

AN ORDINANCE PROCLAIMING THE ANNEXATION OF PROPERTY ON 120 CLOVER RIDGE ROAD NE (AN-05-11), AND CONTAINING APPROXIMATELY .25 ACRES, AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on February 8, 2012, reviewed this annexation request, adopted findings, and concluded that the City's annexation eligibility and timeliness criteria could be met, as adopted in Ordinance No. 5772; and

WHEREAS, the Albany City Council on February 8, 2012, through Resolution No. 6077 referred this annexation request as a ballot measure to the Linn and Benton Counties Elections Filing Officers for the approval or rejection of the proposed annexation by the legal voters of Albany; and

WHEREAS, the question of annexation of the property generally located at 120 Clover Ridge Road NE, shown on Linn County Assessor's Map No. 11S-03W-04AC, Tax Lot 2101, containing approximately .25 acres, and as further described in the attached map labeled Exhibit "A" and legal description labeled Exhibit "B" was submitted to the electorate at a general election held May 15, 2012, as required by Albany City Charter Section 48; and

WHEREAS, the City Clerk certified that the annexation was approved by a majority vote and Res. No. 6141, approved on June 6, 2012, accepted the abstract votes.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The described real property to-wit (see attached Exhibit A and Exhibit B) is hereby annexed to the City of Albany.

Section 2: The City Clerk shall file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of the State of Oregon, and the State of Oregon Department of Revenue. The City Clerk shall also submit to the Secretary of State an abstract of the vote within the City.

Section 3: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance will be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: June 27, 2012

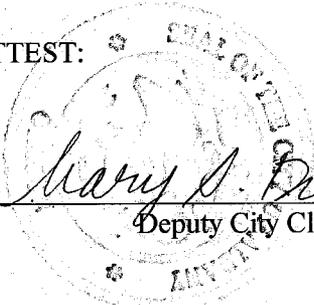
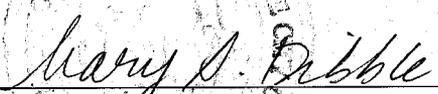
Approved by the Mayor: June 27, 2012

Effective Date: June 27, 2012



Mayor

ATTEST:

Deputy City Clerk

Exhibit A

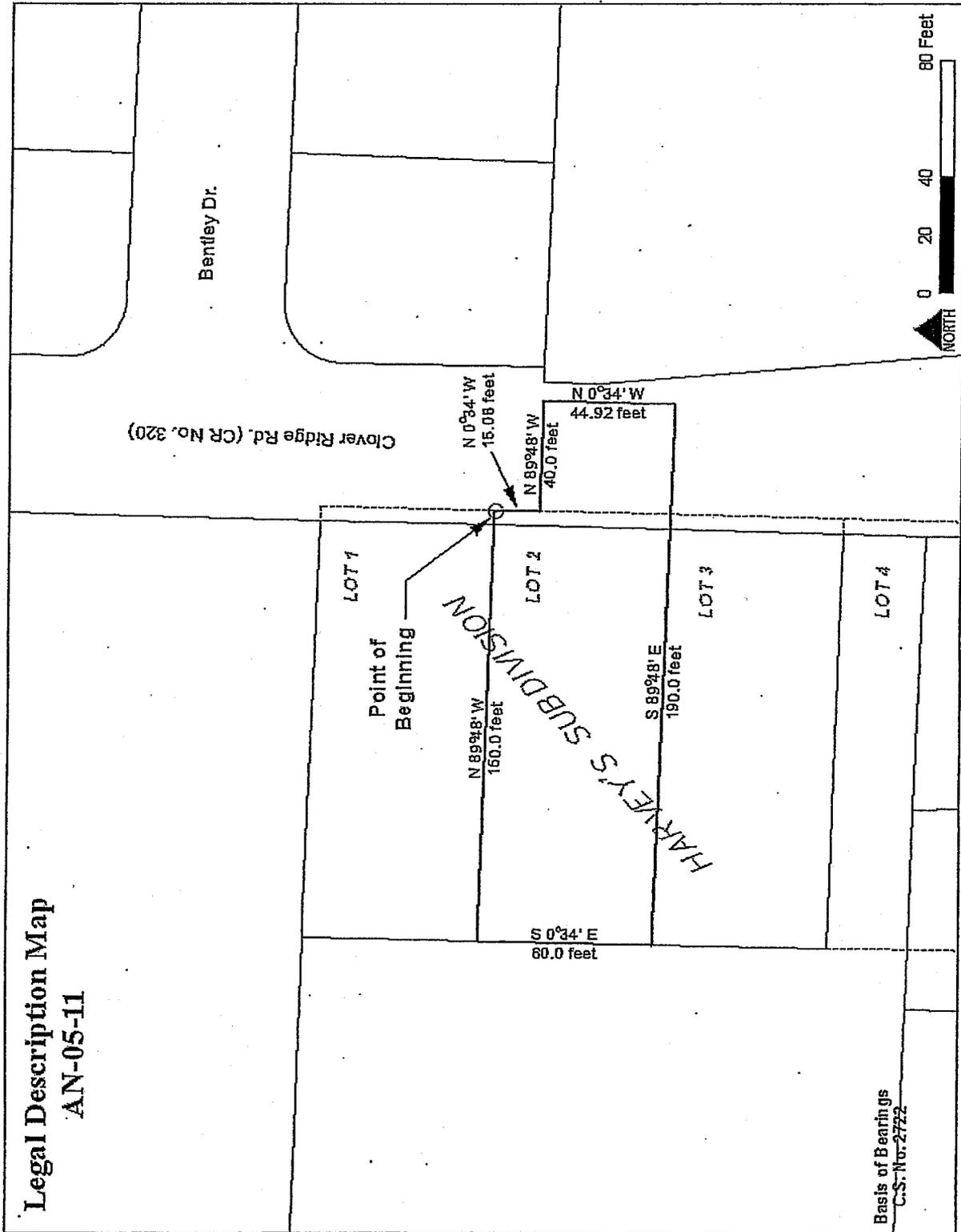


EXHIBIT B

**LEGAL DESCRIPTION
FILES AN-05-11/ZC-06-11**

A tract of land located in the Northeast one-quarter of Section 4 in Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon that is more particularly described as follows:

Beginning at a point on the current city limits boundary of the City of Albany, said point also being described as the Northeast corner of Lot 2 of Harvey's Subdivision; thence, along the north line of said Lot 2, North 89°48' West 150.0 feet to the Northwest corner of said Lot 2; thence, along the west boundary of Lot 2 of Harvey's Subdivision, said west boundary also being the existing city limits boundary of the City of Albany, South 0°34' East 60.0 feet to the Southwest corner of said Lot 2; thence, along the South boundary of said Lot 2 and its easterly extension, South 89°48' East 190.0 feet to the current city limits boundary of the City of Albany; thence, parallel to the centerline of County Road Number 320, along said current city limits line, North 0°34' West 44.92 feet; thence, along the current city limits line, North 89°48' West 40.0 feet to a point on the east boundary of Harvey's Subdivision; thence, along said east boundary of Harvey's Subdivision North 0°34' West 15.08 feet to the Point of Beginning.

Said area containing 0.25 acres, more or less.