

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. 37  
for 1979

ORDINANCE NO. 1758

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 24th day of October, 1979 in the Council Chambers of 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:

79-9

Lot 1 and the most Northerly 30 feet of Lot 2, Sturtevant Subdivision said Northerly 30 feet of Lot 2 being a tract of even width parallel to the most southerly line of Lot 1, ALSO, beginning at the point of intersection of the most westerly line of Lot 1, Sturtevant Subdivision, projected Northerly, and the most Northerly line of that tract of land conveyed by Rex A. Nichols and Amy L. Nichols, to B. W. Burroughs and Ada Burroughs by deed recorded Nov. 9, 1948 in Book 205, Page 143, Deed Records; thence in a northeasterly direction to the most northerly corner of said Lot 1; thence in a southwesterly direction along the most northerly line of Lot 1 to the northwest corner of Lot 1; thence northerly to the point of beginning, all situated in the County of Linn, State of Oregon.

79-10

Lot Forty (40) in Sturtevant Subdivision (in NE 1/4 Section 23, T.12 S, R 2 WWM) Linn County, Oregon, excepting the southerly 30.0 feet thereof heretofore conveyed to Sidney S. Hall and Harriet I. Hall, husband and wife, by deed recorded in Vol. 247, Page 853, Linn County Deed Records.

ALSO beginning at the North corner of Lot 1, Sturtevant Subdivision, Linn County, Oregon, and running thence southwesterly 112.30 feet to the West corner of said Lot 1, the same being the most northerly corner of Lot #40 in said subdivision;

thence southwesterly 112.30 feet to the most westerly corner of Lot No. 40 in said Subdivision;

thence running northeasterly to the place of beginning. Said tract of land being a triangular piece lying between said Lots No. 1 and 40 and a tract of land conveyed by Rex A. Nichols and wife to Byron T. Scott and wife, recorded in Vol. 204, Page 313, Linn County Deed Records EXCEPTING that portion thereof situated in a northerly direction from and contiguous to Lot No. 1 in said Sturtevant Subdivision, which has heretofore been conveyed to Henry and Wilda Kaczmarek.

79-12

Beginning at the most westerly corner of Lot #40 in Sturtevant Subdivision in NE 1/4 Section 23, T 12 S, R 2 WWM, in Linn County, Oregon; thence N.  $29^{\circ} 46'$  W along the northeasterly right-of-way line of Cascade Drive 90.00 feet; thence N.  $48^{\circ} 19'$  E. 192.50 feet, more or less, to a point on the westerly right-of-way line of U.S. Highway #20; thence S.  $47^{\circ} 42'$  E. 100.0 feet to a 1" iron pipe marking the most easterly corner of said Lot 41; thence in a direct line S.  $51^{\circ} 16'$  W. 221.86 feet to the place of beginning.

79-13

Lot #41, Sturtevant Subdivision in NE 1/4 Section 23, T 12S, R 2 WWM in Linn County, Oregon. EXCEPT: Beginning at the most westerly corner of Lot #40 in Sturtevant Subdivision in NE 1/4 Section 23, T 12 S, R 2 WWM in Linn County, Oregon; thence N.  $29^{\circ} 46'$  W along the Northeasterly right-of-way line of Cascade Drive 90.0 feet; thence N.  $48^{\circ} 19'$  E. 192.50 feet, more or less, to a point on the westerly right-of-way line of U. S. Highway #20; thence S.  $47^{\circ} 42'$  E 100.0 feet to a 1" iron pipe marking the most easterly corner of said Lot #41; thence in a direct line S.  $51^{\circ} 16'$  W. 221.86 feet to the place of beginning. ALSO EXCEPT: That portion of said Lot #41 lying southeasterly of a straight line connecting the most southerly corner of said Lot #41 with the most easterly corner of said Lot #41.

79-14

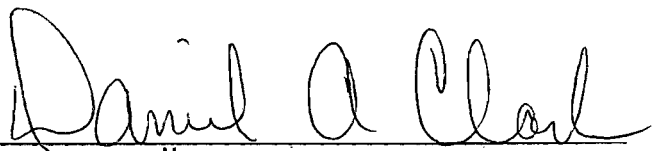
The South 60 feet of Lot #2 and all of Lot #39, Sturtevant Subdivision, Linn County, Oregon.

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

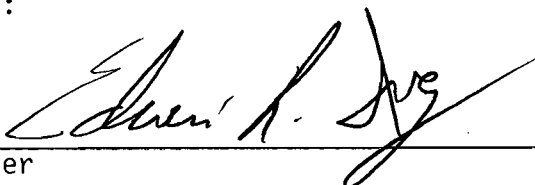
Section 2. The Recorder of the City of Lebanon is hereby directed to publish a notice of this hearing once weekly for two successive weeks prior to the day above set for the hearing, in a newspaper of general circulation in the City of Lebanon, and the Recorder shall post notice of the hearing in four 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 10<sup>th</sup> day of October, 1979.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Recorder