

A BILL FOR AN ORDINANCE ANNEXING )  
AND ZONING PROPERTY FOLLOWING ) ORDINANCE BILL NO. 18  
HEARING AND UPON WRITTEN CONSENT ) for 1996  
FILED WITH THE CITY COUNCIL BY )  
LANDOWNERS IN SAID AREA PURSUANT ) ORDINANCE NO. 2195  
TO ORS 222.120 AND ORS 222.170, AND )  
DECLARING AN EFFECTIVE DATE )

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 in Exhibit "A", which is incorporated herein by this reference, and 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 Council has elected to dispense with submitting the question of the proposed annexation to the electors of the City, initiating the annexation of the territory pursuant to ORS 222.120, calling a hearing and directing that notice be given as required by ORS 222.120(3); and

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

NOW, THEREFORE, the City of Lebanon ordains as follows:


**Section 1. ANNEXATION AREA.** The following contiguous territory described in Exhibit "A" and incorporated herein by this reference is hereby proclaimed to be annexed to the City of Lebanon and zoned as indicated in accordance with the Lebanon Zoning Ordinance No. 1773, and given the zoning of Highway Commercial (CH).

**Section 2. RECORDING.** 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 subdivision, 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.

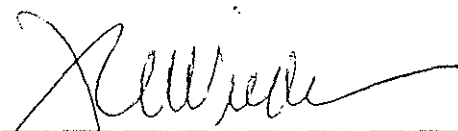
**Section 3. EFFECTIVE DATE.** The effective date of this annexation shall be upon the recordation of a deed or other instrument of conveyance showing the legal or equitable ownership of the property described in Exhibit "A" as Safeway, Inc., or its successors or assigns, or January 8, 1998, whichever event shall first occur; provided, however, that in the event that legal or equitable ownership is not conveyed to Safeway, Inc. before January 8, 1998, then and in that event, this ordinance shall have no further effect.

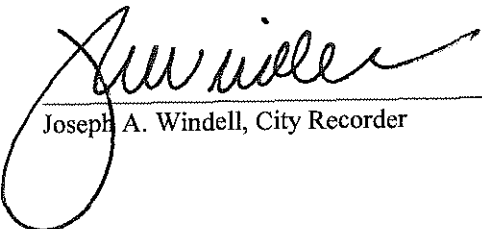
Passed by the Council be a vote of 4 for and 0 against and approved by the Mayor this 8th day of January, 1997.

  
\_\_\_\_\_  
Mayor pro tem

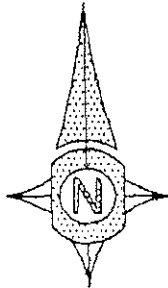
ATTEST:

I hereby certify that I am the City Recorder for the City of Lebanon, State of Oregon, that the foregoing is a full, true, correct copy of the original; and that Ron Miller, Jr., whose signature appears on the original document was at time of signing, the Mayor Pro Tem of the City of Lebanon.

  
\_\_\_\_\_  
City Recorder

  
\_\_\_\_\_  
Joseph A. Windell, City Recorder

PROPOSED  
**ANNEXATION SURVEY**  
 NW 1/4 SECT. 14, TOWN. 12 SOUTH, RANGE 2 WEST, W.M.  
 CITY OF LEBANON, LINN COUNTY, OREGON  
 SCALE: 1" = 200'      OCTOBER 31, 1996



**LEGEND**

- MONUMENT FOUND AS NOTED
- FD. FOUND
- C.S. COUNTY SURVEY
- ( ) DATA OF RECORD
- REFERENCE SURVEY: C.S. 6044, MESSAL'S SUBDIVISION

**NARRATIVE:**

THE PURPOSE OF THIS SURVEY WAS TO IDENTIFY THE BOUNDS OF THE SUBJECT PROPERTY TO BE ANNEXED TO THE CITY OF LEBANON. MONUMENTS WERE HELD AS FOUND PER RECORD SURVEYS AND TIES WERE MADE TO THE CENTERLINE OF THE LEBANON-SANTIAM CANAL TO ESTABLISH SAID BOUNDS. A LIETZ SETSA TOTAL STATION INSTRUMENT WAS USED TO PERFORM THIS SURVEY.

**PROPOSED ANNEXATION AREA**

BEGINNING AT A 3/4" IRON PIPE, SAID IRON PIPE BEARING NORTH 0°08'53" EAST 264.00 FEET AND NORTH 89°42'00" EAST 417.81 FEET FROM A 2" IRON PIPE MARKING THE INITIAL POINT OF MESSAL'S SUBDIVISION IN THE CITY OF LEBANON, LINN COUNTY, OREGON; SAID POINT BEING DESCRIBED AS 1371.15 FEET WEST AND 1351.68 FEET SOUTH OF THE SOUTHEAST CORNER OF THE WILLIAM RALSTON DONATION LAND CLAIM NO. 48 IN TOWNSHIP 12 SOUTH, RANGE 2 WEST OF THE WILLANETTE MERIDIAN, LINN COUNTY, OREGON; BY PRIOR RECORD; THENCE NORTH 89°42'00" EAST 218.96 FEET; THENCE NORTH 0°08'53" EAST 496.60 FEET TO A POINT IN THE CENTER OF THE LEBANON-SANTIAM CANAL; THENCE DOWNSTREAM THE FOLLOWING COURSES AND DISTANCES ALONG THE SAID CENTERLINE SOUTH 67°46'07" WEST 26.40 FEET; THENCE SOUTH 69°03'28" WEST 49.21 FEET; THENCE SOUTH 70°46'38" WEST 49.09 FEET; THENCE SOUTH 78°02'15" WEST 35.71 FEET; THENCE SOUTH 77°07'06" WEST 67.32 FEET; THENCE NOW LEAVING SAID CENTERLINE SOUTH 0°23'16" WEST 431.60 FEET TO THE POINT OF BEGINNING.

EXCEPTING OUT ALL PORTIONS LYING WITHIN THE RIGHT-OF-WAY OF THE ABOVE SAID LEBANON-SANTIAM CANAL.

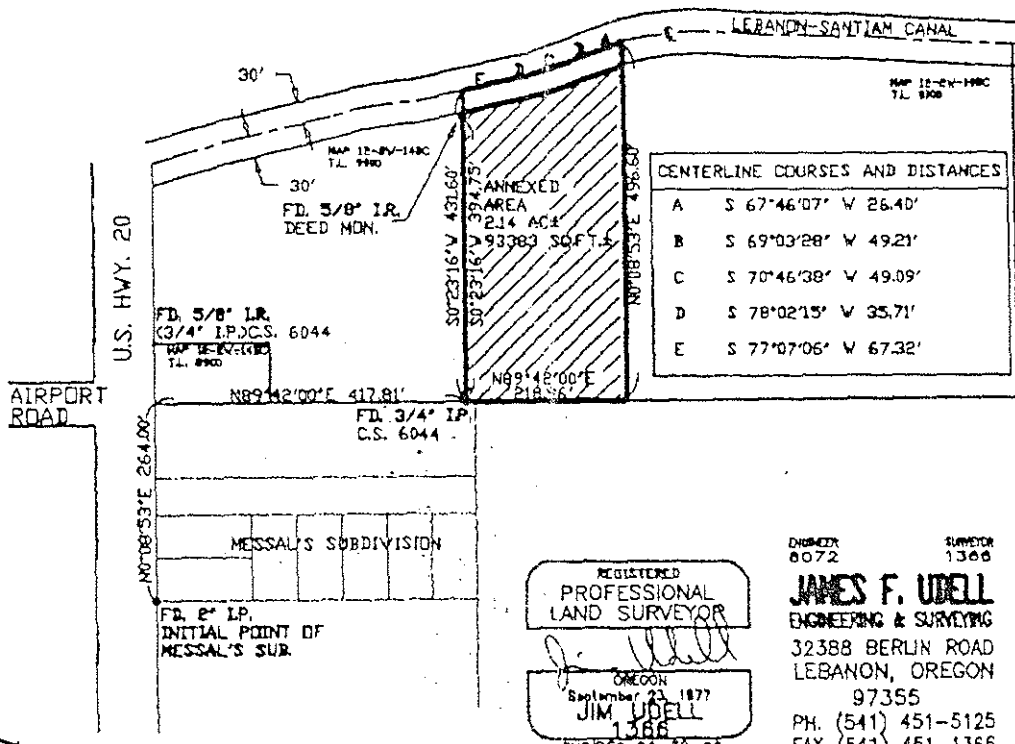
I HEREBY CERTIFY THE ABOVE DESCRIPTION CLOSES IN ACCORDANCE WITH O.R.S.

*J. Udell*  
 JIM UDELL PLS 1366

ABOVE DESCRIPTION REVIEWED BY LINN COUNTY SURVEYOR.

*Rodger D. Latham* 11-1-1996  
 LINN COUNTY SURVEYOR

VOL 0869 PAGE 17



REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 September 23, 1977  
**JIM UDELL**  
 1366  
 EXPIRES 06-30-98

ENGINEER 0072      SURVEYOR 1366  
**JAMES F. UDELL**  
 ENGINEERING & SURVEYING  
 32388 BERLIN ROAD  
 LEBANON, OREGON  
 97355  
 PH. (541) 451-5125  
 FAX (541) 451-1366

25

STATE OF OREGON  
 County of Linn

M  
 R 15  
 S 10  
 A  
 O

8:30 O'clock a.m.

MAY 13 1997

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

STEVE DRUCKENMILLER 869  
 Linn County Clerk MF

By *RV* Deputy PAGE 15

Exhibit "A"