

A BILL FOR AN ORDINANCE FIXING A DAY )  
FOR PUBLIC HEARING UPON THE QUESTION )  
OF DISPENSING WITH AN ELECTION WITHIN )  
THE CITY FOR ANNEXATION OF CERTAIN )  
TERRITORY, ESTABLISHING A RATE OF )  
TAXATION FOR CITY PURPOSES ON THE )  
PROPERTY IN SAID TERRITORY FOR THE )  
FISCAL YEARS 1973-74 TO AND INCLUDING )  
1982-83, AND DECLARING AN EMERGENCY. )

ORDINANCE BILL NO. 5  
for 1973

ORDINANCE NO. 1469

WHEREAS there has been filed with the City of Lebanon a written petition for the annexation of the area described below; and

WHEREAS the City Charter of the City of Lebanon does not expressly prohibit the City from dispensing with submitting the question of annexation to the registered voters of the City; and

WHEREAS, pursuant to the provisions of ORS 222.120, the City Council has elected to dispense with submitting the question to the registered voters, and in lieu thereof to declare the territory annexed by Ordinance following the public hearing on the question; and

WHEREAS, pursuant to ORS 222.111, a proposal has been agreed upon between the City and the owner of the territory to be annexed providing for taxation at a ratio over the next ten fiscal years,

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

Section 1. A public hearing shall be held at 8:00 o'clock P.M. on the 6th day of March, 1973, in the Council Chambers of the City Hall in the City of Lebanon, County of Linn, State of Oregon, before the Common Council of said City of Lebanon, at which time and place the registered voters of the City of Lebanon may appear and be heard on the question of the annexation of the following described area, to-wit:

EXHIBIT "A"

Lot 5, Section 1, Township 12 South, Range 2 West of Willamette Meridian, Linn County, Oregon, including all accretions thereto, and Lot 3, Section 12, Township 12 South, Range 2 West, and all accretions thereto, including:

Beginning at the Northeast corner of the James Ridgeway D.L.C. No. 46, Township 12 South, Range 2 West of the Willamette Meridian; Thence West 263.34 feet, thence S 22°E 64.68 feet; thence S 52° W 1320.0 feet; thence S 59°W 178.4 feet more or less along the North line of said D.L.C. No. 46 to the West line of Section 12, Township 12 South, Range 2 West; thence North along the West line of said Section 12 to the Northwest corner of said Section 12; thence East 650.0 feet along the North line of said Section 12; thence North 200.0 feet; thence N 45° E 650.0 feet; thence N 10° E 575.0 feet; thence East 200.0 feet more or less to the West line of the William Smith D.L.C. #32, Township 12 South, Range 2 West; thence South 2062.97 feet along the West line of said D.L.C. No. 32 to the point of beginning.

ALSO:

That portion of the Luther T. Woodward D.L.C. No. 45, in Section 11, located Easterly of the Santiam River in Section 11, Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon.

*out* } Together with a permanent non-exclusive easement for road purposes extending from the southeasterly boundary of a tract of land owned by Pacific Power and Light Company, thence southerly along the east bank of the Santiam River to the south line of Grantor's property on the south line of D.L.C. No. 46.

Subject, however, to the statutory powers, including the power of assessment of North Lebanon Water Control District.

ALSO:

The following described real property situated in the County of Linn and State of Oregon, to-wit:

Beginning at the corner of Sections 1, 2, 11 and 12 in Township 12 South, Range 2 West of the Willamette Meridian in Linn County, Oregon; and running thence West 10.50 chains to the East line of the DLC of J. M. Marks, Claim 44 in said Township and Range; thence North 20.00 chains to the center of Marks Slough; thence Northeasterly 11.00 chains along the center of said Marks Slough to the line between Sections 1 and 2; thence North 2.00 chains to a point 20.00 chains South of the Southwest corner of the South projection of the DLC of Andrew Kees Claim No. 71 in said Township and Range; thence East 2.50 chains to the center of said Marks Slough; thence Northeasterly along the center of said Marks Slough to the left bank of the South Santiam River as the same existed on August 23, 1961; thence following said river bank as the same existed on August 23, 1961 in a Southeasterly direction to a point East of the Northeast corner of Lot 6, in said Section 2; thence West to the line between said Sections 1 and 2; thence South 20.00 chains to the point of beginning.

ALSO Government Lot 5, Section 1, Township 12 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon.

ALSO

Beginning at a point on the West line of and North 21.610 chains from the Southwest corner of the James M. Marks Donation Land Claim No. 44 in Township 12 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon, and running thence North along said Donation Land Claim line 6.917 chains to the South right-of-way line of a 20 foot width road of Public Easement, said

road having been established in October, 1913 by County Court Procedure; thence Easterly along the Southerly right of way line of said road as said road presently is laid out and existing, 26.22 chains to the East line of Donation Land Claim No. 44; thence South along the East line of said Donation Land Claim, 25.354 chains, more or less, to the Southeast corner of said Donation Land Claim; thence West along the South line of said Donation Land Claim, 18.553 chains to the Southeast corner of County Survey No. 6879; thence North 6°27' East, 2.960 chains to the Northeast corner of said survey and the Southeast corner of County Survey No. 6985; thence North 28°42' East 3.756 chains; thence North 26°19' West 1.814 chains to the Northeast corner of County Survey No. 6985; thence North 54°00' West 0.932 chains to the Southeast corner of County Survey No. 6852; thence North along the East line of last said survey, 13.200 chains to the Northeast corner of said survey; thence West along the North line of said survey, 7.576 chains to the West line of said Donation Land Claim No. 44 to the place of beginning. EXCEPT, However, the following tracts: Beginning at the Southeast corner of J. Marks Donation Land Claim No. 44 in Township 12 South, Range 2 West of the Willamette Meridian, In Linn County, Oregon; thence North 7.83 chains; thence West 4.60 rods; thence South 7.83 chains; thence East 4.60 rods to the place of beginning, ALSO EXCEPT, Beginning at a point 27 rods and 8 feet West of the East line of the Donation Land Claim of James M. Marks, No. 47, in Township 12 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon, on the South line of the 20 foot road running from the East line of said Claim in Westerly direction to intersect the East County Road from Lebanon to the Albany-Crabtree County Road, on the West side of the South Santiam River, and from said beginning point running South 8 rods; thence in a Northwesterly direction, parallel with the South line of said 20 foot road, 24 rods; thence in a Northeasterly direction 10 rods and 5 feet to a point on the South line of said 20 foot road, which is 15 rods and 14 feet Northwest of said beginning point; thence following the South line of said 20 foot road 15 rods and 14 feet to the place of beginning. ALSO conveying: A perpetual easement right of way over and across that strip of land situated between County Survey No. 6852 and County Survey No. 6985 for roadway purposes.

EXCEPTION:

Beginning at a 5/8 inch iron rod which bears 1,616.34 feet and North 2,327.60 feet East from the Southwest corner of the James M. Marks Donation Land Claim No. 44 in Township 12 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon, and running thence South 11°04' West 80 feet; thence South 66°08' West 583.88 feet; thence North 2°52' West 50 feet to a 5/8 inch iron rod; thence North 78°02½' West 411.45 feet to a 5/8 inch iron rod; thence South 81°13½' West 152.49 feet to a 5/8 inch iron rod; thence North 178.14 feet to a 5/8 inch iron rod; at the Southeast corner of the first tract conveyed to Boyda and Neva J. Young by deed recorded on page 227 of Linn County Deed Volume 199; thence North along the East line of said Young tract 132 feet to a 5/8 inch iron rod at the Northeast corner of said tract and on the Southerly right of way of a 20 foot wide Public Easement; thence South 87°30' East along the Southerly right of way line of said road as said road is presently laid out

and existing 454.05 feet to a 5/8 inch iron rod on the East line of said DLC Number 44; thence north along the claim line 120 feet, more or less, to the center of Marks Slough; thence Northerly along the center of said slough to the line between Section 1 and 2; thence North 2 chains to a point 20 chains South of the Southwest corner of the South projection of the DLC of Andrew Kees Claim No. 71 insaid Township and Range; thence East to the center of Marks slough; thence Northeasterly along the center of said slough to a point which bears North 11°04' East from the place of beginning; thence South 11°04' West 1,400 feet more or less to the place of beginning.

All in Linn County, Oregon.

and whether or not the Common Council shall dispense with submitting the question to the registered voters of the City of Lebanon.

Section 2. During each of the ten next full fiscal years, beginning with the 1973-74 fiscal year, the rate of taxation for City purposes on the real property now in the annexed territory shall be at the specified ratio of the highest rate of taxation applicable that year for City purposes to other property in the City, and increasing from fiscal year to fiscal year, according to the following schedule:

First fiscal year	1973-74	10%
Second Fiscal year	1974-75	20%
Third fiscal year	1975-76	30%
Fourth fiscal year	1976-77	40%
Fifth fiscal year	1977-78	50%
Sixth fiscal year	1978-79	60%
Seventh fiscal year	1979-80	70%
Eighth fiscal year	1980-81	80%
Ninth fiscal year	1981-82	90%
Tenth fiscal year	1982-83	100%

Section 3. The Recorder of the City of Lebanon is hereby directed to publish a notice of this hearing once weekly for two successive weeks prior to the day above set for the hearing, in a newspaper of general circulation in the City of Lebanon, and the Recorder shall post notices of the hearing in four public places in the City for a like period of time.

Section 4. Conditions are such that said annexation, if allowed, should be made within the near future, and, it being necessary for the peace, health and general welfare of the residents of the City of Lebanon that said hearing be held as soon as possible, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 6th day of February, 1973.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Recorder