

A RESOLUTION PROPOSING THE ANNEXATION OF PROPERTIES LOCATED ON THE WEST SIDE OF THREE LAKES ROAD AND SOUTH OF 18TH AVENUE, AND FORWARDING THE QUESTION OF ANNEXATION TO THE VOTERS ON THE NOVEMBER 2, 2004 BALLOT.

THE CITY COUNCIL OF THE CITY OF ALBANY resolves that the findings and conclusions contained in Resolution Exhibit B (which consists of the complete staff report to the Albany City Council, including attachments, and dated July 2004; File AN-C8-04), and by this reference incorporated herein, are hereby adopted.

THE CITY COUNCIL OF THE CITY OF ALBANY FURTHER RESOLVES that this annexation, which would annex approximately 4.3 acres of property located on the west side of Three Lakes Road and south of 18th Avenue, all within Linn County, Oregon, is to be submitted to the legal voters of Albany, Oregon, for their approval or rejection pursuant to Albany City Charter Chapter 54 at an election to be held on November 2, 2004. This election will be conducted by mail-in ballot.

The ballot title of this measure and the form in which it shall be printed on the official ballot is as follows:

**CAPTION:** MEASURE PROPOSING ANNEXATION OF PROPERTY ON THREE LAKES ROAD SE

**QUESTION:** Shall three parcels totaling 4.3 acres on the west side of Three Lakes Road south of 18th Avenue be annexed?

**SUMMARY:** Approval of this measure would annex approximately 4.3 acres to the City of Albany. The properties to be annexed are located on the west side of Three Lakes Road and south of 18th Avenue. These properties are surrounded on all sides by the city limits of Albany. Upon annexation, the zoning would be RS-6.5 (Single-Family Residential).

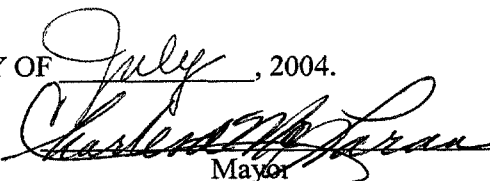
The text of the measure is as follows:

The following described real property, all located in Linn County, Oregon, shall be annexed to the City of Albany upon obtaining a favorable majority vote of the people.

*The property generally located on the west side of Three Lakes Road and south of 18th Avenue, shown on Linn County Assessor's Map No. 11S-03W-09D; Tax Lot(s) 1107, 1109, and 1112, as further described in the attached legal description labeled Resolution Exhibit A. The subject properties containing 4.3 acres, more or less.*

The City Clerk is authorized and directed to give notice of the submission of this question to the voters, including a true copy of the complete text and the ballot title for the measure in the form in which it shall be printed on the official ballot and any other information required by law to be published. That notice shall be published in not less than two successive and consecutive weekly issues of the *Albany Democrat-Herald*.

IN EFFECT AND DATED THIS 14 DAY OF July, 2004.

  
\_\_\_\_\_  
Mayor

ATTEST:

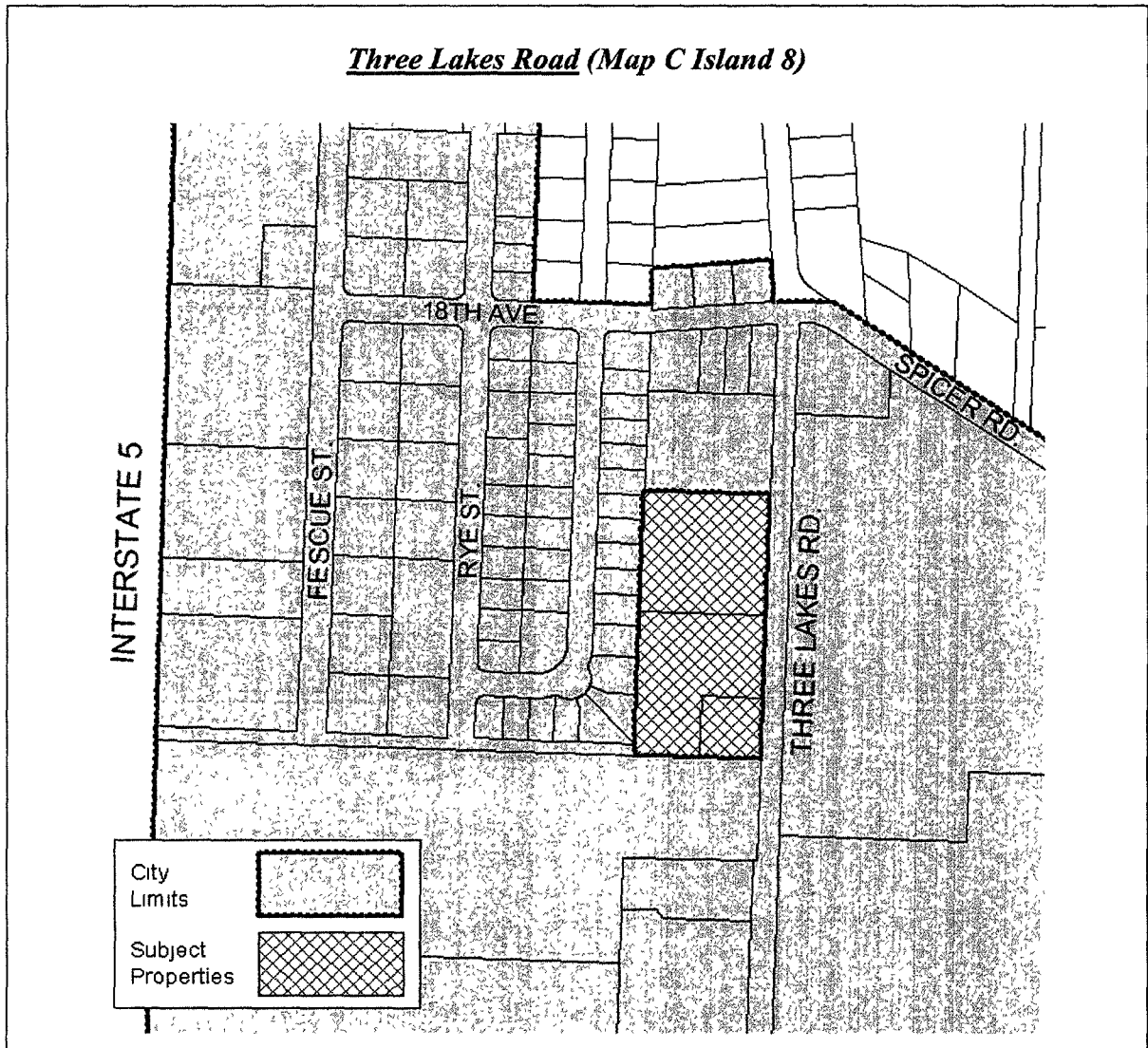
  
\_\_\_\_\_  
City Clerk

**RESOLUTION EXHIBIT A**  
**LEGAL DESCRIPTION**  
**FILE AN-C8-04**

Beginning at a point North 0° 17' East 608.5 feet from the Southeast corner of the Lawndale Subdivision, said point also being described as the Northwest corner of that tract conveyed to Clara M. Dittmer by deed recorded in Microfilm Volume 190, Page 886 of Linn County Deed Records; thence along the East line of said subdivision South 0° 17' West 634.42 feet to the Southwest corner of that tract conveyed to Robert V. and Marjorie I. Collier by deed recorded in Microfilm Volume 21, Page 772 of Linn County Deed Records; thence Easterly along the South line of said Collier tract 297.81 feet, more or less to the West right-of-way line of Three Lakes Road; thence North 0° 17' East along the West line of said road 634.42 feet, more or less, to a point where the West right-of-way line of Three Lakes Road intersects the North line of said Dittmer tract; thence Westerly along the North line of said Dittmer tract 297.18 feet, more or less, to the Point of Beginning.

**Island Annexation Staff Report**  
**Resolution Exhibit B**  
 July 2004 (AN-C8-04)

***Three Lakes Road (Map C Island 8)***



<b>Number of Parcels – 3</b>	<b>Gross Area – 4.3 Acres</b>
<b>Comprehensive Plan Designation –</b> Urban Residential Reserve	<b>Proposed Zoning Designation –</b> Single-Family Residential (RS-6.5)
<b>Current Land Uses –</b> Single-Family Houses (2 parcels – 2.4 acres) Church (1 parcel – 1.9 acres)	<b>Current Infrastructure Availability –</b> Sanitary Sewer - No Water - Yes Storm Drainage - Yes Street (Access) - Yes