

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, AND DECLARING AN EMERGENCY.)

ORDINANCE BILL NO. 54
for 1978

ORDINANCE NO. 1718

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,

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

Section 1: A public hearing shall be held at 8:00 p.m. on the 13th day of December, 1978, 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, 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:

To be zoned C-H, Highway Commercial, upon annexation:

DESCRIPTION SHEET

PARCEL I:

Beginning South 29.10 chains and West 61.84 chains from the Northeast corner of said Claim #77 said beginning point being the Northwest corner of a tract conveyed by J. L. Mason and wife to James M. Galyen and wife by deed recorded October 27, 1942 in Book 155, page 492, Deed Records; thence East 310.8 feet along the North line of said Galyen tract; thence North 78.85 feet to the East projection of the South line of a tract conveyed by J. L. Mason and wife to Harry E. Youngberg and wife by deed recorded January 2, 1941 in Book 153, Page 132, Deed Records; thence West 310.5 feet to the Southwest corner of said Youngberg tract; thence South 78.85 feet to the place of beginning; EXCEPTING therefrom that portion thereof on the East side occupied by the County Road or South Santiam Highway.

PARCEL II:

Beginning South 51.37 chains and West 66.65 chains from the Northeast corner of the Russell T. Hill and wife D.L.C. No. 77 in Township 12 South, Range 2 West of the Willamette Meridian; thence East 317.5 feet to the Southeast corner of the tract heretofore deeded to C. W. Calkins; thence North 75 feet; thence East 310.5 feet to the true place of beginning; thence North 60 feet; thence West 160 feet; thence South 60 feet; thence East 160 feet to the place of beginning.

PARCEL III:

Beginning at a point which is South 31.37 chains distant and West 66.65 chains distant from the Northeast corner of the DLC of Russell T. Hill and wife, same being Notification No. 2342, and Claim No. 77, in Township 12 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon; thence running East 317.5 feet to the Southeast corner of the Tract of land heretofore deeded to C. W. Calkins, which is the beginning point of the following described land; Running thence East 310.5 feet; thence North 75 feet; thence West 310.5 feet; thence South 75 feet, more or less, to the place of beginning. SAVE AND EXCEPT that portion thereof on the East side occupied by the county road or South Santiam Highway, the same being the South half of that certain Tract of land conveyed by J. L. Welch unto Ina F. Mason and W. L. Mason, husband and wife, and C. G. Mason, recorded at page 698, Book of Deeds 144, Linn County, Oregon Records.

Parcel 4

DESCRIPTION SHEET

Beginning South 31.37 chains and West 66.65 chains from the Northeast corner of the Russell T. Hill DLC No. 77 in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon; thence North 89° 42' East 317.5 feet to the Southeast corner of C. W. Calkins Land; thence North 0° 35' West 75 feet; thence East 77 feet to a 5/8" iron rod and the true point of the herein described premises; thence East 73.5 feet to a 5/8" rod at the Southwest corner of a tract conveyed to A. C. Vesper by deed recorded February 14, 1947, in Book 189, page 549, Deed Records; thence North 0° 35' East (North by said deed recorded in Book 189, page 549) along the West boundary of said Vesper tract 75.0 feet to a 5/8" rod; thence West 73.5 feet to a 5/8" iron rod; thence South 0° 35' West 75.0 feet to the point of beginning. ALSO an easement for a roadway in common with others over a strip of land 15 feet in width, the North boundary of which extends from the Northeast corner of said tract East to Main Street. SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

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

Section 2: 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.

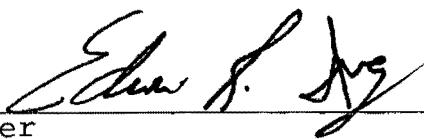
Section 3: Conditions are such that said annexation, if allowed, should be made within the near future, and, it being necessary for the peace, health and general welfare of the residents of the City of Lebanon that said hearing be held as soon as possible, an emergency is hereby declared to exist and 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 by a vote of 6 for and 0 against and approved by the Mayor this 22nd day of November, 1978.



Mayor

ATTEST:



Recorder