

A BILL FOR AN ORDINANCE PROVIDING)	ORDINANCE BILL NO. <u>2</u>
FOR THE ANNEXATION OF CERTAIN)	for 1985
TERRITORY, DISPENSING WITH A CITY)	
ELECTION ON THE QUESTION; FIXING)	ORDINANCE NO. <u>1959</u>
A DAY FOR PUBLIC HEARING; AND)	
DIRECTING THAT NOTICE BE PUBLISHED)	
AND POSTED, AND DECLARING AN)	
EMERGENCY.)	

WHEREAS, there has been submitted to the City of Lebanon written requests 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 assessed value of the land in the contiguous territory described below, which real property represents more than one-half of the assessed value of all real property in the contiguous territory to be annexed; and

WHEREAS, the City Charter does not expressly prohibit the City from dispensing with submitting the question of annexation to the registered voters of the City:

NOW THEREFORE, THE CITY OF LEBANON ORDAINS AS FOLLOWS:

Section 1. Annexation Area. It appears that it is in the best interest of the City of Lebanon that the following contiguous territory be annexed:

Section 2. Annexation Without Election. The City Council elects to dispense with submitting the question of annexation to an election by the registered voters of the City as authorized by ORS 222.120.

Section 3. Public Hearing. A public hearing on the question of annexation shall be held in Council Chambers of City Hall on January 23, 1985 at 8:00 P.M. at which time all interested persons may appear and be heard.

Section 4. Notice of Hearing. The City Recorder shall give notice of the hearing by publication once each week for two successive weeks before the day of the hearing in the Lebanon Express, a newspaper of general circulation within the City. The City Recorder shall cause notice of this hearing to be posted in four public places within the City for the same period of time.


Section 5. 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 9th day of January, 1985.



Mayor

ATTEST:



Recorder

LEGAL DESCRIPTION

COMMENCE at the northeast corner of the Morgan Kees Donation Land Claim (DLC) No. 43 in Section 2, Township 12 South, Range 2 West of the Willamette Meridian in Linn County, Oregon; thence South 00°03' West 1314.00 feet; thence North 89°59' West 20.00 feet to a 3/4" iron pipe and the point of beginning; thence continue North 89°59' West 400.00 feet to a 5/8" iron rod; thence South 00°03' West 600.00 feet to a 3/4" iron pipe; thence North 89°59' West 680.32 feet to a 3/4" iron pipe; thence North 00°01' East 81.62 feet to the southerly right-of-way of a 20.00 foot Sewer Easement granted unto the City of Lebanon by Crown Zellerbach Corporation on May 22, 1953; thence North 87°26'48" West 270 feet, more or less, along said southerly right-of-way to the easterly bank of Mark's Slough and the northwest corner of that tract of land sold by Quitclaim Deed to John and Ella Smith by Crown Zellerbach Corporation on September 3, 1965 and recorded on the 20th day of December 1965, in the Office of the Recorder of Linn County, Oregon, in Deed Book 314, page 128; thence southerly 110 feet, more or less, along said easterly bank to the southwest corner of the aforementioned tract of land; thence North 89°59' West 255 feet, more or less, to a point on the original east boundary of the City of Lebanon; thence North 274.49 feet along said original east boundary; thence North 18°00'00" West 264.00 feet; thence North 7°00'00" West 198.00 feet; thence West 822 feet, more or less, to the easterly bank of the Albany and Santiam Canal; thence North 29°50'10" East 214 feet, more or less, along said easterly bank to the intersection with the southerly bank of the Waste Slough; thence easterly and northeasterly along the said southerly bank of the Waste Slough for the following described six (6) courses: (1) South 80°56'14" East 70 feet, more or less; (2) North 78°17'36" East 123.67 feet; (3) North 87°08'28" East 146.22 feet; (4) North 53°53'45" East 123.93 feet; (5) North 51°57'14" East 126.28 feet; (6) North 40°21'50" East 121.27 feet; thence South 54°16'37" East 373 feet, more or less, to the centerline of Mark's Slough; thence northeasterly along said centerline of Mark's Slough for the following described six (6) courses: (1) North 22°28'47" East 210.51 feet; (2) North 32°04'35" East 120.28 feet; (3) North 36°22'28" East 167.96 feet; (4) North 46°11'27" East 299.72 feet; (5) North 57°14'07" East 438.32 feet; (6) North 78°01'43" East 135.53 feet; thence North 00°03'00" East 55.82 feet to the north line of the aforementioned Morgan Kees DLC No. 43 and a 3/4" iron pipe; thence North 89°49' East 494.47 feet along said north line to a point South 89°49' West 20.00 feet from the northeast corner of said Morgan Kees DLC NO. 43; thence South 00°03' West 1314.00 feet to the point of beginning.

SAVE AND EXCEPT therefrom the following described parcel for which Crown Zellerbach Corporation gave and granted on May 22, 1953 unto the City of Lebanon the right to lay, construct and maintain a sewer over:

A strip of land 20.00 feet in width being 10.00 feet on each side of (when measured at right angles to) the centerline described as follows:

BEGINNING at a point which is South 0°03' West (along the east line of Morgan Kees DLC No. 43) a distance of 1870.65 feet and North 87°26.8' West 420.00 feet from the northeast corner of the Morgan Kees DLC No. 43 in Township 12 South, Range 2 West of the Willamette Meridian in Linn County, Oregon; and running thence North 87°26.8' West, 1150.98 feet to a point on the present trunk sewer of the Sewer System of the City of Lebanon, said point being westerly 15.00 feet from the westerly wall of the Sewage Pump House of said Sewage System.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

C. Henry Cole

OREGON
JULY 13, 1984
C. HENRY COLE
2088