

A BILL FOR AN ORDINANCE ANNEXING AND ZONING PROPERTY FOLLOWING CONSENT FILED WITH THE CITY COUNCIL BY LANDOWNERS IN SAID AREA PURSUANT TO ORS 222.120 AND ORS 222.170, File A-07-04 WALT BADGER & JON & MOIRA CATES
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ORDINANCE BILL NO. 14 for 2007
ORDINANCE NO. 2742

WHEREAS, the City of Lebanon has received a submission by written request for annexation of real property to the City of Lebanon, 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, the Lebanon 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, and further considering the recommendation of the Lebanon Planning Commission, the City Council finds that this annexation is in the best interest of the City and of the contiguous territory.

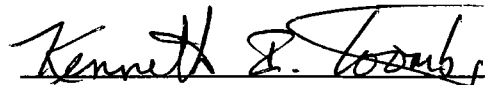
NOW, THEREFORE, the City of Lebanon ordains as follows:

Section 1. Findings. In addition to the findings referred to above, the City Council further adopts and finds those matters contained in Exhibit "B" which is incorporated herein by this reference as if fully set forth at this point.

Section 2. Annexation Area. Based upon the findings contained above and in Exhibit "B", the contiguous territory described in Exhibit "A" and incorporated herein by this reference as if fully set forth at this point 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 assigned the zoning of Mixed Use (Z-MU) for tax lot 100, and Residential Mixed Density (Z-RM) for tax lots 600 and 6700.

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

Passed by the Lebanon City Council by a vote of 5 for and 0 against and approved by the Mayor this 8th day of August, 2007


Kenneth I. Toombs, Mayor
Bob Elliott, Council President

ATTEST:


Linda Kaser, City Clerk/Recorder

Annexation Legal Description

Walt Badger

An area of land in the Southwest 1/4 of Section 14, Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon being more particularly described as follows:

Beginning at a 5/8" iron rod marking the Northeast corner of parcel 2 of Linn County Partition Plat Number 1996-39 in Township 12 South, Range 2 West, Willamette Meridian, City of Lebanon, Linn County, Oregon; thence North $00^{\circ}08'54''$ East 57.00 Feet to a 5/8" iron rod; thence North $89^{\circ}42'00''$ East 55.49 Feet to a 5/8" iron rod; thence North $00^{\circ}08'53''$ East 38.00 Feet a point; thence North $89^{\circ}42'00''$ East 489.78 Feet to a point on the West Right-of-Way of the Oregon Electric Railroad; thence along the arc of a 1959.86 foot radius curve to the left 535.85 feet (chord bearing South $17^{\circ}06'40''$ East 534.18 feet) to a 5/8" iron rod; thence along the arc of a 200' offset spiral to the left (chord bearing South $26^{\circ}56'09''$ East 202.60 feet) to a 5/8" iron rod; thence South $27^{\circ}56'35''$ East 81.26 feet to a 5/8" iron rod marking the North Right-of-Way of Russell Drive; thence South $27^{\circ}57'00''$ East 720.59 feet to a 3/4" iron rod; thence leaving said Railroad Right-of-Way South $89^{\circ}09'48''$ West 222.94 feet to a point on the East Right-of-Way of McKinney Lane; thence North $22^{\circ}48'29''$ West 537.62 feet along said Right-of-Way to a point; thence leaving said Right-of-Way South $67^{\circ}13'18''$ West 140.01 feet to a 3/4" iron pipe; thence North $22^{\circ}37'46''$ West 59.99 feet to a point; thence North $67^{\circ}15'21''$ East 99.87 feet to a 5/8" iron rod marking the West Right-of-Way of McKinney Lane; thence North $22^{\circ}51'20''$ West 58.44 feet to a point on the South Right-of-Way of Russell Drive; Thence along said Russell Drive South $89^{\circ}48'42''$ West 198.44 Feet to a point that bears South $00^{\circ}29'00''$ West 50.00 feet from a 5/8" iron rod on the North Right-of-Way of Russell Drive; thence North $00^{\circ}29'00''$ East

259.92 feet to a 5/8" iron rod; thence South 89°39'20" West 120.46 feet to a 5/8" iron rod; thence North 00°03'19" West 246.15 Feet to a 5/8" iron rod; thence South 89°37'27" West 210.00 feet to a 5/8" iron rod marking the East right-of-way of Mill Street; thence North 00°07'35" East 105.14 feet along said Right-of-Way to a 5/8" iron rod; thence leaving said Right-of-Way South 89°40'39" West 129.76 feet to a 5/8" iron rod; thence North 00°08'54" East 107.95 feet to the point of beginning.



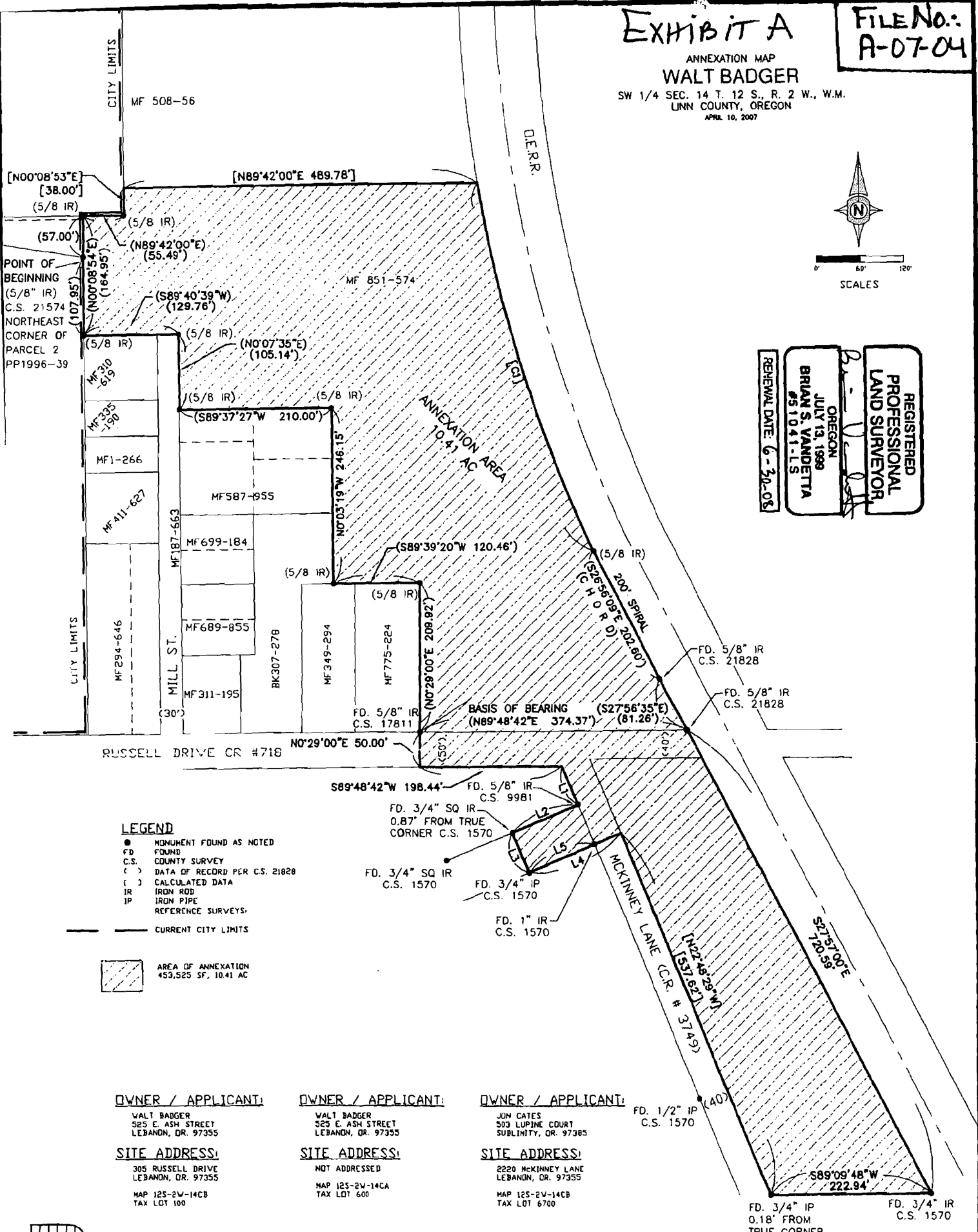
EXHIBIT A

FILE NO.:
A-07-04

ANNEXATION MAP
WALT BADGER
SW 1/4 SEC. 14 T. 12 S., R. 2 W., W.M.
LINN COUNTY, OREGON
APRIL 10, 2007



REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
JULY 13, 1999
BRIAN S. VANDELTA
#51041-LLS
RENEWAL DATE: 6-30-08



- LEGEND**
- MONUMENT FOUND AS NOTED
 - FD FOUND
 - C.S. COUNTY SURVEY
 - () DATA OF RECORD PER C.S. 21828
 - () CALCULATED DATA
 - IR IRON ROD
 - IP IRON PIPE
 - REFERENCE SURVEYS:
 - CURRENT CITY LIMITS

AREA OF ANNEXATION
453,525 SF, 10.41 AC

OWNER / APPLICANT:
WALT BADGER
525 E. ASH STREET
LEBANON, OR. 97355

SITE ADDRESS:
305 RUSSELL DRIVE
LEBANON, OR. 97355
MAP 12S-2V-14CB
TAX LOT 100

OWNER / APPLICANT:
WALT BADGER
525 E. ASH STREET
LEBANON, OR. 97355

SITE ADDRESS:
NOT ADDRESSED
MAP 12S-2V-14CA
TAX LOT 600

OWNER / APPLICANT:
JIM CATES
503 LUPINE COURT
SUBLIMITY, OR. 97385

SITE ADDRESS:
2220 MCKINNEY LANE
LEBANON, OR. 97355
MAP 12S-2V-14CB
TAX LOT 6700

LINE TABLE		
LINE	LENGTH	BEARING
L1	58.44	N22°51'20"W
L2	99.87	N67°15'21"E
L3	59.99	N22°37'46"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	DIST.
C1	{535.85'}	{1959.86'}	{15°39'55"}	{S17°06'40"E}	{534.18'}

