

7th Session 12th

A BILL FOR AN ORDINANCE ANNEXING)
CERTAIN PROPERTY FOLLOWING A HEARING)
PURSUANT TO ORS 222.750 AND DECLARING)
AN EMERGENCY.)

ORDINANCE BILL NO. 19
for 1981
ORDINANCE NO. 1845

WHEREAS, a public hearing was held on May 13, 1981 pursuant to the provisions of ORS 222.750; and

WHEREAS, the Council of the City of Lebanon desires to annex the area described below; and

WHEREAS, said real property is presently surrounded by the corporate City Limits of the City of Lebanon; now therefore

THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Annexation Area: The following described property is hereby annexed to the City of Lebanon, Oregon, to-wit:

PARCEL 1

Beginning at the Southeast corner of Lot 2, Block 5, Harmony Addition in the SW 1/4 of the SE 1/4 of Section 15, Township 12 South, Range 2 West, W. M. in Linn County, Oregon, and running thence West 698.00 feet; thence North 0°11'00" West 330.00 feet; thence East 355.00 feet; thence North 0 11'00" West 332.00 feet; thence East 202.00 feet to the Southwest corner of Lot 2, Block 2 in said addition; thence North 0°11'00" West 320.06 feet to the North line of Kees Street; thence South 89°50' East 282.00 feet; thence South 0°11'00" East 229.26 feet; thence North 89°56' 36" West 141.00 feet; thence South 0°11'00" East 90.13 feet; thence North 89°59'45" West 141.00 feet; thence South 0°11'00" East 105.50 feet; thence South 89°53'39" East 282.00 feet; thence South 0°11'00" East 391.00 feet; thence West 141.00 feet; thence South 0°11'00" East 165.00 feet to the point of beginning, said parcel containing 10.61 acres more or less.

PARCEL 2

Beginning at a point S 0°11'00" East 5.48 feet and North 88°32' 00" East 30.00 feet from the Southwest corner of DLC 68 in Linn County, Oregon, which said point also lies on the South line of Airport Road and the East line of Seventh Street, and running thence North 88°32'00" East 240.00 feet; thence South 0°11'00" East 173.02 feet; thence South 81°03'58" West 242.77 feet; thence North 0°11'00" West 204.58 feet to the point of beginning. Said parcel containing 1.04 acres more or less.

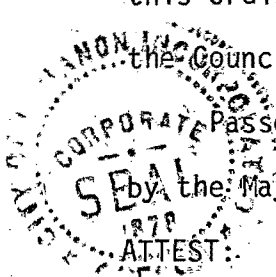
Section 2. Zoning: The following zoning designations are given to the properties hereby being annexed:

<u>Map</u>	<u>Tax Lot</u>	<u>Zoning</u>
12-2W-15CD	2700	RM
12-2W-15CD	2800	RM
12-2W-15CD	2900	RM
12-2W-15CD	3000	RM
12-2W-15CD	3001	RM
12-2W-15CD	2600	RM
12-2W-15DC	1300	RL
12-2W-15DC	1200	RL
12-2W-15DC	1602	RL
12-2W-15DC	1600	RL
12-2W-15DC	1500	RL
12-2W-15DC	1702	RL
12-2W-15DC	1700	RL
12-2W-15DC	1701	RM
12-2W-15DC	1800	RL
12-2W-15DB	800	RM

Section 3. Record: The City Recorder shall submit to the Oregon Secretary of State a copy of this ordinance. The City Recorder shall also send a description by metes and bounds, or legal subdivisions, and a map depicting the new boundaries of the City within ten (10) days of the effective date of this annexation to the Linn County Assessor, Linn County Clerk and the State Department of Revenue.

Section 4. Emergency Clause: Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, 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 5 for and 0 against and approved by the Mayor this 27th day of May, 1981.



Edwin R. Jorg
 Recorder

Robert G. Smith
 Mayor

STATE OF OREGON)
 County of Linn) ss.

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. 1845, City of Lebanon, as on record in the office of the City Recorder of Lebanon, Linn County, Oregon.

Paul S. Haines
 Recorder

525540

1050

June 22, 1981

STATE OF OREGON
County of Linn **COMPARED**

I hereby certify that the attached was
received and duly recorded by me in
Linn County records:

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At 8:30 O'clock a.m.
Witness My Hand and Seal

DEL W. RILEY
Linn County Clerk

By *Doree Helen Hunter*
Deputy

ADOPTED FINDINGS OF FACT
ANNEXATION 81-2
SURROUNDED PROPERTIES 7th & Kees/Wassom

Introduction: This case is a city initiated annexation of surrounded properties, located adjacent to 7th and 6th Streets near Kees, Wassom, Walker and Airport Roads. These properties were surrounded through recent Council action.

THE RELEVANT CRITERIA ARE AS FOLLOWS:

1. L.C.D.C. Goals
2. Lebanon Comprehensive Plan and Map
3. Oregon Revised Statutes

I. BASIC FACTS

1. The property is located in two areas.
 - A. The Southeast corner of Airport and 7th.
 - B. Near 7th and 6th Street, between Kees and Walker Road.
2. The following are the Tax Lots proposed for annexation and the property owners according to County Assessor records:

Tax Lot 2700; Map 12-2W-15CD	Barbara Hitchcock
Tax Lot 2800; Map 12-2W-15CD	Barbara J. Carroll
Tax Lot 2900; Map 12-2W-15CD	Walter & Eleanore M. Musgrove
Tax Lot 3000; Map 12-2W-15CD	Carroll & Delores Peterson
Tax Lot 3001; Map 12-2W-15CD	Ralph W. & Mary R. Lawson
Tax Lot 2600; Map 12-2W-15CD	Charles & Adeline Filer
Tax Lot 1300; Map 12-2W-15DC	Charles & Adeline Filer
Tax Lot 1200; Map 12-2W-15DC	Charles & Adeline Filer
Tax Lot 1602; Map 12-2W-15DC	Charles & Sandra Ford
Tax Lot 1600; Map 12-2W-15DC	Robert & Donna Monroe
Tax Lot 1500; Map 12-2W-15DC	Dorothy M. Williams
Tax Lot 1702; Map 12-2W-15DC	George & Constance Gabel
Tax Lot 1700; Map 12-2W-15DC	Lionel & Brenda Grizzle Jr.
Tax Lot 1701; Map 12-2W-15DC	Reuben & Nadine Greiner
Tax Lot 1800; Map 12-2W-15DC	Glen & Dorothy Samuelson
Tax Lot 800; Map 12-2W-15DB	Marie E. Day

3. Area Characteristics/Site Characterists:

This area is characterized by residential uses and a school. The annexation is made up of two areas surrounded by the City of Lebanon. Area B is located adjacent to 7th Street and lies between Walker Road and Kees Street. This area is characterized by single family homes on large lots. These properties are all surrounded by the Lebanon City Limits.

Area A is one large lot located at the intersection of Airport Road and 7th Street. This site is level and has one home located near the eastern side. This lot is also surrounded by the Lebanon City Limits.

Area B is located adjacent to 7th and 6th Streets, between Kees and Walker Road. There are approximately 10 to 12 separate owners in this area which is characterized by single family homes on lots of up to 0.9 of an acre. This area became surrounded by the City Limits after the Council's action of recent months annexing other properties in the area.

4. Public Facilities:

Streets: Airport Road, Wassom, Seventh Street, Kees Street, Sixth Street and Walker Road all either abut or are adjacent to the area.

Sewerage: There is an 18 inch city sewer main located at the Northeast corner of the property at the intersection of Kees and 7th. This line runs north and east from the intersection and should have the capacity to handle any residential development on the site.

Water: There are 12 inch lines located both north of the site near Cascade School and south of the site at the intersection of Walker and 7th. This site can be served by an extension of either line.

5. All the sites involved are located within the Lebanon Urban Growth Boundary.
6. All the sites are surrounded by the Lebanon city boundaries.
7. Notice was sent to all affected property owners and a public hearing was held May 13, 1981 to receive testimony on the matter.
8. It was stated that there are safety problems associated with pedestrian traffic along 7th Street.


II. ULTIMATE FACTS

1. All the sites are either already being utilized for urban uses (housing) or are located in urban areas.
2. All the sites are capable of being served by public utilities.
3. Properties adjacent to cities already receive some services without paying for them, including utilization of streets and parks.

III. CONCLUSIONS OF LAW

1. Annexation of this property is in conformance with the policies of the Lebanon Comprehensive Plan which state "The city shall give priority to annexation of built-up residential areas adjacent to the city that are in need of public facilities, services and utilities to prevent potential health and safety hazards to residents".
2. Annexation of this property is in conformance with the L.C.D.C. Annexation Rule because the properties are already being used for an urban use and are within what will be Lebanon's final Urban Growth Boundary.
3. Annexation of this property is in conformance with ORS 222.750 which gives the City the authority to annex surrounded properties.

ADOPTED: May 27, 1981.



Mayor