

DEERFIELD SUBDIVISION ANNEXATION

Beginning at the point of intersection of the west right-of-way line of Columbus Street and at the north line of the Santiam Canal; thence,

S89<sup>0</sup>48'30"E 1,621.92 ft. along the north line of said Canal; thence,

S89<sup>0</sup>44'26"E 1,084.23 ft. along the north line of said Canal to the east boundary line of Section 20; thence,

S0<sup>0</sup>24'35"E 2,766.97 ft. along the east boundary line of Section 20 the north right-of-way line of the Southern Pacific Transportation Company; thence,

N65<sup>0</sup>28'50"W 2,958.40 ft. along the north right-of-way line of the S.P.T.C. to the west right-of-way line of Columbus Street; thence,

North 1,550 ft., more or less, along the west right-of-way line of Columbus Street to the point of beginning.

(SEE ATTACHED LEGAL DESCRIPTIONS AND MAP FOR THE ZONED AREAS WITHIN THE 127 ACRES)

P.C.B.

ATTACHMENT B

17	16
20	21

60'

$S 89^{\circ} 46' 30'' E$

1621.92' SANTIAM

$S 89^{\circ} 44' 26'' E$

1,084.23

NW Cor. DLC 55  
Jordan S. Robinson

T.L. 1500

BA

1550' +  
COLUMBUS ST.

$S 0^{\circ} 24' 35'' E$   
2,766.97

491.04'

76.15 CH.

25'	120'	1204
120'	160'	
110.43'	1205	
	160'	

2958.40' N  $65^{\circ} 28' 50'' W$

589.18'

1501

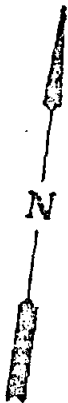
$S 89^{\circ} 40' E$   
43725'

1400

1142.50'

742.30'  
 $S 0^{\circ} 20' W$

969.54'



400 SCALE

FINDINGS OF FACT  
Taylor's 127 Acres

1. The request conforms to the Comprehensive Plan and Goal Statements with respect to the area being designated for future urban growth and residential development.
2. The property is adjacent to the existing city limit boundary and existing sanitary sewer trunk line is located along the east side of Columbus Street, which has been sized to accommodate the proposed future urban development.
3. The requested R-1(6) and R-2 zoning classifications comply with the Comprehensive Land Use Plan and urban residential element, which allows the Planning Commission an option in establishing areas of appropriate single and multiple family zoning and permitted densities.
4. The R-1(6) and R-2 zones are more compatible with long-range plans for usage of existing utilities, services, and facilities, which include sewers, streets, and schools.
5. The Planning Commission by prior action has established land use patterns for the area in zoning property north of the Santiam Canal and west of Columbus Street as primarily R-1(6) and R-2 single-multiple family development.
6. The property in question contains a larger percentage of Class III and Class IV type soils, which are considered marginal for prime agricultural use.

ATTACHMENT D

BY MOTION ON FEBRUARY 9, 1977, THE ALBANY CITY COUNCIL ADOPTED THE FOLLOWING CONDITIONS TO BE MET IN CONJUNCTION WITH ORD. NO. 3977:

1. The owner shall be required to dedicate 80 feet of right-of-way for the proposed extension of Waverly Drive, from the Santiam Canal to the Southern Pacific Railroad Line. The alignment shall be the same as shown on Alternate II-Transportation and Zoning Plan as submitted by the owner and agreed to by the Albany Planning Commission.
2. The owner shall agree in written form or by improvement petition to pay for future total cost of improving Columbus Street from the Santiam Canal Bridge to the Southern Pacific Railroad crossing. Payment for the future total cost of improving said street shall be for both sides of said street.
3. The owner shall assure the City in written or agreement form that the Grand Prairie School District will obtain sufficient land area at the proposed location for a new elementary school (Alternate II-Transportation and Zoning Plan).
4. The owner agrees to work with the City Parks & Recreation Commission and Planning Commission in resolving the issue of park land and/or park fee and the future potential use of the BPA Easement, which runs east and west through the subject property.

F

SCHOOL DIST. J.H.B.

POWELL, CLAY L.  
TRUSTEE

ALBANY WASTEWATER CANAL

50' x 40' 20' E

50' x 40' 20' E

R-1(G)(B)

R-1(G)(B)

VERAGH AVENUE

R-2(G)

R-2(G)

R-2(F)

R-2(H)

WAVEWAY DRIVE

SCHOOL  
0.2 Ac.

R-1(G)  
(C)

R-2  
(E)

R-1(G)  
(A)

R-2(D)

GREIDER, JESSE & MARY  
SPRR  
N 1/2 Sec 20 W

ALTERNATE II

# TRANSPORTATION & ZONING PLAN for DEERFIELD

SEC. 20, T11S, R3W. WM.

(as originally submitted as OAK CREEK ESTATES)

PLANNING DEVELOPMENT CO.  
100 SOUTH JACKSON  
ALBANY, OR.

PREPARED BY:  
KRAUS & DALKE  
CONSULTING ENGINEERS  
248 SECOND ST.  
ALBANY, OREGON

## PROPOSED R-1(6) ZONE (A)

Beginning at a point which is 181.35 feet North 0° 24' 35" East of the intersection of the East line of Section 20 and the North right-of-way line of the Southern Pacific Railroad, all being in Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North 65° 28' 50" West 438.55 feet; thence North 0° 24' 35" East 375 feet; thence along a 100 foot radius curve right 157.1 feet; thence South 89° 48' 50" East 66 feet; thence along a 100 foot radius curve left 157.1 feet; thence North 0° 24' 35" East 365 feet more or less to the Bonneville Power Administration easement centerline; thence North 87° 31' 18" East 133 feet to the Section Line; thence South 0° 24' 35" West 1127.8 feet more or less along said Section Line to the Point of Beginning.

Prepared by KRAUS & DALKE  
Consulting Engineers

October 1, 1976

Revised 10/11/76



## PROPOSED R-1(6) ZONE (B)

Beginning at a point which is 382.31 feet North  $0^{\circ} 19' 35''$  East of the intersection of the East right-of-way line of Columbus Street (MR #11) and the North right-of-way line of the Southern Pacific Railroad all being in the Northeast 1/4 of Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North  $0^{\circ} 19' 35''$  East 913.21 feet; thence along a 5724.58 foot radius curve left 123.33 feet; thence North  $0^{\circ} 54' 24''$  East 107.13 feet to the South right-of-way line of the Albany Canal; thence South  $89^{\circ} 48' 30''$  East 1551.92 feet; thence South  $89^{\circ} 44' 26''$  East 1084.23 feet to the East line of Section 20; thence South  $0^{\circ} 24' 35''$  West 1245.3 feet more or less; thence North  $89^{\circ} 48' 50''$  West 875 feet; thence along a 200 foot radius curve right 129.5 feet; thence North  $52^{\circ} 42' 30''$  West 60 feet more or less to the proposed centerline of Waverly Drive; thence along a 500 foot radius curve left 209.3 feet; thence North  $0^{\circ} 19' 35''$  East 250 feet; thence North  $89^{\circ} 48' 50''$  West 180 feet; thence South  $0^{\circ} 19' 35''$  West 250 feet; thence along a 320 foot radius curve right 276 feet; thence South  $49^{\circ} 45'$  West 190 feet; thence along a 640 foot radius curve left 503.5 feet; thence North  $89^{\circ} 48' 50''$  West 700 feet more or less to the East right-of-way line of Columbus Street to the Point of Beginning.

Prepared by KRAUS & DALKE  
Consulting Engineers

October 1, 1976

Revised 10/11/76

## PROPOSED R-1-6 ZONE School Site

(c)

Beginning at a point which is 181.35 feet North  $0^{\circ} 24' 35''$  East; 584.73 feet North  $65^{\circ} 28' 50''$  West of the intersection of the East line of Section 20 and the North right-of-way line of the Southern Pacific Railroad all in Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North  $65^{\circ} 28' 50''$  West 565.27 feet; thence along a 300 foot radius curve right 193.73 feet; thence North  $28^{\circ} 28' 50''$  West 550 feet more or less to the proposed centerline of Waverly Drive; thence North  $49^{\circ} 45'$  East 52 feet more or less to the centerline of the Bonneville Power Administration Easement; thence North  $87^{\circ} 31' 18''$  East 870 feet more or less; thence South  $0^{\circ} 24' 35''$  West 867.55 feet more or less to the Point of Beginning.

Prepared by KRAUS & DALKE  
Consulting Engineers

October 1, 1976

## PROPOSED R-2 ZONE (D) ■

Beginning at a point which is 800 feet South  $65^{\circ} 28' 50''$  East of the intersection of the East right-of-way line of Columbus Street (MR #11) and the North right-of-way line of the Southern Pacific Railroad all in the Northeast 1/4 of Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North  $49^{\circ} 45'$  East 540 feet more or less along the proposed centerline of Waverly Drive; thence South  $28^{\circ} 28' 50''$  East 550 feet; thence along a 300 foot radius curve left 193.73 feet; thence South  $65^{\circ} 28' 50''$  East 1150 feet more or less to the East section line of Section 20; thence South 181.35 feet along said Section line to the North right-of-way line of the Southern Pacific Railroad; thence North  $65^{\circ} 28' 50''$  West 2092.62 feet to the point of beginning.

Prepared by KRAUS & DALKE  
Consulting Engineers

September 30, 1976

PROPOSED R-2 ZONE

(E)

Beginning at a point which is 181.35 feet North  $0^{\circ} 24' 35''$  East; 438.55 feet North  $65^{\circ} 28' 50''$  West of the intersection of the East line of Section 20 and the North right-of-way line of the Southern Pacific Railroad all in Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North  $0^{\circ} 24' 35''$  East 375 feet; thence along a 100 foot radius curve right 157.1 feet; thence South  $89^{\circ} 48' 50''$  East 66 feet; thence along a 100 foot radius curve left 157.1 feet; thence North  $0^{\circ} 24' 35''$  East 365 feet more or less to the Bonneville Power Administration easement centerline; thence South  $87^{\circ} 31' 18''$  West 399 feet; thence South  $0^{\circ} 24' 35''$  West 867.55 feet more or less; thence South  $65^{\circ} 28' 50''$  East 146.2 feet to the Point of Beginning.

Prepared by KRAUS & DALKE  
Consulting Engineers

September 30, 1976

## PROPOSED R-2 ZONE

~~18~~ (F)

Beginning at a point which is at the intersection of the Bonneville Power Administration easement centerline and the East line of Section 20, all being in Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence South  $87^{\circ} 31' 18''$  West 1430 feet more or less to the proposed centerline of Waverly Drive; thence North  $49^{\circ} 45'$  East 330 feet; thence along a 500 foot radius curve left 222 feet more or less; thence South  $52^{\circ} 42' 30''$  East 60 feet; thence along a 200 foot radius curve left 129.5 feet; thence South  $89^{\circ} 48' 50''$  East 875 feet more or less to the Section Line; thence South  $6^{\circ} 24' 35''$  West along said Section Line 162.5 feet more or less to the Point of Beginning.

Prepared by KRAUS & DALKE  
Consulting Engineers

September 30, 1976

PROPOSED R-2 ZONE ~~2~~ (G)

Beginning at a point which is 242.31 feet North  $0^{\circ} 19' 35''$  East of the intersection of the East right-of-way line of Columbus Street (MR #11) and the North right-of-way line of the Southern Pacific Railroad all being in the Northeast 1/4 of Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence South  $89^{\circ} 48' 50''$  East 700 feet; thence along a 500 foot radius curve right 534 feet more or less to the proposed center-line of Waverly Drive; thence North  $49^{\circ} 45'$  East 330 feet; thence along a 500 foot radius curve left 431.3 feet; thence North  $0^{\circ} 19' 35''$  East 250 feet; thence North  $89^{\circ} 48' 50''$  West 180 feet; thence South  $0^{\circ} 19' 35''$  West 250 feet; thence along a 320 foot radius curve right 276 feet; thence South  $49^{\circ} 45'$  West 190 feet; thence along a 640 foot radius curve left 503.5 feet; thence North  $89^{\circ} 48' 50''$  West 700 feet more or less to the East right-of-way line of Columbus Street; thence South  $0^{\circ} 19' 35''$  West 140 feet to the Point of Beginning.

Prepared by KRAUS & DALKE  
Consulting Engineers  
September 30, 1976

## PROPOSED C-2 ZONE (H) (R-2)

Beginning at a point which is at the intersection of the East right-of-way line of Columbus Street (MR #11) and the North right-of-way line of the Southern Pacific Railroad all being in the North-east 1/4 of Section 20, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; running thence North  $0^{\circ} 19' 35''$  East 242.31 feet along the Columbus Street right-of-way; thence South  $89^{\circ} 48' 50''$  East 700 feet; thence along a 500 foot radius curve right 534 feet more or less to the proposed centerline of Waverly Drive; thence South  $49^{\circ} 45'$  West 540 feet more or less to the North right-of-way line of the Southern Pacific Railroad; thence North  $65^{\circ} 28' 50''$  West 800 feet along said Railroad right-of-way to the Point of Beginning.

Prepared by KRAUS & DALKE  
Consulting Engineers

September 30, 1976

Revised 10/11/76