

RESOLUTION NO. 3677

A RESOLUTION PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTY LOCATED 2140 BROADWAY STREET SW (TAX LOT 5300, LINN COUNTY ASSESSOR'S MAP NO. 11-4W-13BA) AND CONTAINING APPROXIMATELY 39,639.6 SQUARE FEET (0.91 ACRES) AND SETTING A PUBLIC HEARING FOR THE REMOVAL OF TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT (CASE FILE NO. AN-05-96).

WHEREAS, the City Council has proposed to annex in accordance with the provisions of ORS 222.750 certain property described by attached Exhibit A and more commonly known as 2140 Broadway Street SW and which is adjacent to the City of Albany; and

WHEREAS, provisions of state law and the Albany Development Code waive requirements for Planning Commission review and public hearings for such annexations; and

WHEREAS, the Albany Development Code provides for the application of specific zoning districts upon annexation of territory under these circumstances; and

WHEREAS, a public hearing should be held concerning the withdrawal of said territory from the Albany Rural Fire Protection District under the provisions of ORS 222.524.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the territory described by attached Exhibit A is hereby proclaimed to be annexed to the City of Albany and zoned RS-6.5 (Residential Single Family - 6,500 square foot lot minimum).

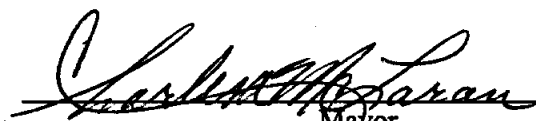
BE IT FURTHER RESOLVED that the statements for this annexation be found in the staff report for Planning Case File No. AN-05-96.

BE IT FURTHER RESOLVED by the Albany City Council that a public hearing on the matter of removal of the territory described in Exhibit A from the Albany Rural Fire Protection District be held by the City Council on September 11, 1996, at 7:15 p.m.

BE IT FURTHER RESOLVED that the City Recorder shall give notice of the hearing by publication once each week for two (2) successive weeks prior to the day of said hearing in a newspaper of general circulation within the city. The City Recorder shall further cause notice of this hearing to be posted in four (4) public places within the city for a like time.

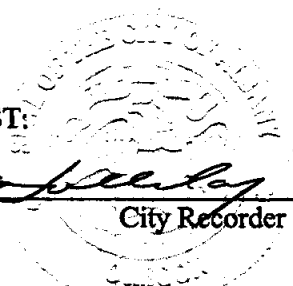
BE IT FURTHER RESOLVED that the property described by attached Exhibit A shall be effectively annexed to the City of Albany on the date that the complete abstract of the annexation proceedings described above is filed with the Secretary of State of the State of Oregon.

DATED THIS 14TH DAY OF AUGUST 1996.

  
\_\_\_\_\_  
Mayor

ATTEST:

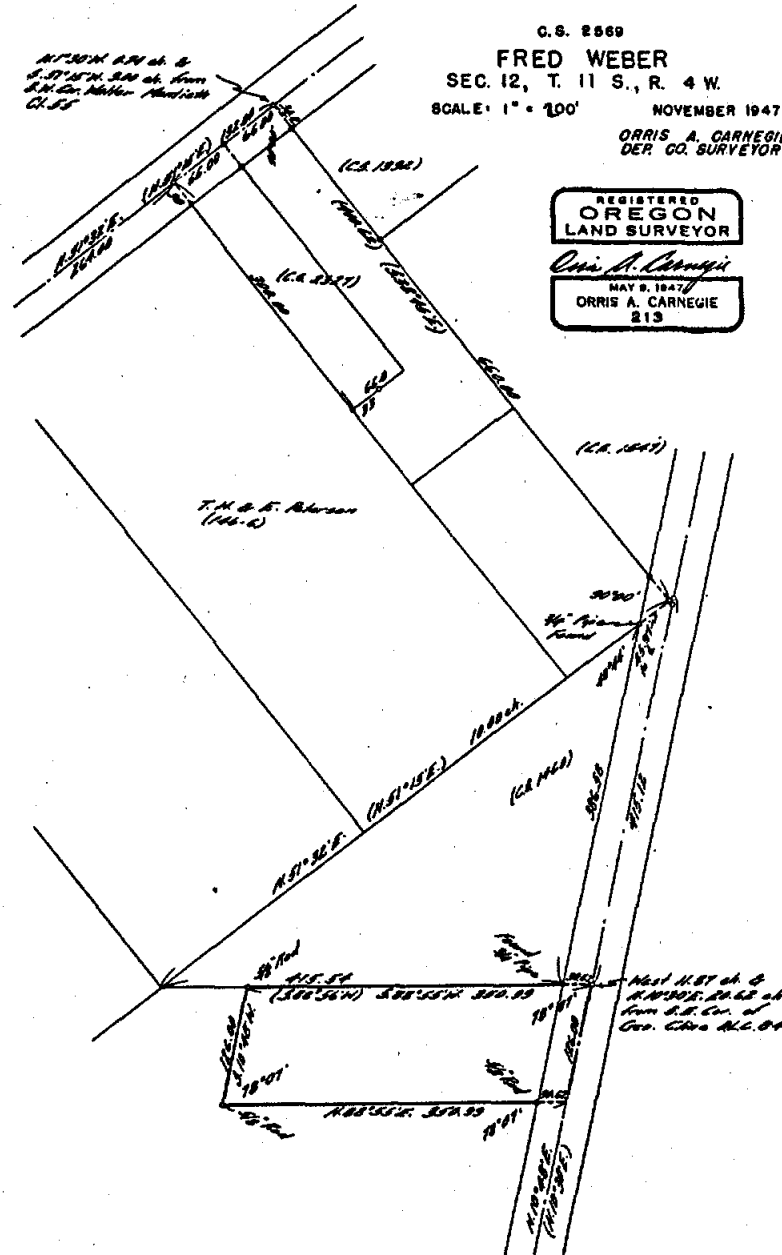
  
\_\_\_\_\_  
City Recorder



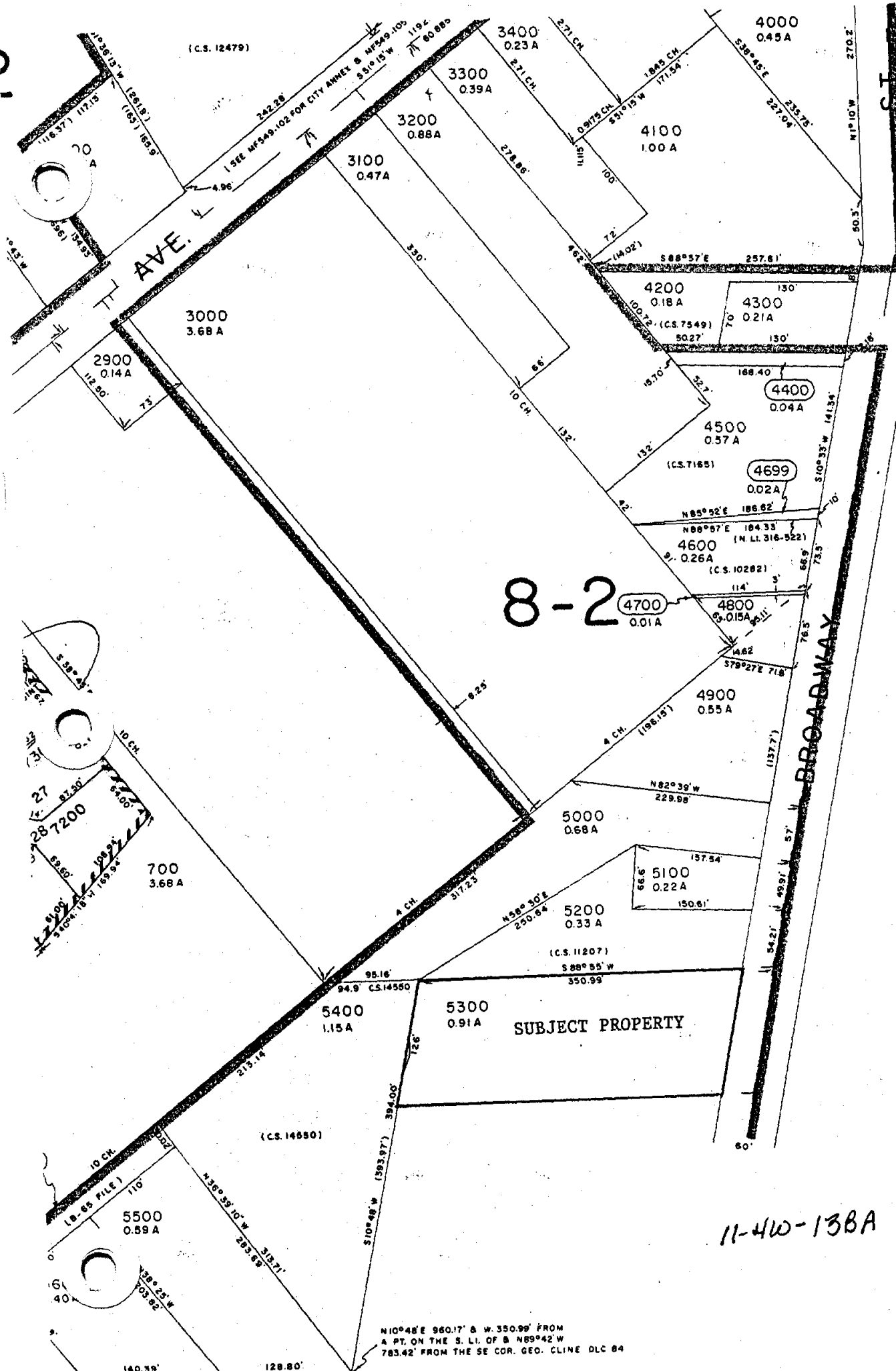
**EXHIBIT A  
LEGAL DESCRIPTION  
CASE NO. AN-05-96**

C.S. 2569  
**FRED WEBER**  
SEC. 12, T. 11 S., R. 4 W.  
SCALE: 1" = 100'      NOVEMBER 1947  
**ORRIS A. CARNEGIE**  
DEP. CO. SURVEYOR

REGISTERED  
**OREGON**  
LAND SURVEYOR  
*Orris A. Carnegie*  
MAY 9, 1947  
**ORRIS A. CARNEGIE**  
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Beginning at a 3/4 inch pipe located on the westerly right-of-way line of Broadway Street that is WEST 11.87 chains, North 10°30' East 20.62 chains, and South 88°55' West 30.62 feet from the southeast corner of the George Cline Donation Land Claim No. 84 in Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon; thence South 88°55' West 320.37 feet to a 5/8 inch rod; thence South 10°48' West 126.00 feet to a 5/8 inch rod; thence North 88°55' East 320.37 feet to a 5/8 inch rod on the said westerly right-of-way line; thence continuing North 88°55' East 61.24 feet to a point on the easterly right-of-way line of said Broadway Street; thence North 10°48' East, along said easterly right-of-way line, 126.00 feet to a point that is North 88°55' East from the Point of Beginning; thence South 88°55' West 61.24 feet to the Point of Beginning. Containing 1.08 acres of land, more or less. The Basis of Bearings of the above described Tract is C.S. No. 2569 as filed and indexed in the office of the Linn County Surveyor.



8-2

8-1

See Map 11 4W 12D

BROADWAY

SUBJECT PROPERTY

11-4W-138A

N10°48'E 960.17' & W. 350.99' FROM  
 A PT. ON THE S. LI. OF B N89°42' W  
 783.42' FROM THE SE COR. GEO. CLINE DLC 84