

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON
ORDINANCE 14-O-738**

IN THE MATTER OF ORDINANCE 14-O-738, AN ORDINANCE AMENDING THE CITY LIMITS AND ZONING MAP OF THE CITY OF BROOKINGS BY ANNEXING 13.33 ± ACRES CONSISTING OF TAX LOTS 2000 AND 1500 ON ASSESSOR'S MAP 40-13-32D, DESIGNATING THE AREA RESIDENTIAL, AND APPLYING THE TWO- FAMILY RESIDENTIAL (R-2, 6,000 SQ. FT. MINIMUM LOT SIZE)FOR EACH TAX LOT.

Sections:

Introduction.

Section 1. Declaration of Annexation.

Section 2. Declaration of withdrawal from the Brookings Rural Fire Protection District.

Section 3. Uncollected Taxes

Section 4. Submittal to Secretary of State.

Section 5. Rezoning.

WHEREAS, property owners have petitioned the City of Brookings for annexation of the real property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto, and that said territory is contiguous to exiting city limits pursuant to ORS 222.111; and

WHEREAS, notarized consent petitions for the annexation of each of the two tax lots have been filed with the City of Brookings which consents represent over a majority of the electors registered in the territory proposed to be annexed and the owners of more than half of the land in that territory, pursuant to ORS 222.170(2); and

WHEREAS, the City Council adopted Final ORDER ANX-1-14 for the subject Annexation, Comprehensive Plan Map Amendment, and Zone change. The finding of fact and conclusions of law are relied upon and incorporated by reference herein and the same are reached by and through the Council's enactment of Ordinance 14-O-738.

The City of Brookings ordains as follows:

Section 1. Declaration of Annexation. That the property in the territory described in Exhibit "A" and depicted on map Exhibit "B", attached hereto and by this reference made a part hereof, which said real property is situated in Curry County, Oregon, and is contiguous to the City of Brookings, and the same is hereby annexed to the City of Brookings.

Section 2. Declaration of withdrawal from the Brookings Rural Fire Protection District. That the property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto is hereby withdrawn from the Brookings Rural Fire Protection District upon annexation of the aforementioned property to the City of Brookings.

Section 3. Uncollected Taxes. That all the uncollected taxes therefore levied by such district shall become the property of the City of Brookings and be delivered to up upon collection.

Section 4. Submittal to Secretary of State. That the City Recorder be, and is, authorized and directed to make and submit to the Secretary of State a copy of this ordinance, and a copy of the statement of consent of all the land owners of said real property heretofore filed with him.

Section 5. Rezoning. Concurrent with the annexation, the property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto is hereby rezoned from Curry County zoning classification of Commercial/Industrial to Two-Family Residential (R-2, 6,000 sq. ft. minimum lot size) City of Brookings zoning classification as described below:

Assessor Map 40-13-32D tax lot 2000 is hereby rezoned Light Commercial (C-1) Curry County zoning classification to Two-Family Residential (R-2) City of Brookings zoning classification; and

Assessor Map 40-13-32D tax lot 1500 is hereby rezoned from Industrial (I) Curry County zoning classification to Two-Family Residential (R-2) City of Brookings zoning classification.

First Reading: September 8 2014 Passage: September 8, 2014
Second Reading: September 8, 2014 Effective Date: October 8, 2014

Signed by me in authentication of its passage this 10th, day of September, 2014

ATTEST:

Ron Hedenskog
Mayor Ron Hedenskog

Joyce Heffington
City Recorder Joyce Heffington

EXHIBIT A

40-13-32D, TL1500 & 2000

A tract of land within the Southeast Quarter of Section 32, Township 40 South, Range 13 West, Willamette Meridian, Curry County, Oregon, lying between the North Bank Road and the Chetco River, described as follows:

BEGINNING at the Northeasterly corner of the Stutsman Tract, as recorded in Book 12, Page 235, Deed Records of Curry County, Oregon, said point being North 1131.6 feet and East 1599.0 feet from the South One-Quarter Section corner of said Section 32, said point lying on the Southeasterly right-of-way line of the North Bank Chetco River Road;

thence Southwesterly, following said Southeasterly right-of-way line a distance of 1288 feet, more or less, to a point on the South boundary of said Section 32 which bears South 89°41'15" West, 15.2 feet from the Meander Corner Common to Section 32, Township 40 South, Range 13 West, and Section 5, Township 41 South, Range 13 West, said Meander Corner being North 89°41'15" East a distance of 1012.4 feet from the South Quarter Corner of said Section 32;

thence North 89°41'15" East, a distance of 15.2 feet to said Meander Corner;

thence North 89°41'15" East, following the Southerly line of Section 32, a distance of 314.1 feet to an iron pipe lying on the right bank of the Chetco River;

thence continuing North 89°41'15" East, following the Southerly line of said Section 32, a distance of 15.3 feet to the Southeast corner of the Southwest Quarter of the Southeast Quarter, Section 32;

thence North 44°37'20" East, a distance of 999.1 feet (record bearing is North 45°00' East);

thence North 45°46' East a distance of 933 feet, more or less, (record North 44°37'20" East, 919 feet, more or less), to the South one-sixteenth corner of said Section 32;

thence North 2°18' East, following the Easterly line of said Section 32, a distance of 431 feet, more or less, to a point (record bearing is North 0°04' West);

thence North 71°52' West a distance of 147 feet, more or less, to a point lying on the northerly bank of the Chetco River;

thence North 71°52' West a distance of 107.85 feet, more or less, to a point lying on the Southeasterly right-of-way line of the North Bank Chetco River Road, said point further described as being North 1848.0 feet and East 2496.7 feet from said South Quarter Corner of said Section 32;


thence Southwesterly, following said southeasterly right-of-way line of said road, a distance of 1175 feet, more or less, to the POINT OF BEGINNING.

NORTH BANK CHETCO RIVER ROAD

That portion of the North Bank Chetco River Road bounded on the South by the North line of Government Lot 2, Section 5, Township 41 South, Range 13 West, Willamette Meridian, and on the North by Ferry Creek in Section 32, Township 40 South, Range 13 West, Willamette Meridian.

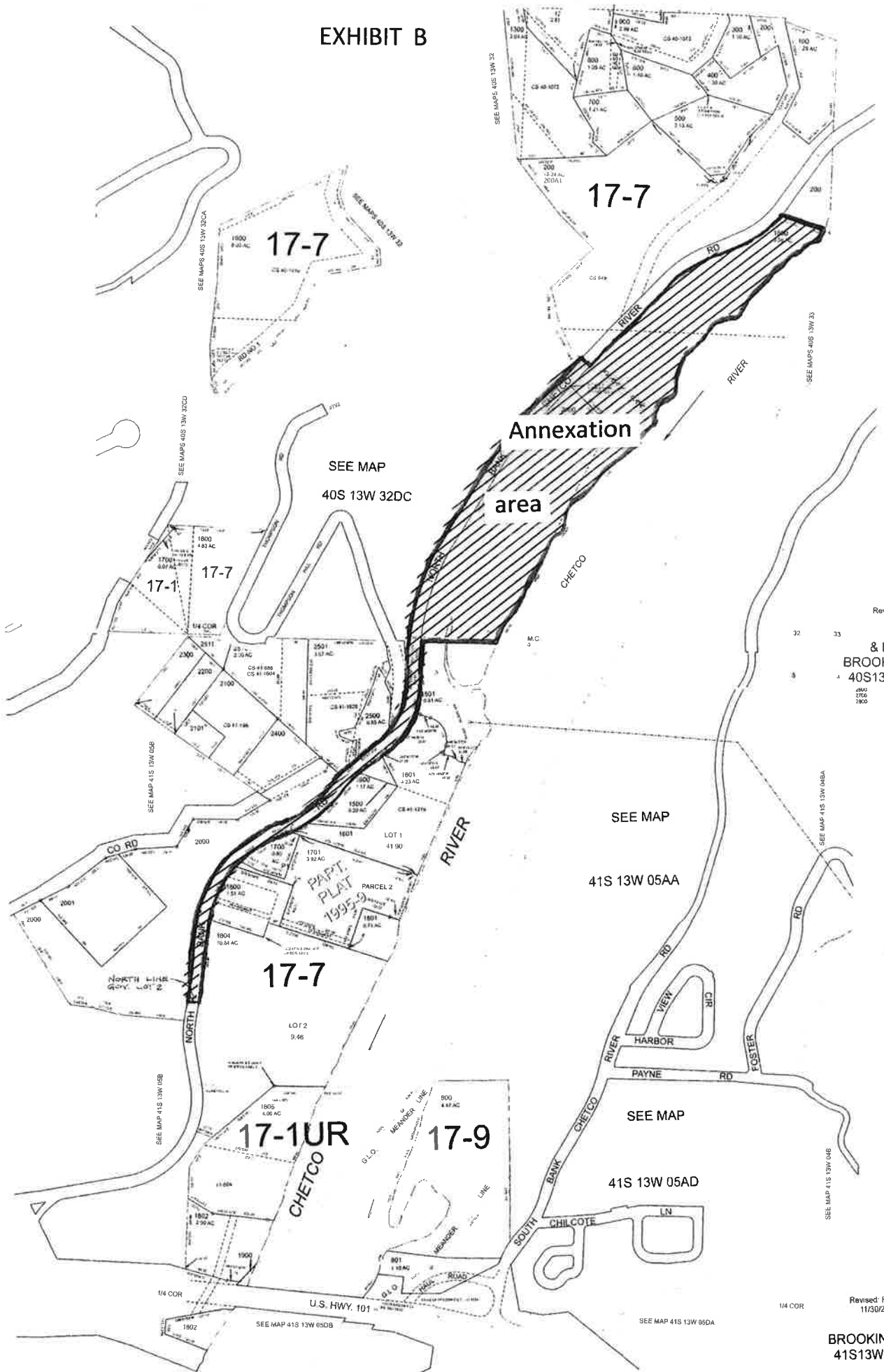
The North Bank Chetco River Road is described in deed to Curry County, recorded February 6, 1938 in Curry County Book of Records, Deed Volume 23, Pages 84-86.

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JULY 25, 1995
RICHARD P. ROBERTS
2730

EXPIRATION DATE: 12/31/14

EXHIBIT B



Revised RAA
2/10/2011

& INDEX
BROOKINGS
40S13W32D
400
3700
7800

Revised RAA
11/30/2009

BROOKINGS
41S13W05A