

ORDINANCE NO. 89-O-441

AN ORDINANCE DECLARING THE ANNEXATION OF CERTAIN REAL PROPERTY TO THE CITY OF BROOKINGS, WITHDRAWING SAID PROPERTY FROM THE DAWSON TRACT RURAL FIRE PROTECTION DISTRICT, AND CONCURRENTLY REZONING SAID PROPERTY FROM RESIDENTIAL - TWO (R-2) COUNTY ZONING TO RESIDENTIAL LOW DENSITY (R-LD) CITY ZONING, AND DECLARING AN EMERGENCY.

Sections:

Introduction

- Section 1. Declaration of Annexation.
- Section 2. Declaration of Withdrawal from Dawson Tract Rural Fire Protection District.
- Section 3. Uncollected Taxes.
- Section 3. Submittal to Secretary of State.
- Section 5. Rezoning.
- Sectuib 6, Exemption from Systems Development Charges.
- Section 7. Emergency Clause.

WHEREAS, property owners and residents of the Dawson Tract, Oregon Driftwood Shores and West Harris Heights area 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 existing 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

WHEREAS, the Brookings City Council, at its meeting of January 10, 1989, adopted Resolution No. 89-R-446, electing to dispense with submitting the question of said annexation and withdrawal from the Dawson Tract Rural Fire Protection District to the registered voters of the city of Brookings and fixed the 13th day of March, 1989 at 7:00 p.m., in the Council Chambers of Brookings City Hall as the time and place for public hearing as required by law, and such notice being duly given, at which time the registered voters of the city of Brookings appeared to be heard on the question of annexation.

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 be, and the same hereby is annexed to the city of Brookings.

Section 2. Declaration of Withdrawal from Dawson Tract Rural Fire Protection District. That the property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto is hereby withdrawn from the Dawson Tract 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 her.

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 Residential-Two (R-2) Curry County zoning classification to Residential Low Density (R-LD) City of Brookings zoning classification.

Section 6. Exemption from Systems Development Charges. Developed housing existing at the time of adoption hereof shall be exempt from payment of Systems Development Charges required by Section 3., A. of Ordinance No. 87-O-418 of the City of Brookings, upon connection to city water and sewer systems.

Section 7. Emergency Clause. Whereas the Department of Human Resources, Health Division conducted a survey in the fall of 1987, and found widespread contamination of domestic water wells and inadequacies in other water supply sources throughout the proposed annexation area, and the health, safety and general welfare of the persons residing in the territory may be adversely affected, an emergency is hereby declared to exist and this ordinance may be introduced, read and placed on its final passage at any one meeting of the City Council and shall be in full force and effect from and after its passage and approval by the Mayor.

10-441.PASSAGE

BROOKINGS ORDINANCES

10-441.PASSAGE

First Reading: March 14, 1989

Second Reading: March 14, 1989

Passage: March 14, 1989

Signed by me in authentication of its passage this 14th
day of March, 1989.

Fred Hummel
Fred Hummel
Mayor

ATTEST:

Beverly S. Shields
Beverly S. Shields
City Recorder

ORDNANCE\89-O-441

EXHIBIT "A"

January 5, 1989

The following parcel being a portion of Sections 25, 26, 35, and 36, Township 40 South, Range 14 West, W.M., Curry County, Oregon; being further described as follows:

Beginning at the Northwest corner of Harris State Park, as described in the Deed to the State of Oregon, as recorded on Page 294 of Volume 19 of the Official Record of Deeds of Curry County, Oregon; said point being located a distance of 2079.7 feet North and 4015.7 feet West of the Southeast corner of said Section 36 and on the Ordinary High Tide Line of the Pacific Ocean; thence, North $71^{\circ} 00'$ East a distance of 948.00 feet, more or less to a point on the Westerly boundary of the Old Oregon Coast Highway; thence, along said Westerly boundary South $11^{\circ} 38'$ East a distance of 120.00 feet, more or less to a point on an extension of the Southerly right-of-way line of a public roadway; thence, along said Southerly line North $59^{\circ} 23' 00''$ East a distance of 529.20 feet, more or less to the center of said Section 36; thence, along said Southerly line North $89^{\circ} 21' 00''$ East a distance of 580.30 feet; thence, North $2^{\circ} 45' 00''$ East a distance of 576.1 feet; thence, South $45^{\circ} 22' 27''$ West a distance of 263.75 feet; thence, South $51^{\circ} 05' 00''$ West a distance of 124.90 feet; thence, North $87^{\circ} 38' 00''$ West a distance of 175.30 feet; thence, South $63^{\circ} 49' 00''$ West a distance of 162.90 feet to the Northwest corner of a parcel

as described in a Deed as recorded on Page 302 of Volume 71 of the Record of Deeds of Curry County, Oregon; thence, North $1^{\circ} 48' 00''$ East a distance of 523.90 feet; thence, South $52^{\circ} 26' 00''$ West a distance of 105.60 feet; thence, North $76^{\circ} 30' 00''$ West a distance of 95.00 feet to a point on the Westerly boundary of the Oregon Coast Highway; thence, in a Northerly direction following said Westerly boundary on a curve to the left with a radius of 661.20 feet a distance of 232.00 feet, more or less to the Northeast corner of a parcel as described in a Deed as recorded on Page 133 of Book of Records 19 of the Record of Deeds of Curry County, Oregon; thence, in a Northerly direction along the Westerly boundary of Oregon Coast Highway US 101 a distance of 631.00 feet, more or less to a point opposite centerline Station 1396 + 91.61 as per Oregon State Highway Drawing 8B-6-21; thence, continuing in a Northerly direction along said Westerly boundary a distance of 2147.6 feet to a point opposite centerline Station 1375 + 44 along a curve left having a radius of 7539.44 feet; said point also being the Northeast corner of a parcel as described in a Deed as recorded on Page 295, Book of Records 128 of the Records of Deeds of Curry County, Oregon; thence, South $88^{\circ} 30' 00''$ West along said Westerly boundary line a distance of 333.80 feet; thence, North $0^{\circ} 02' 30''$ West a distance of 175.10 feet along said Westerly boundary line, said point being opposite centerline Station 1371 + 78; thence, Northerly along said Westerly boundary line along a curve to the left having a radius of 7439.44 a distance of 335.00 feet, more or less, said point being opposite centerline Station 1368 + 42.46; thence, along said Westerly boundary line Northerly along a spiral curve left a distance of 370.07 feet, said point being opposite centerline Station 1364 + 67.46; thence, North $54^{\circ} 26' 00''$ West a distance of 56.93 feet to the initial point of Oregon Driftwood Shores, a Subdivision as filed in Plat Book 1, Page 58,

Clerk's Office, Curry County, Oregon; thence, West along the Northerly line of said Subdivision a distance of 967.61 feet, more or less to a point on the Ordinary High Tide Line of the Pacific Ocean; thence, along said Ordinary High Tide Line in a Southeasterly direction a distance of 5338.0 feet, more or less to the point of beginning.

The above described Tract contains 175.0 acres, more or less.



ENGINEERS & PLANNERS

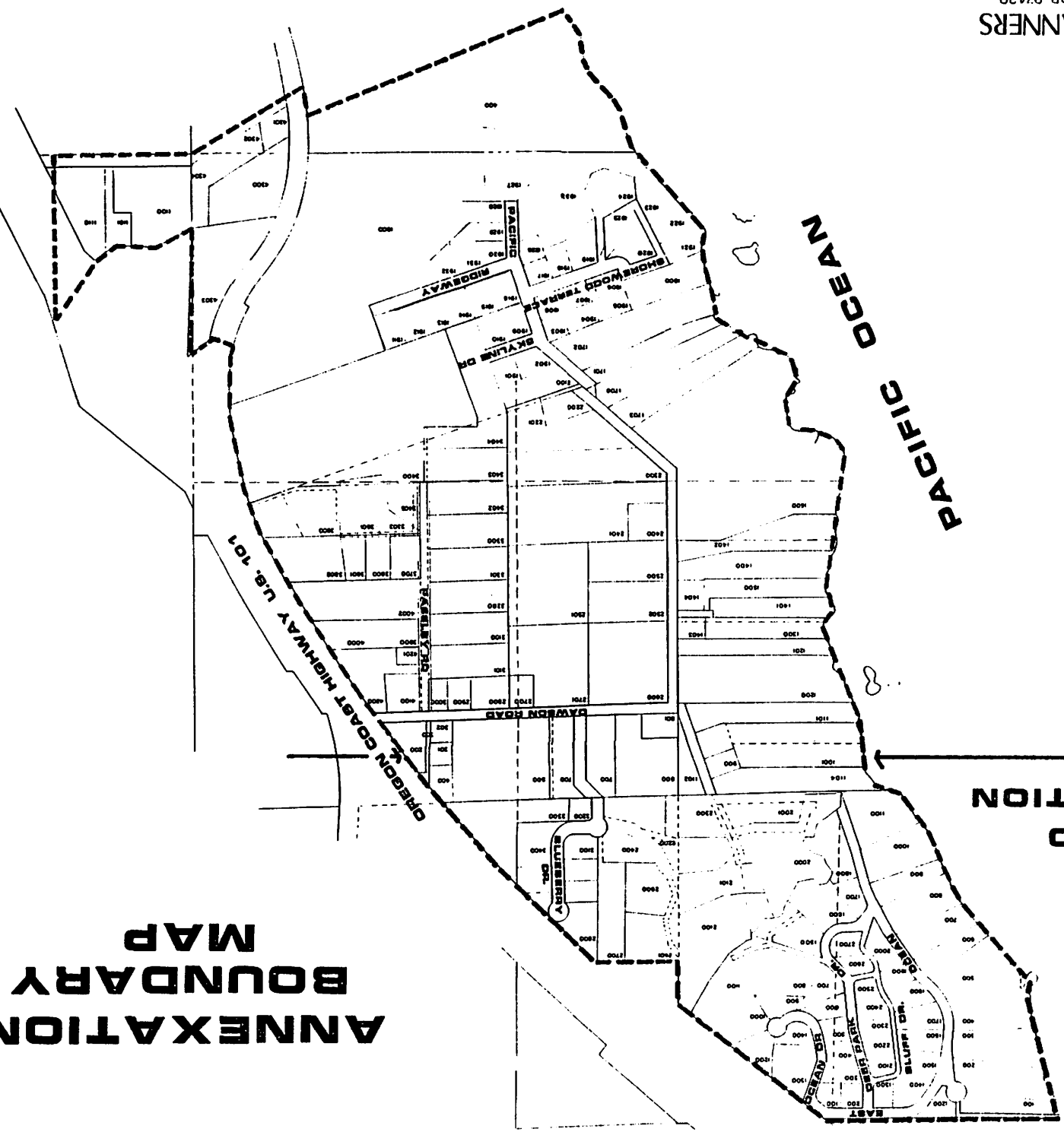
375 PARK AVENUE / COOS BAY, OREGON 97420



ENGINEERS & PLANNERS
 375 PARK AVE / COOS BAY, OR 97420
 19 N W. FIFTH ST / PORTLAND, OR 97209

EXHIBIT "B"

**ANNEXATION
 BOUNDARY
 MAP**



**PROPOSED
 ANNEXATION
 AREA**

PACIFIC OCEAN

OREGON COAST HIGHWAY U.S. 101

SHOREWOOD TERRACE
MIDWAY
SKYLINE DR

RAYSON ROAD

BLISSBERRY DR

CREEDY DR
SUNSET BLVD