

**IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON**

**In the Matter of an Ordinance amending)
the city limits and zoning map of the City)
of Brookings by annexing a 3,600 sq. ft.) *ORDINANCE No. 05-O-568*
parcel and a 2,940 sq. ft. parcel, and)
rezoning the parcels SR-20 (Suburban)
Residential, 20,000 sq. ft. minimum lot size))
on that certain property described below.)**

Sections:

Introduction.

Section 1. Declaration of Annexation.

**Section 2. Declaration of withdrawal from the Suburban 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 "A1" and "A2" and depicted on map Exhibit "B1" and "B2" attached hereto, and that said territory is contiguous to exiting city limits pursuant to ORS 222.111; and

WHEREAS, written consent petitions for the annexation of the above referenced territory 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

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1. Declaration of Annexation. That the property in the territory described in Exhibit "A1" and "A2" and depicted on map

Exhibit "B1" and "B2", 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 subject property, be, and the same hereby is annexed to the City of Brookings.

Section 2. Declaration of Withdrawal from Suburban Rural Fire Protection District. That the property described in Exhibit "A1" and "A2" and depicted on map Exhibit "B1" and "B2" attached hereto is hereby withdrawn from the Suburban Rural Fire Protection District upon the annexation of the aforementioned property to the City of Brookings.

Section 3. Uncollected Taxes. That all uncollected taxes therefore levied by such district shall become the property of the City of Brookings and be delivered to it 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 "A1" and "A2" and depicted on map Exhibit "B1" and "B2" attached hereto is hereby rezoned from Residential Two Curry County zoning classification to the SR-20 (Suburban Residential, 20,000 Sq. ft. minimum lot size) City of Brookings zoning classification.

First Reading: September 12, 2005

Second Reading: September 12, 2005

Passage: September 12, 2005

Effective Date: October 12, 2005

Signed by me in authentication of its passage this 13th day of September, 2005



Pat Sherman,
Mayor

ATTEST:



Paul Hughes,
Finance Director/Recorder

EXHIBIT A1

Beginning at the southwest corner of that Parcel 2, Partition Plat No. 1991-32 Plat records of Curry County, Oregon, said point being on the Easterly right of way of Old County Road #776 and Located North 89° 03' 53" West 688.05 feet from the Southeast corner of the Northwest one quarter (NW1/4) of the Southwest one quarter (SW1/4) of Section 32, Township 40 South, Range 13 West of the Willamette Meridian, Curry County, Oregon; Thence South 89° 03' 53" East (also known as South 89° 23' 13" East) 36.37 feet along the south line of Parcel 2 to a 5/8" Iron Rod at the Northeast corner of the adjusted right of way per record Instrument #92-03111; Thence South 89° 03' 53" East 100.00 feet along the North line of said Northwest one quarter (NW1/4) of the Northwest one quarter (NW1/4); Thence North 35.00 feet; Thence North 89° 03' 53" West parallel to said North line 126.16 feet, more or less, to the easterly right of way of said Old County Road #776; Thence Southwesterly 36.66 feet along the said right-of-way, through a 75-foot Radius Curve Right (the long chord of which bears South 16° 20' 00" West 36.30feet), to the point of beginning.

Together with a non-exclusive, perpetual easement 30 feet in width, for ingress and egress over the existing road and any future improved road serving the lands of both grantee and grantor.

Subject to that certain easement to the Wailbel Estate, as recorded in Instrument #2003-3699, Deed Records of Curry County, Oregon.

Reserving unto the grantor the right to ingress and egress across the above described Parcel.

EXHIBIT A2

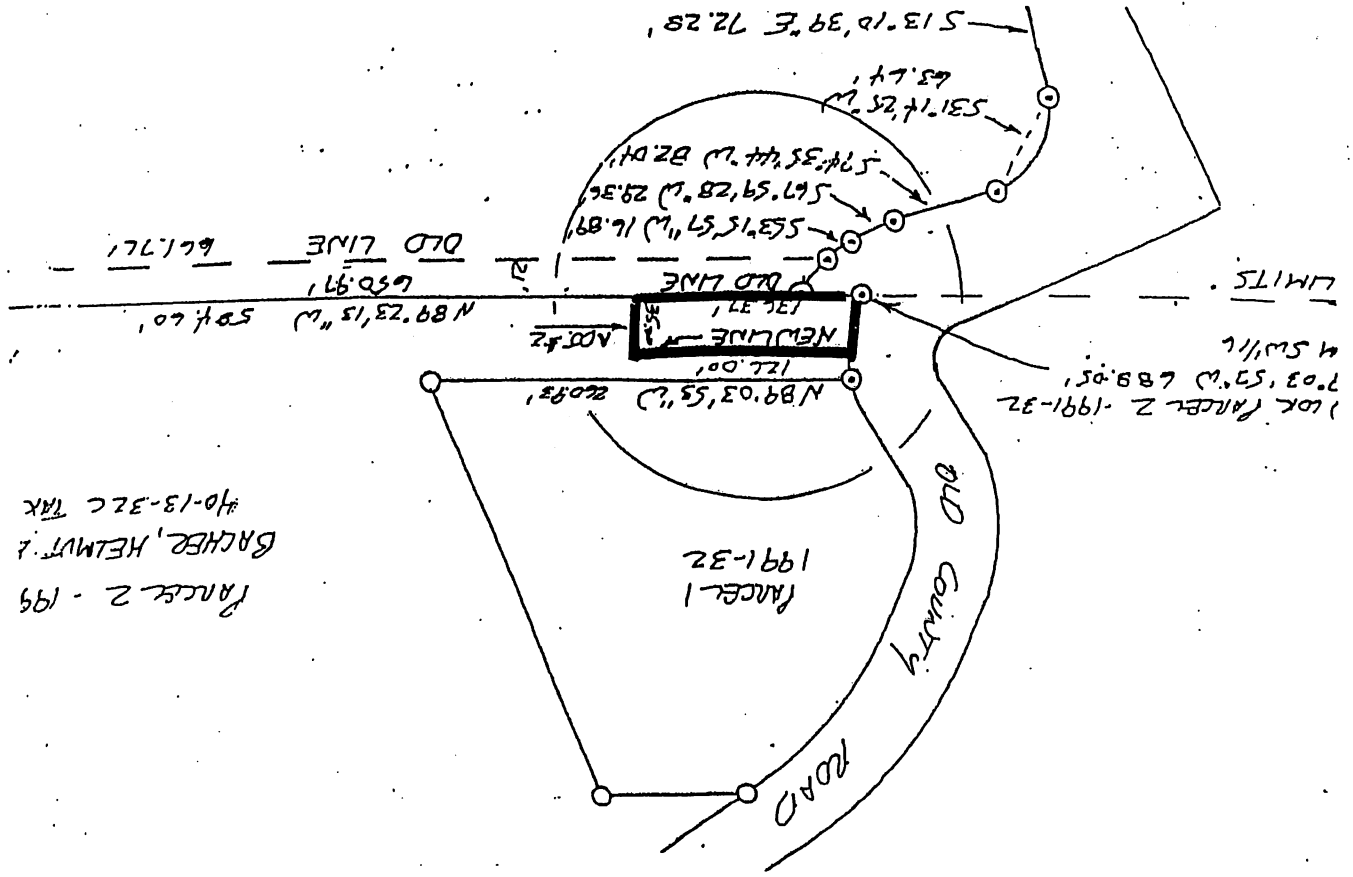
Beginning at an iron pipe with a brass cap accepted as the Southwest One-sixteenth (SW1/16) corner of Section 32, Township 40 South, Range 13 West, Willamette Meridian, Curry County, Oregon, said corner being the Southeast corner of that Parcel 2 Partition Plat #1991-32, Plat Records of said Curry County;

Thence North $0^{\circ} 52' 41''$ East 79.66 feet along the current Grantor/Grantee common boundary to the Northwest corner of Lot 4, Second Addition to the Marina Heights Subdivision;

Thence along the new common boundary North $89^{\circ} 03' 53''$ West 30.00 feet:

Thence South $0^{\circ} 52' 41''$ West 79.66 feet to the south line of said Parcel 2 and the end of the hereby-adjusted line;

Thence South $89^{\circ} 03' 53''$ East (also known as South $89^{\circ} 23' 13''$ East) 30.00 feet along said south line to the point of beginning.



FACEL 2 - 1991
 BACHER, HELMUT
 #10-13-32C TAX

LIMITS
 4 SW 1/4
 7° 03' 53" W 689.05'
 LOC FACEL 2 - 1991-32

EXHIBIT B2

