VOL 883 PAGE 24

A BILL FOR AN ORDINANCE ANNEXING AND	)	
ZONING PROPERTY FOLLOWING HEARING AND	)	ORDINANCE BILL NO. 5
UPON THE WRITTEN CONSENT FILED WITH	)	for 1997
THE CITY COUNCIL BY LANDOWNERS IN	)	
SAID AREA PURSUANT TO ORS 222.120 AND	)	ORDINANCE NO. 2200
ORS 222.170	ĺ	

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 real property represents more than one-half of the assessed value of all real property in the contiguous territory to be annexed; and

WHEREAS, 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 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 Mixed Use (MU).

Section 2. 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

AFTER RECORDING PLEASE RETURN TO:

City of Lebanon Planning Department 925 Main Street Lebanon, OR 97355

## VOL 883 PAGE 25

subdivision, and a map depicting the new boundar	ries of the City within ten (10) days of the effective
date of this annexation to the Linn County Assess	sor, Linn County Clerk, and the State Department
of Revenue.	
Passed by the Council by a vote of	4 for and 0 against and approved
by the Mayor this 25th of June, 1997.	Robert G. Smith, Mayor
Joseph A. Windell, City Recorder	I hereby cartify that I am the City Recorder for the City of Laboness, State of Gregor; that the foregoing is a full, true, correct copy of the original; and that Robert G. Smith, whose signature appears on the original document, was at the time of signing the Mayor of the City of Labones.  Joseph A. Windell, City Recorder

## **EXHIBIT "A"**

PROPERTY DESCRIPTION OF 31.49 ACRES (1.3 Acres Excluded)
OWNED BY AL & DOROTHY FRENCH
PROPOSED FOR ANNEXATION TO CITY OF LEBANON

June 1997

The West half of the following described premises, to wit; Part of the Richmond Cheadle Donation Land Claim No. 69 in Township 12 South, Range 2 West of the Willamette Meridian, described as follows: Beginning at a point on the South line of and 63.71 chains West of the Southeast corner of the Richmond Cheadle Donation Land Claim No.38 in Township 12 South, Range 1 West of the Willamette Meridian, said place of beginning being the Southwest corner of that tract conveyed to George Chesire by deed recorded June 1, 1885 in Book 29, page 273, Deed Records; thence North along the West line of said Chesire tract 23.25 chains to the North line of said Claim No. 69; thence West along the North line of said Claim a distance of 34.84 chains to the Northeast corner of that tract conveyed to Richard Cheadle by deed recorded November 14, 1882 in Book Y, page 581, Deed Records; thence South along the East line of said Cheadle tract 23.21 chains to the South line of said Claim No. 69; thence East 34.84 chains to the place of beginning.

EXCEPTING THEREFROM the 90 foot right of way for Lebanon and Santiam Canal as conveyed to 0'Neill Brothers and Callaghan Company et al by deed recorded April 13, 1906 in Book 80, page 552. Deed Records.

AND EXCEPT THEREFROM THE FOLLOWING:

Beginning at a point on the North line of and North 89 04' West 826.03 feet from the Northwest corner of the Daniel Simons Donation Land Claim No. 79, in Township 12 South, Range 2 West of the Willamette Meridian in Linn County, Oregon; thence North 89 04' West 80 feet; thence North 0 10' East 155 feet to a 5/8 inch iron rod; thence South 89 04' East 80 feet to a 5/8 inch iron rod; thence South 0 10' West 155 feet to the place of beginning. SUBJECT to the right of the public in a county road along the South 30 feet; ALSO, Beginning at a point on the North line of and North 89 04' West 906.03 feet from the Northwest corner of the Daniel Simons Donation Land Claim No. 79; in Township 12 South, Range 2 West of the Willamette Meridian in Linn County, Oregon; thence North 89 04' West 80 feet; thence North 0 10' East 155 feet to a 5/8 inch iron rod; thence South 89 04' East 80 feet to a 5/8 inch iron rod; thence South 0 10' West 155 feet to the place of beginning. SUBJECT to the rights of the public in a county road along the South 30 feet.

SAVE AND EXCEPT that portion of the above described tract of land beginning within the boundaries of public roads and highways. AND EXCEPT; A tract of land beginning on the South line of the Richmond Cheadle Donation Land Claim No. 69 in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, at a point South 89 04' East 2376.0 feet from the Southeast corner of the West half of said Donation Land Claim No. 69; thence North 0 10' East 225.0 feet; thence South 89 04' East, parallel to the South line of said Donation Land Claim No. 69, a distance of 200.0 feet; thence South 0 10' West 225.0 feet to the South line of said Donation Land Claim No. 69; thence North 89 04' West 200.0 feet to the point of beginning. AND EXCEPT; Beginning at a point on the South line of and South 89 04' East 2,576.0 feet from the Southeast corner of the West 1/2 of the Richmond Cheadle Donation Land Claim No. 69 in Township 12 South, Range 2 West of the Willamette Meridian; thence South 89 04' East along said Claim line 325.00 feet; thence North 0 10' East 225 feet to a 1/2 inch iron pipe; thence North 89 04' West 325 feet to a 1/2 inch iron rod; thence South 0 10' West 225 feet to the point of beginning.

SUBJECT to the rights of the public in a county road along the South 25 feet.

## EXHIBIT "A" (continued)

PROPERTY DESCRIPTION OF 31.49 ACRES (1.3 Acres Excluded ) PROPOSED FOR ANNEXATION (cont.)

Page 2.

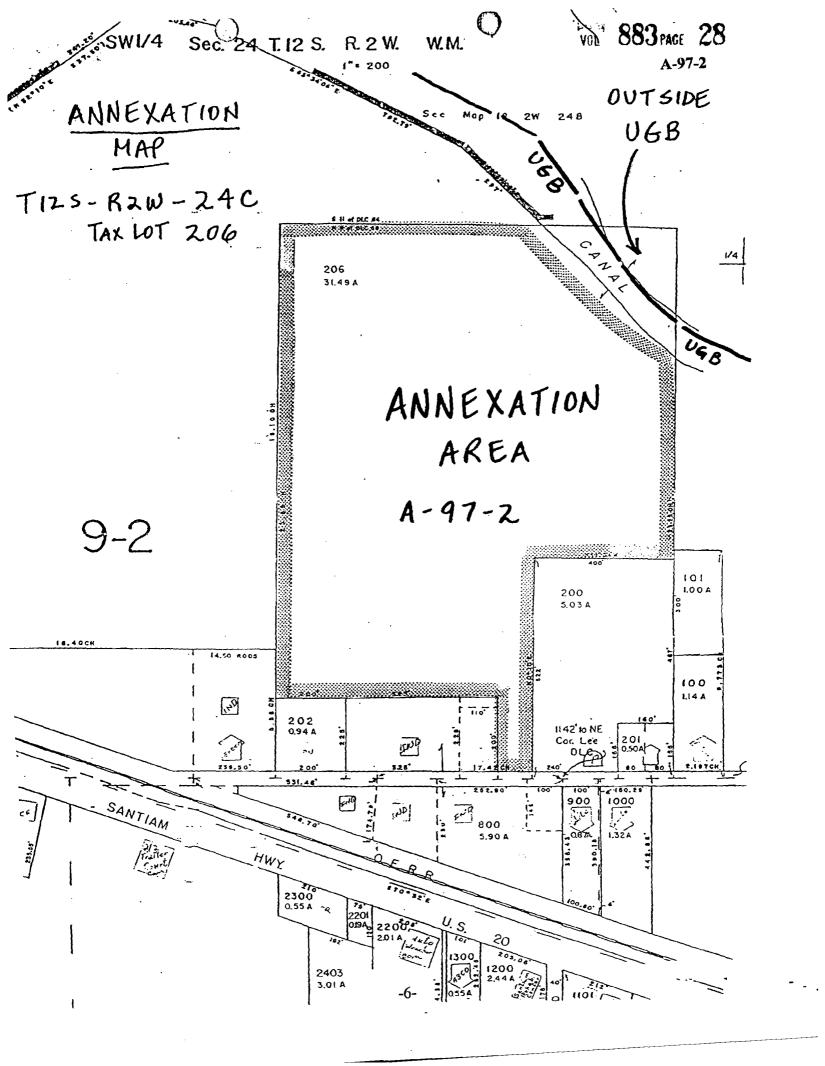
AND EXCEPT; Beginning at a point 2,901.0 feet South 89 04' East from the Southeast corner of the West half of the Richmond Cheadle Donation Land Claim No. 69, in Section 24, Township 12 South, Range 2 West of the Williamette Meridian; thence South 89 04' East 110 feet; thence North 0 10' East 225 feet to a 5/8 inch iron rod; thence North 89 04' West 110 feet, more or less, to a 1/2 inch iron pipe, being North 0 10' East from the place of beginning, thence South 0 10' West 225 feet to the place of beginning.

SAYE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

AND EXCEPT the following tract which Grantors reserve to themselves, their heirs and assigns: Beginning at a point which is North 89 04' West 986.03 feet from the Northwest corner of the Daniel Simons Donation Land Claim No. 79,, in Township 12 South, Range 2 West of the Willamette Meridian, Linn County, Oregon, thence North 89 04' West 240 feet; thence North 0 10' East 622 feet; thence South 89 04' East 400 feet; thence South 0 10' West 467 feet; thence North 89 04' West 160 feet; thence South 0 10' West 155 feet to the point of beginning. SUBJECT to the rights of the public in a county road on the most Southerly 25 feet.

AND EXCEPTING THEREFROM that portion of the above described tract of land, approximately 1.3 acres, that lies northeast of the southerly line of the Lebanon and Santiam Canal.

Reference: MF334 Page: 7



STATE OF OREGON
County of Linn

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

STEVE DRUCKENMILLER
Van County Clerk

MF 883

By \_\_\_\_\_\_, Deputy PAGE

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