

A BILL FOR AN ORDINANCE ANNEXING )  
AND ZONING PROPERTY FOLLOWING )  
HEARING AND UPON THE WRITTEN )  
CONSENT FILED WITH THE CITY COUNCIL )  
BY LANDOWNERS IN SAID AREA, PURSUANT )  
TO ORS 222.120 and ORS 222.170. )

ORDINANCE BILL NO. 13  
for 1981  
ORDINANCE NO. 1839

WHEREAS, there has been submitted to the City of Lebanon a written request for annexation to the city signed by more than one-half of the landowners who also own more than one-half of the land in the contiguous territory described below, which real property represents more than one-half of the annexed value of all real property in the contiguous territory to be annexed; and

WHEREAS, Ordinance No. 1740 was passed, initiating the annexation of the territory, calling a hearing, and directing that notice be given; and

WHEREAS, after conducting the hearing and considering all objections or remonstrances with reference to the proposed annexation, the City Council finds that annexation is in the best interest of the city and of the contiguous territory:

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Annexation Area. The following contiguous territory is hereby proclaimed to be annexed to the City of Lebanon, Oregon:

A parcel of land lying in the Southeast Quarter of Section 16, Township 12, South, Range 2 West of the Willamette Meridian, Linn County, Oregon, the said parcel being described as follows:

Beginning at a point on the North line of and 1254 feet West of the Northeast corner of the David Watkins D.L.C. Number 67 in Sections 15 and 16, Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon, said point also being the Northeast corner of that property described in that deed recorded in Volume 251, Page 567, Linn County Deed Records; thence South 1358.94 feet to a 1/2" and 1-1/2" iron bar marking the Southeast corner of said property; thence West along the South line of said property 392 feet to the Southeast corner of that property described in that deed to the State of Oregon recorded in M.F. Volume 121, Page 872, Linn County Deed Records; thence North along the East line of said State of Oregon property 1358.94 feet to the said North line of the David Watkins D.L.C. Number 67; thence East along the said North line 392 feet to the point of beginning, containing 12.23 acres more or less of which 0.27 acre more or less lies within Airport Road.

Subject to the avigation easement set forth in said State of Oregon Deed

and is zoned M-L, Light Industrial.

Section 2. Record. The City Recorder shall submit to the Oregon Secretary of State (1) a copy of this ordinance, (2) a copy of the statement of consent of the landowners in the territory annexed, and (3) a copy of Ordinance No. 1740 dispensing with an election in the city on the question of annexation. The City Recorder shall also send a description by meets and bounds, or legal subdivisions, and a map depicting the new boundaries of the city within ten (10) days of the effective date of annexation to the Linn County Assessor, Linn County Clerk, and the State Department of Revenue.

Section 3. Conditions of Annexation. The following conditions are hereby placed on the annexation of the property described in Section 1 above.

1. Dedication of Airway Road through the property in a north/south direction beginning at the intersection of Airport Road and Airway Road and running the entire length of the subject property. The width of this Right-of-way dedication shall be 60 feet. The alignment of the dedicated roadway shall be to City of Lebanon subdivision standards for collector streets. This dedication shall be in such form as to permit the applicant to retain exclusive use, possession, and control of the dedicated property until such time as the City has accepted a contractor's bid for the construction of an extension of Airway Road upon the dedicated property
2. Landscape North twenty feet of property. Minimum landscaping to include one 6 foot high tree for every 30 feet of street frontage. The remainder of the landscaping area to be placed in either grass, shrubbery and bark dust, or other decorative ground cover.
3. Either pave both driveway approaches to a minimum depth of 100 feet back from Airport Road, or abandon these driveways and provide one driveway instead, also paved a distance of 100 feet back from Airport Road.
4. Construction of fire wall, modification of doors and ventilation in existing buildings to State Building Code Standards and as required by the Lebanon Building Official.

Section 4. Effective Date. This ordinance shall be effective upon completion of the conditions of annexation set forth in Section 3 above. Upon request of the applicant herein, the City Administrator of the City of Lebanon, or his designate, shall view the property to be annexed to ascertain whether or not the conditions for approval have been met. If the City

Administrator, or his designate, ascertains that the conditions have been met, he shall so certify in writing to the City Recorder of the City of Lebanon and upon said certification, this ordinance shall become fully effective and the property in question shall be annexed to the City of Lebanon upon the effective date of this ordinance. Should the applicant and City Administrator, or his designate, disagree concerning the applicant's compliance with the conditions set forth above, the applicant may request review by the City Council and the Council will thereafter expeditiously rule upon the applicant's compliance with said conditions. If the conditions as set forth in Section 3 above are not complete and approved by June 1, 1981, this ordinance shall become void and the city will entertain no annexation requests on the subject property for a one year period of time from that date. Except, that one fifteen (15) day extension may be granted by the City Administrator or his designate if he finds unusual circumstances exist.

Passed by the Council by a vote of 6 for and 0 against and approved by the Mayor this 11<sup>th</sup> day of March, 1981.



Robert H. Smith  
Mayor

Edna K. Joy  
Recorder

STATE OF OREGON        )  
                                  ) ss.  
County of Linn         )

I, Paul S. Haines, the duly appointed, qualified and acting Recorder of the City of Lebanon, do hereby certify that the foregoing is a true and exact copy of Ordinance No. 1839, City of Lebanon, as on record in the office of the City Recorder of Lebanon, Linn County, Oregon.

Paul S. Haines  
Recorder