

NW1/4 T.4N. R.28E.W.M  
UMATILLA COUNTY

4N 28B  
& INDEX

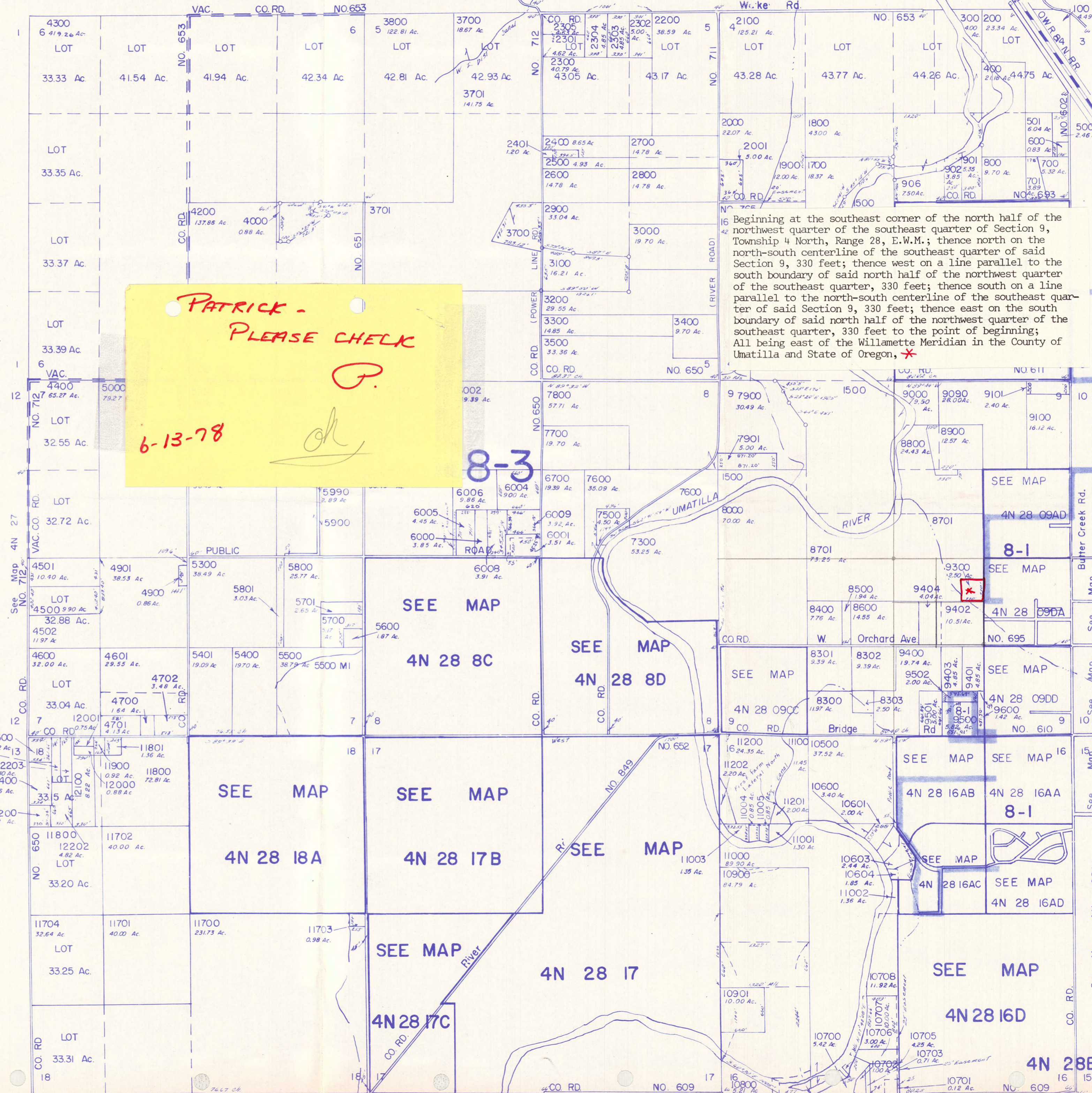
Aerial Photo No NZ-2P-25-26  
IP-119-120

1"=1000'

See Map 5N 28C

CANCELLED

- 1203
- 1206
- 1401
- 6200
- 6201
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- 2402
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- 1205
- 1207
- 1300
- 1400
- 1402
- 3900



PATRICK -  
PLEASE CHECK

6-13-78

8-3

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4 North, Range 28, E.W.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon, \*

See Map 4N 28 03B  
See Map 4N 28 03C  
See Map 4N 28 10B  
See Map 4N 28 10C  
See Map 4N 28 10CC  
See Map 4N 28 15BB  
See Map 4N 28A

ORD. # 1147  
ANNEX DISPOSAL PLANT PROPERTY

City-Owned/W. Orchard

1978

CITY OWNED  
PROPERTY

4N28B

TAX

607  
9300

2.50 ACRES

June 12, 1978

Date

C O N S E N T   T O   A N N E X A T I O N

We, the undersigned, being landowners in land adjacent to the City of Hermiston, County of Umatilla, State of Oregon, do hereby file with the City Council of said city, the legislative body for the municipality, our consent to annexation; that we the undersigned, constitute more than half of the landowners owning more than half of the land in the territory to be annexed and which territory represents more than half of the assessed value of all real property within said territory to be annexed.

That the property owned by the undersigned reside within the following described area:

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4 North, Range 28, E.W.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon.

CITY OF HERMISTON

MAYOR

*L.P. Gray*

ATTEST:

*Robert D. Sibley*

CITY RECORDER

NOTICE TO TAXING DISTRICTS  
ORS 308.225

FROM: APPROVED AS PER  
ORS 308.225  
AUG 22 1978  
STATE OF OREGON  
DEPARTMENT OF REVENUE  
U-R MAPPING UNIT  
SALEM, OREGON 97310  
DESCRIPTION & MAP

TO:  
CITY OF HERMISTON  
295 EAST MAIN STREET  
HERMISTON, OREGON 97138

This is to notify you that your boundary change in UMATILLA County, for Ord. # 1149 Annex to City Ord. # 1150 Withdrawal from Hermiston R.F.P.D. has been:  
 Received 8-9-78  
 Approved ENGR  
 Disapproved (see notes)  
If disapproved, please submit corrected description and map.

Notes: The ordinance number annexing the property should be included in the withdrawal ordinance.

Shank  
Aug 22, 1978  
J. V. Jovate

FOR MAPPING UNIT AND ASSESSOR USE ONLY

Department of Revenue file no: DOR 30-62-78  
Boundary: change  proposed change  received from: City

The change is for a:  
 Formation of a new district  
 Annexation of territory to a district  
 Withdrawal of territory from a district  
 Dissolution of a district

Data received:  
 Description  
 Map  
Certified by registered surveyor or registered engineer:  yes  no

CC County Assessor  
Boundary Commission (when appropriate)  
Department of Revenue A&A-0-39 (11-75)

A N N E X A T I O N   C H E C K   L I S T

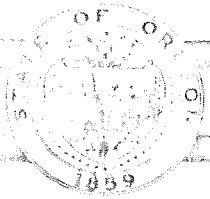
Property Owner(s) City of Hermiston

Description of General Area Sewage Treatment Plant Site

Acres: 2.50

PROCEDURE

1. Signed "Consent to Annexation" Submitted	Date: <u>6/12/78</u>
2. Requested Zone Designation	R-1
3. Area Outlined on Assessor's Map	O.K. ( <input checked="" type="checkbox"/> )
4. Meets & Bounds Description Approved by City Engineer	Date: <u>6/13/78</u>
5. Request Presented to City Council Council Action: <u>Initiate annexation proceedings</u>	Date: <u>6/12/78</u>
6. Referred to Planning Commission ----- Planning Commission Action: -----	Date: -----
7. Planning Commission Recommendation to City Council Council Action: -----	Date: -----
8. Ordinance # 1137- <u>Withdraw from rural fire district</u> <u>Initiate Procedure to Annex Land</u>	Date: <u>6/12/78</u>
9. Publish Notice of Public Hearing (2 Weeks in Succession Prior to Hearing) Affidavit of Publication in File	Publication Dates: <u>6/15 &amp; 22/78</u> O.K. ( <input checked="" type="checkbox"/> )
10. Post Notice of Public Hearing at City Hall, Post Office, Library, CRC, Safety Center Same Time Period as Published Affidavit of Posting in File	Date: <u>6/15/78</u> O.K. ( <input checked="" type="checkbox"/> )
11. Letter to Assessor Requesting Assessed Evaluation of Land Within 20 Days After Initiating Ordinance Passed. Enclose Legal Description & Assessor's Map Assessed Evaluation Received	Date: <u>6/13/78</u> Amount: \$ <u>Exempt</u>
12. Public Hearing Council Action: <u>Proceed with annexation</u>	Date: <u>6/26/78</u> Time: <u>8:10 pm</u>
13. Finding of Fact Presented Ordinance #1148 - Amend Comprehensive Plan, Establish Zone Ordinance #1149 - Annex Land to City Ordinance #1150 - Withdraw newly annexed area from Rural Fire Proclamation of Annexation	Date: <u>7/10/78</u> Date: <u>7/10/78</u> Date: <u>7/10/78</u> Dist. <u>7/10/78</u> Date: <u>7/10/78</u>
14. Record Annexation Ordinance	Date: <u>7/19/78</u>
15. Post Proclamation of Annexation for Two Weeks Affidavit of Posting in File	Date: <u>7/11/78</u> O.K. ( <input checked="" type="checkbox"/> )
16. Copy of Annexation Ordinance & Map in "Increase in Tax Base by Annexation" File:	O.K. ( <input checked="" type="checkbox"/> )
17. Information Sent to Proper Sources: <u>State Dep't of Revenue</u> - Outlined boundaries on assessor's map, annexation ordinance with city engineer's certification attached ----- <u>County Assessor</u> - Same material as sent to Dep't of Revenue and initiating ordinance ----- <u>County Clerk</u> - Both ordinances & city map outlining new boundaries ----- <u>Insurance Services Office</u> - Annexation ordinance, city map ----- <u>Center for Population Research &amp; Census</u> - Annexation ordi- nance, city map ----- <u>Completed &amp; Returned Annexation Questionnaire</u> ----- <u>Secretary of State</u> - All documents as listed in recorder's sworn statement	Date: <u>8/7/78</u> Date Approved: <u>8-22-78</u> Acknowledged: _____ Acknowledged: _____ Acknowledged: _____ Acknowledged: <u>✓</u> Date: <u>9-6-78</u> Acknowledged: <u>8-11-78</u>
18. Outlined Assessor's Map in File	O.K. ( <input checked="" type="checkbox"/> )



OFFICE OF THE SECRETARY OF STATE

NORMA PAULUS  
SECRETARY OF STATE

C. GREGORY McMURDO  
RAYMOND A. PHELPS  
ASSISTANTS

LEGISLATIVE AND PUBLIC ACCOUNTS  
DIVISION  
STATE CAPITAL  
SACRAMENTO, CALIFORNIA  
95833

August 11, 1978

City of Hermiston  
295 East Main St.  
Hermiston, OR 97838


Dear Mrs. Wheelhouse:

We have received as of August 11, 1978, copies of Ordinance No.'s 1149 and 1152 annexing territory to the City of Hermiston.

In compliance with ORS 222.180, these Ordinance No.'s, having been received less than ninety days prior to the General Election of Nov. 7, 1978, thereby will become effective Nov. 8, 1978.

Our filing number is 78-169.

Sincerely,

  
Norma Paulus  
Secretary of State

NP:riz

city

of

hermiston

295 EAST MAIN STREET / HERMISTON, OREGON / 97838

August 7, 1978

State of Oregon  
Department of Revenue  
U-R Mapping Unit  
Salem, OR 97310

Dear Sir:

As required by state statute, enclosed are two assessor's maps outlining new boundaries for the City of Hermiston by two recent annexations.

The boundary changes as legally described in Ordinances No. 1149 and 1152 have been certified as closing by the city engineer and are attached to the enclosed ordinances.

Also enclosed are copies of Ordinances No. 1150 and 1153 which withdraw the two areas from Rural Fire District #7 - 404 Hermiston. By withdrawal of these lands from the rural fire district the City will supply the fire services.

Sincerely,

(Mrs.) Pat Wheelhouse  
Executive Secretary

Enclosures

August 7, 1978

Mr. Ted White, Assessor  
Umatilla County Courthouse  
Pendleton, OR 97801

Dear Mr. White:

Enclosed are copies of Ordinances 1141 and 1152, 1137 and 1149 and assessor's maps outlining new boundaries for the City of Hermiston by two recent annexations.

The boundary changes as legally described in Ordinances 1149 and 1152 have been certified as closing by the city engineer and are attached to the enclosed ordinances.

Also enclosed are copies of Ordinances No. 1150 and No. 115@ which withdraw the two areas from Rural Fire District #7 - 404 Hermiston. By withdrawal of these lands from the rural fire district the City will supply the fire services.

Sincerely,

(Mrs.) Pat Wheelhouse  
Executive Secretary

Enclosures

I do hereby certify that the attached boundary change description  
is a closed description.

Dated this 7th day of August, 1978.

---

Patrick D. Napolitano  
City Engineer

August 7, 1978

Miss Jessie M. Bell, County Clerk  
Umatilla County Courthouse  
Pendleton, OR 97801

Dear Miss Bell:

Enclosed are copies of Ordinances 1137, 1149, 1141 and 1152 and a city map outlining new boundaries for the City of Hermiston by recent annexations.

Sincerely,

(Mrs.) Pat Wheelhouse  
Executive Secretary

Enclosures

August 7, 1978

Mr. Jim Schwager, Supervisor  
Public Protection Department  
Insurance Services Office of Oregon  
421 S.W. 6th Avenue  
Portland, OR 97204

Dear Mr. Schwager:

Enclosed are copies of Ordinances No. 1149 and 1152 and a city map outlining new boundaries for the City of Hermiston by two recent annexations.

Sincerely,

(Mrs.) Pat Wheelhouse  
Executive Secretary

Enclosures

August 7, 1978

Ms Patricia Leighton, Secretary  
Center for Population Research & Census  
Portland State University  
P.O. Box 751  
Portland, O R 97207

Dear Ms Leighton:

Enclosed are copies of Ordinances No. 1149 and 1152 and a city map outlining new boundaries for the City of Hermiston by two recent annexations.

Sincerely,

(Mrs.) Pat Wheelhouse  
Executive Secretary

Enclosures

August 7, 1978

Mr. Lloyd Cooke, Chief Clerk  
Public Records  
Office of the Secretary of State  
Salem, OR 97310

Dear Mr. Cooke:

Enclosed are copies of all documents relating to two recent annexations to the City of Hermiston.

Sincerely,

(Mrs.) Pat Wheelhouse  
Executive Secretary

Enclosures

STATE OF OREGON            )  
County of Umatilla        )  ss.  
City of Hermiston        )

I, L. T. Harper, duly appointed, qualified and acting city manager for the City of Hermiston, Umatilla County, Oregon, being first duly sworn, upon oath depose and say,

That the attached documents, as listed below, are true and exact copies of the originals which are a part of the records of this office:

Consent to Annexation, Ordinance No. 1137, Notice of Public Hearing, Affidavit of Posting Notice of Hearing, Affidavit of Publication of Notice of Hearing, Ordinance No. 1149, Proclamation, Affidavit of Posting Proclamation.

---

City Manager

Subscribed and sworn to before me this 7th day of August, 1978.

---

Notary Public for Oregon  
My Commission Expires 5/25/81

To: Recording Department, County Clerk's Office  
From: Pat Wheelhouse, Executive Secretary  
Date: July 19, 1978

Please record the enclosed ordinance #1149 which  
annexes land into the city and return to this office.

A check for \$3.00 is also enclosed.

Thanks.

Enclosures 2

A F F I D A V I T

STATE OF OREGON )  
County of Umatilla ) ss.  
City of Hermiston )

I, Robert D. Irby, being first duly sworn, upon oath, depose and say that I am the duly appointed, qualified and acting City Recorder of the City of Hermiston, Umatilla County, Oregon,

That on the 11th day of July, 1978, I did post one of the attached notices of proclamation of annexation (disposal plant site) in each of the following places in the City of Hermiston, Umatilla County, Oregon, to-wit:

City Hall, Post Office, Library, Civic Recreation Center, Public Safety Center all in the City of Hermiston, County of Umatilla, State of Oregon.

Each of said notices so posted by me aforesaid was posted at a height of approximately five feet from the ground, tacked to its supporting surface so as to display the typewritten matter on said notice; and each of said notices was so posted as to be easily seen and read by the public and at places in said City where the public is accustomed to see and read public notices of similar character.

That all of said notices were posted by me on the 11th day of July, 1978.

Robert D. Irby  
Robert D. Irby  
City Recorder

Subscribed and sworn to before me this 11th day of July, 1978.

Patricia J. Thulhouse  
Notary Public for Oregon  
My Commission Expires: 5/25/81

P R O C L A M A T I O N

IT IS HEREBY PROCLAIMED that at the regular meeting of July 10, 1978, the City Council of the City of Hermiston, Umatilla County, Oregon, did by unanimous vote annex the following described property to the City of Hermiston, to-wit:

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4 North, Range 28, E.W.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon.

IT IS FURTHER PROCLAIMED that copies of this Proclamation be posted in four (4) places in the City of Hermiston for the next two weeks.

DATED AT HERMISTON, OREGON, this 10th day of July, 1978.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY RECORDER

ORDINANCE NO. 1150

AN ORDINANCE WITHDRAWING CERTAIN LANDS FROM THE HERMISTON RURAL FIRE DISTRICT DUE TO ANNEXATION TO THE CITY OF HERMISTON, AND DECLARING AN EMERGENCY.

WHEREAS, ORS 222.520 requires a public hearing for the withdrawal of newly annexed land from special districts, and

WHEREAS, a public hearing was held on June 26, 1978, at the hour of 8:10 pm, on the question of withdrawal of certain lands from the Hermiston Rural Fire District, and

WHEREAS, no objections were received on the question of said withdrawal, now therefore THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

SECTION 1. That the following described property be withdrawn from the Hermiston Rural Fire District due to annexation of said lands into the City of Hermiston:

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4 North, Range 28, E.E.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon.

SECTION 2. Inasmuch as the health and safety of the City of Hermiston and its inhabitants are affected by this withdrawal it is necessary that this ordinance go into effect at once and an emergency is hereby declared to and does exist, and this ordinance shall be in full force and effect from and after its passage by a unanimous vote of all councilmen present at the meeting upon which said ordinance is adopted.

PASSED unanimously by the Common Council this 10th day of July, 1978.  
APPROVED by the Mayor this 10th day of July, 1978.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY RECORDER

ORDINANCE NO. 1149

AN ORDINANCE DECLARING CERTAIN LAND TO BE ANNEXED TO THE CITY OF HERMISTON, OUTLINING THE NEW BOUNDARIES AND DESCRIBING SAID PROPERTY AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Hermiston did propose by Ordinance No. 1137 to annex certain property hereinafter described to the City of Hermiston and did dispense with an election within the City of Hermiston on the question of the annexation of said property and called for a public hearing at the City Hall, Hermiston, Oregon, on June 26, 1978, at 8:10 pm, and did direct that the city recorder publish notice in the Hermiston Herald on June 15 and June 22, 1978 and to post "Notice of Public Hearing" in four (4) places in the city as required by law, and

WHEREAS, one-half of the owners who also own at least one-half of the land representing at least one-half of the assessed valuation have filed a statement in writing of "Consent to Annexation" with the city council to annex the described property to the City of Hermiston, and

WHEREAS, the county assessor has provided a statement of assessed valuation within 20 days after passage of Ordinance No. 1137, which ordinance proposed annexation of the described property to the City of Hermiston, and

WHEREAS, the City Council of the City of Hermiston did hold a public hearing at the City Hall, Hermiston, Oregon, on June 26, 1978, at 8:10 pm, and at said hearing no objections or remonstrances were received; and, whereas, the City Charter of the City of Hermiston has no prohibition against annexation of further territory,

IT IS HEREBY ORDAINED that the following described property be and the same is annexed to the City of Hermiston, to-wit:

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4. North, Range 28, E.W.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon.

IT IS FURTHER ORDAINED that the city recorder promptly transmit a record of annexation proceedings to the Secretary of State and to notify the County Clerk and County Assessor of Umatilla County of the change in boundary.

INASMUCH as it is necessary for the welfare and prosperity of the City of Hermiston that the above described property be annexed to the City of Hermiston, an emergency is hereby declared to exist, and this ordinance is and shall take effect from its unanimous passage by the council and approval by the mayor.

PASSED unanimously by the Common Council this 10th day of July, 1978.  
APPROVED by the Mayor this 10th day of July, 1978.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY RECORDER

ORDINANCE NO. 1148

AN ORDINANCE AMENDING THE CITY COMPREHENSIVE PLAN, DESIGNATING ZONING AND DECLARING AN EMERGENCY.

WHEREAS, the City Council did receive a request to annex certain lands, and

WHEREAS, the City Planning Commission did recommend to the City Council that said lands be zoned R-1 (low density residential), and

WHEREAS, the City Council did hold a public hearing on June 26, 1978, on the question of annexation of said property to the City of Hermiston, amendment of the City Comprehensive Plan and to establish said land area as R-1 (low density residential), in accordance with legal requirements, and

WHEREAS, the zone designation is in conformance with the statewide planning goals and guidelines as it provides for an orderly and efficient transition from rural urban to city urban land use,

THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

SECTION 1. That the following described land area be added to the City Comprehensive Land Use Plan Map and designated as "Low Density" Residential and that the City Zoning Map be extended to include said area as R-1 (low density residential zone):

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4 North, Range 28, E.W.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon.

SECTION 2. Inasmuch as it is necessary for the health, safety, comfort and convenience of the people of the City of Hermiston that this ordinance have immediate effect, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage by the council and approval by the mayor.

PASSED by the Common Council this 10th day of July, 1978.

APPROVED by the Mayor this 10th day of July, 1978.

  
MAYOR

ATTEST:

  
CITY RECORDER



*FINDING OF FACT*

*Annexation of City-Owned Disposal Plant Site  
July 10, 1978*

- 1. The land area is adjacent to the existing city limits and is municipally owned.*
- 2. The land area lies within the urban boundary of the City Comprehensive Plan.*
- 3. It complies with the general growth pattern of the city.*

read by title only. Councilman Campbell moved and Councilman Buchanan seconded that Ordinance No. 1146 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously.

Ordinance No. 1147 - assessment, View Drive sewer #2 lateral #117 (LID 209) - was read in full for its first reading. Councilman Kaminga moved and Councilman Campbell seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Buchanan moved and Councilman Kaminga seconded that Ordinance No. 1147 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously. Ord. 1147

Ordinance No. 1148 - amend comprehensive plan, establish zone (disposal plant site) - was read in full for its first reading. Councilman Campbell moved and Councilman Corum seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Neuffer moved and Councilman Campbell seconded that Ordinance No. 1148 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously. Ord. 1148

Ordinance No. 1149 - annex land to city (disposal plant site) - was read in full for its first reading. Councilman Corum moved and Councilman Kaminga seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Buchanan moved and Councilman Kaminga seconded that Ordinance No. 1149 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously. Ord. 1149

Ordinance No. 1150 - withdraw annexed area from rural fire district (disposal plant site) - was read in full for its first reading. Councilman Kaminga moved and Councilman Buchanan seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Schroth moved and Councilman Corum seconded that Ordinance No. 1150 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously. Ord. 1150

The proclamation annexing City-owned land (disposal plant site) to the city was read. Annex. Procl.

Councilman Harkenrider moved and Councilman Campbell seconded to allow the following payments to STR for professional services in connection with the sewer improvement: 4th partial for west side pump station design for \$1,181.64; 6th partial for sewage treatment plant design for \$32,502.60; 21st partial for sewer system evaluation survey for \$860; 7th partial for design of interceptor sewers 1, 3B and 5 for \$22,492; 6th partial for sewage treatment plant, west side pump station and interceptor option "D" design survey for \$4,790; 2nd partial for easements for \$964.72; total payment \$62,790.96. Motion carried unanimously. STR Pays Sewer Improve.

Councilman Campbell moved and Councilman Corum seconded to allow the 4th partial payment to Hughes-Sillers for work on Schedule "P" of the well #5 project for \$95,861.30. Motion carried unanimously. Hughes-Sillers 4th PP

In other council business, Councilman Corum reported on a complaint he received about blowing dust behind the J & J Market due to housing construction there. The building inspector will contact the contractor.....Councilman Schroth reminded the council of the Amtrak hearing at 9:00 am Friday in Pendleton and commented that the sign at the airport road entrance is not conducive to the facilities. The city manager reported that new signs are being built and will be installed in the near future.....Mayor Gray read a letter of appreciation from Chris Walk, Region X director of the FAA, regarding the improvements at the Hermiston Municipal Airport.....Councilman Campbell reported that N.E. 7th Street north of Sunset Avenue has not been opened and passable because of the development of the subdivision in that area. It has been closed for nearly a year, and the residents have had to put up with blowing dust for some time. The city engineer will contact the contractor tomorrow.

Councilman Corum moved and Councilman Neuffer seconded to allow payment of May expenditures: \$84,207.81 General, \$13,925.52 Street, \$1,867.54 Revenue Sharing, \$7,824.09 Sewer, \$12,410.83 Water, \$24,845.99 Bancroft, \$6,773.75 Airport Improvement, \$45,385.64 Water Improvement, \$17,363.98 Anti-Recession, \$50,358.67 Sewer Improvement, \$264,963.82 Total. Motion carried unanimously. May Exp.

The finding of fact on the annexation of City-owned land (disposal plant site) was read. Find/Fact  
Disp. Plant  
Annex.

1. The land area is adjacent to the existing city limits and is municipally owned.
2. The land area lies within the urban boundary of the City comprehensive plan.
3. It complies with the general growth pattern of the city.

Councilman Campbell moved and Councilman Harkenrider seconded to accept the finding of fact. Motion carried unanimously.

Councilman Harkenrider moved and Councilman Buchanan seconded to approve the May budget summary report for filing. Motion carried unanimously. May Budg.  
Summary

Resolution No. 769 - call for feasibility report on land acquisition for Westview Park - was read in full. Councilman Kaminga moved and Councilman Harkenrider seconded that the resolution be approved and laid upon the record. Motion carried unanimously. It was reported the total acquisition cost for the property would be \$15,000 or \$3.91 a property front foot. Res. 769

Resolution No. 770 - accept feasibility report, call for hearing July 24 on land acquisition for Westview Park (LID 211) - was read in full. Councilman Neuffer moved and Councilman Corum seconded that the resolution be approved and laid upon the record. Motion carried unanimously. Res. 770

Ordinance No. 1142 - assessment, E. Pine Avenue paving from 7th to 8th (LID 194) - was read in full for its first reading. Councilman Corum moved and Councilman Campbell seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Neuffer moved and Councilman Harkenrider seconded that Ordinance No. 1142 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously. Ord. 1142

Ordinance No. 1143 - assessment, S.E. 8th Street paving (LID 200) - was read in full for its first reading. Councilman Kaminga moved and Councilman Campbell seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Campbell moved and Councilman Buchanan seconded that Ordinance No. 1143 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously. Ord. 1143

Ordinance No. 1144 - assessment, N.E. 4th Street curb/gutter/sidewalk (LID 205) - was read in full for its first reading. Councilman Corum moved and Councilman Campbell seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Kaminga moved and Councilman Neuffer seconded that Ordinance No. 1144 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously. Ord. 1144

Ordinance No. 1145 - assessment, E. Pine Avenue paving from 8th to 9th (LID 206) - was read in full for its first reading. Councilman Buchanan moved and Councilman Campbell seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Campbell moved and Councilman Kaminga seconded that Ordinance No. 1145 be passed by emergency as read in full. 7 votes for, none against; motion carried unanimously. Ord. 1145

Ordinance No. 1146 - assessment, Sagebrush Plaza sidewalks (LID 207) - was read in full for its first reading. Councilman Corum moved and Councilman Buchanan seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was Ord. 1146

HERMISTON CITY COUNCIL

Regular Meeting

June 26, 1978

Mayor Gray called the regular meeting to order with Councilmen Neuffer, Corum, Campbell, Harkenrider and Kaminga answering roll call. Councilman Schroth arrived at 8:09 pm. The pledge of allegiance was given.

Councilman Neuffer moved and Councilman Corum seconded that minutes of the June 12 regular and June 21 special meetings be approved for filing. Motion carried unanimously.

Minutes

At 8:00 pm the mayor opened a hearing on the vacation of a portion of alley located in Block B, Hermiston Orchards Addition from Diagonal Boulevard southeast and east to the southeast corner of Lot 4 in Block B of said addition. The administration received no written or verbal communications regarding the vacation, and no one in the audience remonstrated. The hearing was closed at 8:03 pm.

Vacation Hearing

Gay Van Schoiack filed an appeal on the planning commission's decision of June 14 to allow for a variance to exceed the 35% lot coverage requirement and also to allow for a reduction in the rear yard requirement from 25 feet to 16 feet for the construction of single family and duplex dwelling units to be located on Lots 1 through 6 in Block C of Morningside Tracts Addition (north side of E. Cherry Avenue from N.E. McNary to N.E. 4th Streets). Councilman Campbell is opposed to small lots because he feels the children have no place to play except in the neighbors' yards. City Manager Harper reviewed the variance request and asked who will be responsible for the costs in calling for the appeal hearing. Following further discussion, Councilman Harkenrider moved and Councilman Campbell seconded that the City pay the hearing costs. Motion carried unanimously. The hearing will be scheduled for the regular city council meeting of July 10.

Appeal to Variance Filed

The hearing on the annexation of City-owned property where the present sewage disposal plant is located was opened at 8:22 pm. There were no written or verbal communications received, and no one in the audience had any input. The hearing was closed at 8:25 pm.

Annex. Hear. Sewer Plant Site

Councilman Harkenrider moved and Councilman Campbell seconded that minutes of the June 14 planning commission meeting be approved for filing. Motion carried unanimously.

PC Minutes

The planning commission made the following recommendations:

PC Recommend.  
Randall Rezon.

--That Gib Randall's property described as Code 8-1 4N28 09DA Tax Lot 4800 and located west of his commercial property on S.W. 11th and W. Orchard be rezoned from R-4 to C-2. Councilman Harkenrider moved and Councilman Corum seconded to accept the recommendation. Motion carried unanimously.

--That the city council call for an annexation hearing on Vengelen & Vincent's property located on S.W. 11th Street south of Sunland Estates Addition and the R-3/M-1 PUD zoning designation be approved. City Manager Harper reviewed the street plan. Councilman Kaminga moved and Councilman Harkenrider seconded to accept the recommendation. Motion carried unanimously.

V & V Annex.

--That a joint hearing be called to consider rezoning Hal Block's property from R-1 to a residential planned unit development. Councilman Kaminga moved and Councilman Campbell seconded to accept the recommendation. Motion carried unanimously.

Block Rezon. Request

The finding of fact on the Randall rezoning was presented.

Randall Rezon. Find/Fact

1. The property is adjacent to existing commercial property.
2. It would be consistent with the orderly expansion of commercial zoned land.
3. Consideration should be given to small expansions of neighborhood shopping areas to meet the needs of the immediate area.
4. There was no opposition to the zone change at the public hearing.

Councilman Harkenrider moved and Councilman Kaminga seconded to accept the finding of fact. Motion carried unanimously.

# UMATILLA COUNTY ASSESSOR

JAMES T. WHITE, SR.

COUNTY COURTHOUSE  
PENDLETON, OREGON 97801

TELEPHONE 276-7111  
EXTENSION 255

June 19, 1978

City of Hermiston  
295 East Main Street  
Hermiston, Oregon 97838

Attention: Mrs. Pat Wheelhouse, Executive Secretary

Gentlemen:

Your letter of June 13, 1978 requests the assessed evaluation of property owned by the City, which has been proposed of annexation.

This particular property, under City ownership, happens to be exempt and is so carried on the assessment roll. We, therefore, cannot comply with your request.

The annexation of this tract would not increase the tax base for the City of Hermiston, due to its exempt status.

If you have any question in this matter, please call on us.

Very truly yours,

*James T. White*

James T. White

wp

June 13, 1978

Mr. Ted White, Assessor  
Umatilla County Courthouse  
Pendleton, OR 97801

Dear Mr. White:

Please send the assessed evaluation for the property owned by the City which has been proposed for annexation. This is the location of the City's sewage treatment plant.

The description is attached to the enclosed map. The hearing on the annexation will be held at the regular city council meeting of June 26.

Thanks.

Sincerely,

(Mrs.) Pat Wheelhouse  
Executive Secretary

Enclosure

A F F I D A V I T

STATE OF OREGON        )  
County of Umatilla    ) ss.  
City of Hermiston     )

I, Robert D. Irby, being first duly sworn, upon oath, depose and say that I am the duly appointed, qualified and acting City Recorder of the City of Hermiston, Umatilla County, Oregon.

That on the 15th day of June, 1978, I did post one of the attached notices of public hearing (Annexation of disposal plant property) in each of the following places in the City of Hermiston, Umatilla County, Oregon, to-wit:

City Hall, Post Office, Library, Civic Recreation Center, Public Safety Center all in the City of Hermiston, County of Umatilla, State of Oregon.

Each of said notices so posted by me aforesaid was posted at a height of approximately five feet from the ground, tacked to its supporting surface so as to display the typewritten matter on said notice; and each of said notices was so posted as to be easily seen and read by the public and at places in said City where the public is accustomed to see and read public notices of similar character.

That all of said notices were posted by me on the 15th day of June, 1978.

  
\_\_\_\_\_  
Robert D. Irby  
City Recorder

Subscribed and sworn to before me this 15th day of June, 1978.

  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 5/25/81

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Hermiston will hold a public hearing on June 26, 1978, at 8:10 pm in the council chambers of the City Hall, City of Hermiston, on the proposed annexation to the City of Hermiston, withdrawal from the Hermiston Rural Fire District, and amendment of the City Comprehensive Plan Land Use Map and zoning designation of the following described property, to-wit:

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4 North, Range 28, E.W.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon.

The above described land area shall be added to the City Comprehensive Land Use Plan Map and designated as "Low Density" Residential (R-1, low density residential zone).

The legal voters of the City of Hermiston may appear and be heard on the question of the annexation of said property.

DATED this 15th day of June, 1978.

  
\_\_\_\_\_  
City Recorder (Robert D. Irby)

Publish: June 15 & 22, 1978

**NOTICE OF  
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the City Council of the City of Hermiston will hold a public hearing on June 26, 1978, at 8:10 p.m. in the council chambers of the City Hall, City of Hermiston, on the proposed annexation to the City of Hermiston, withdrawal from the Hermiston Rural Fire District, and amendment of the City Comprehensive Plan Land Use Map and zoning designation of the following described property, to-wit:

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4 North, Range 28, E.W.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon.

The above described land area shall be added to the City Comprehensive Land Use Plan Map and designated as "Low Density" Residential (R-1, low density residential zone).

The legal voters of the City of Hermiston may appear and be heard on the question of the annexation of said property.

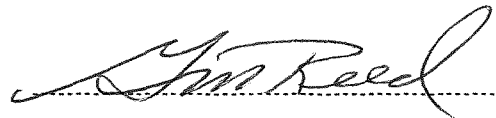
DATED this 15th day of June, 1978.

/s/ Robert D. Irby  
City Recorder  
Pub: June 15 & 22, 1978

**AFFIDAVIT OF PUBLICATION**

State of Oregon )  
County of Umatilla ) ss.

I, G.M. REED, being first duly sworn, depose and say that I am the publisher of The Hermiston Herald, a newspaper of general circulation, as defined by sections ORS 193.010 and 193.020, Oregon Compiled Laws Annotated; printed and published at Hermiston in the aforesaid county and state; that the Notice of public hearing on annexation to the city of Hermiston, and withdrawal from the Hermiston Rural Fire District, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 successive and consecutive weeks in the following issues: June 15, 1978 and June 22, 1978



Subscribed and sworn to before me this 22nd day of June, 1978.



Notary Public for Oregon

My commission expires May 22, 1981

ORDINANCE NO. 1137

AN ORDINANCE PROPOSING TO ANNEX NEW TERRITORY TO THE CITY OF HERMISTON, WITHDRAWING SAID TERRITORY FROM THE HERMISTON RURAL FIRE DISTRICT, DISPENSING WITH AN ELECTION AND CALLING FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION AND WITHDRAWAL AND AMENDING THE CITY COMPREHENSIVE PLAN LAND USE MAP AND ESTABLISHING LAND ZONING; DIRECTING THAT NOTICE OF HEARING BE PUBLISHED AND POSTED AS REQUIRED BY LAW; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council did receive a written statement of "Consent to Annexation" for certain lands adjacent to the city limits and is now calling for an annexation hearing and withdrawal from the Hermiston Rural Fire District of the following described property into the City of Hermiston, Umatilla County, Oregon, to-wit:

Beginning at the southeast corner of the north half of the northwest quarter of the southeast quarter of Section 9, Township 4 North, Range 28, E.W.M.; thence north on the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence west on a line parallel to the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet; thence south on a line parallel to the north-south centerline of the southeast quarter of said Section 9, 330 feet; thence east on the south boundary of said north half of the northwest quarter of the southeast quarter, 330 feet to the point of beginning; All being east of the Willamette Meridian in the County of Umatilla and State of Oregon,

and

WHEREAS, ORS 222.120 provides that the City may, by ordinance, dispense with an election and call for a public hearing, and

WHEREAS, the Charter of the City of Hermiston does not prohibit dispensing with an election and calling for such public hearing on the question of annexation, and

WHEREAS, ORS 222.520 requires a public hearing for the withdrawal of newly annexed land from special districts, and

WHEREAS, the City's Comprehensive Plan and Zoning Ordinance allow for amendment by the city council,

THE CITY OF HERMISTON DOES ORDAIN AS FOLLOWS:

SECTION 1. The above described property be proposed for annexation, withdrawal from the Hermiston Rural Fire District, and the City Comprehensive Plan be amended by the addition thereof and the land area to be designated as R-1 (low density residential).

SECTION 2. An election on the question of annexation of the above described property shall be dispensed with, and a public hearing shall be held before the City Council at the regular meeting on June 26, 1978, at the hour of 8:10 pm at which time the legal voters of the city may appear and be heard on this question.

SECTION 3. The City Recorder shall cause to be published a Notice of Hearing in the Hermiston Herald on June 15 and 22, 1978, and that the recorder shall also cause the Notice of Hearing to be posted in four (4) public places during this time.

SECTION 4. Inasmuch as the health and safety of the City of Hermiston and its inhabitants are affected by the annexation, withdrawal and change in the Comprehensive Land Use Plan Map of the herein described property, it is necessary that this ordinance go into effect at once, and an emergency is hereby declared to and does exist, and this ordinance shall be in full force and effect from and after its passage by a unanimous vote of all councilmen present at the meeting upon which said ordinance is adopted.

PASSED by the unanimous vote of the Council this 12th day of June, 1978.

APPROVED by the Mayor this 12th day of June, 1978.

ATTEST:

MAYOR

CITY RECORDER

Councilman Harkenrider moved and Councilman Neuffer seconded that minutes of the June 5 airport advisory committee meeting be approved for filing. Motion carried unanimously.

Airport  
Minutes

Councilman Neuffer moved and Councilman Harkenrider seconded that minutes of the May 31 special planning commission meeting be approved for filing. Motion carried unanimously.

PC Minutes

Councilman Harkenrider moved and Councilman Corum seconded that minutes of the June 2 library board meeting be approved for filing. Motion carried unanimously.

Library Bd  
Minutes

Discussion was opened on the county fair board's request to have a loading zone or handicapped parking area on Orchard Avenue. Councilman Harkenrider felt there is plenty of room on the fairgrounds to provide parking for the handicapped. When he was at the fair office, the manager was not there but was asked to communicate with him later. However, contact has not been made so far. Councilman Neuffer agreed that if a place is to be provided it should be on the fairgrounds. Councilman Crane suggested tabling action until the next meeting to allow time to communicate with the fair manager. Mayor Gray asked that this item be placed on the next agenda.

Fairgrounds  
Spec. Park.

Linda Blinn was present to discuss the request for funds to help establish a community theater. She reported they have been able to adjust their budget to \$450. She also announced their first show will open this Saturday at the junior high school. Mayor Gray advised that the 1978-79 budget is already put together and will be voted on on June 20. Councilman Crane thought the council's authorization of this expenditure may open the way for other groups to ask for donations. City Manager Harper said there is \$4,000 in the contingent fund for the present budget and also \$6,000 contingent funds in the proposed budget from which the council could authorize this expenditure. Councilman Neuffer said this is an activity the community needs and that the council should support the effort. Councilman Corum concurred. Councilman Buchanan moved and Councilman Neuffer seconded to allow this expenditure of \$450 from the contingent fund of the current budget. Motion carried unanimously.

Community  
Theater

Ordinance No. 1135 - E. Pine water main construction (LID 210) - was read in full for its first reading. Councilman Neuffer moved and Councilman Corum seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Buchanan moved and Councilman Crane seconded that Ordinance No. 1135 be passed by emergency as read in full. 6 votes for, none against; motion carried unanimously.

Ord. 1135

Ordinance No. 1136 - create and establish fire zones (repeals #614, 693 and 725) - was read in full for its first reading. City Manager Harper explained the City's present fire zoning ordinance and the reasons the City administration feels there should be a change. Councilman Crane moved and Councilman Neuffer seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Crane moved and Councilman Buchanan seconded that Ordinance No. 1136 be passed by emergency as read in full. 6 votes for, none against; motion carried unanimously.

Ord. 1136

Ordinance No. 1137 - initiate procedure to annex land (City-owned disposal plant site) - was read in full for its first reading. Councilman Campbell moved and Councilman Harkenrider seconded that the ordinance be passed to its second reading by title only. Motion carried unanimously. The ordinance was read by title only. Councilman Buchanan moved and Councilman Harkenrider seconded that Ordinance No. 1137 be passed by emergency as read in full. 6 votes for, none against; motion carried unanimously.

X Ord. 1137

Liquor license applications were presented for a Class "A" license for the Creamery Restaurant (different class license for an established business) and for Gib's Longhorn Tavern (established business incorporating). Councilman Harkenrider moved and Councilman Buchanan seconded to approve the two applications. Motion carried unanimously.

Liq. Lic. Aps

HERMISTON CITY COUNCIL

Regular Meeting

June 12, 1978

Mayor Gray called the regular meeting to order with Councilmen Crane, Neuffer, Corum, Campbell, Harkenrider and Buchanan answering roll call. Present for a joint hearing were Planning Commissioners D. Davis, Gray, Edwards and Harmon. The pledge of allegiance was given.

Councilman Neuffer moved and Councilman Corum seconded that minutes of the May 22 regular and June 5 special meetings be approved for filing. Motion carried unanimously.

Minutes

At 8:00 pm Mayor Gray opened a joint public hearing of the city council and planning commission on the question of amending the City comprehensive plan from "Multi-Structure Residential Use" to an "Outlying Commercial Use" and a change in the zoning map from R-4 to C-2 for property described as Code 8-1 4N28 09DA Tax Lot 4800. Gilbert Randall owns the property which is located west of and adjacent to his commercial property at S.W. 11th Street and Orchard Avenue. Mr. Randall plans to build a new tavern and will need part of Tax Lot 4800 as well as the site of the existing tavern. No one in the audience remonstrated, and no communications were received prior to the hearing. The hearing was closed at 8:02 pm.

Randall  
Rezoning

Later in the meeting the owners of the property at 1160 W. Poplar Avenue arrived, stating they had been delayed at the hospital. They asked several questions about the exact location of the property to be rezoned and if it would affect their property. When they were informed their property was not adjoining, they did not remonstrate.

A petition signed by 53% of the property owners was presented to acquire land for park purposes in Westview Estates Addition. Councilman Buchanan moved and Councilman Harkenrider seconded to call for a hearing. Motion carried unanimously.

Westview Pk  
Acquisition

A request was received for stop signs to be installed on S.W. 4th Street and W. Moore Avenue. Councilman Neuffer felt a stop sign on S.W. 4th is justified, but not on Moore Avenue. Councilman Harkenrider felt stop signs were needed on both streets to slow the traffic on Moore Avenue. Councilman Crane thought if a stop sign is placed on Moore then stop signs should also be installed on Laird and McKenzie at their intersection with S.W. 4th. Councilman Harkenrider moved and Councilman Buchanan seconded to table the matter until the next meeting. Motion carried unanimously.

Request for  
Stop Signs  
SW 4th/Moore

Vengelen & Vincent Co., Inc. requested that 5 acres of land located on the west side of S.W. 11th Street south and adjacent to Sunland Estates Addition, a R-4 subdivision, <sup>be annexed</sup> Councilman Harkenrider moved and Councilman Crane seconded to refer the proposed zone designation, R-3/M-1 PUD, to the planning commission. Motion carried unanimously.

V & V Request  
for Annex.

A letter was read from the State Department of Agriculture stating they have started spraying pine trees in the community for control of the European pine moth again this year.

Pine Moth  
Spraying

A written request was presented from the Hermiston Elks to hold their 4th of July barbecue in the parking lot west of the lodge building and to use the alley to get the food from the kitchen to the lot. This same request was approved last year. Councilman Harkenrider moved and Councilman Campbell seconded to approve the request. Motion carried unanimously.

Elks Barbecue  
Parking Lot

H. N. Block requested that his R-1 subdivision, South Hill Addition, located on the east side of Experiment Station Road (S. First Street) be rezoned to a residential PUD. It was pointed out that water and sewer are not available to this property at this time.

Block Rezone  
Request

Councilman Crane moved and Councilman Harkenrider seconded to refer the request to the planning commission. Motion carried unanimously.

City Manager Harper stated the the present sewage disposal plant site is now adjacent to the city limits, and it would be beneficial to have this city property under the City's jurisdiction. The council directed that action be taken under item 8(d) on the agenda.

Annex Disp.  
Plant Site