

AN ORDINANCE TO WITHDRAW CERTAIN TERRITORY THAT WAS ERRONEOUSLY INCLUDED IN THE HEALTH HAZARD ANNEXATION OF THE FOSTER-MIDWAY AREA, AND DECLARING AN EMERGENCY.

Whereas, the Health Division of the Oregon State Department of Human Resources determined that a danger to public health exists in a certain area known as the Foster-Midway area; and

Whereas, in accordance with the health hazards annexation law of the State of Oregon, Oregon Revised Statutes 222.850 to 222.915, the City of Sweet Home annexed the said Foster-Midway area by Ordinance No. 674, passed and approved on December 28, 1976; and

Whereas, there was erroneously included in the area that the Health Division found to have conditions evidencing a danger to public health, and therefore, erroneously included in the area annexed by said Ordinance No. 674, the territory described as follows:

Government Lot 4 in Section 26, Township 13 South,
Range 1 East of the Willamette Meridian, Linn County,
Oregon.

Whereas, the owners of all of the real property in the said territory hereinabove described have petitioned the Council of the City of Sweet Home to withdraw said territory from the City of Sweet Home; and

Whereas, the said territory was annexed under said Ordinance No. 674 less than nine months ago; and

Whereas, the Administrator of the Health Division has given his written consent to the withdrawal of the said territory from the City of Sweet Home; and

Whereas, no sanitary, water or other facilities have been provided by the City of Sweet Home in the said territory to remove or alleviate a danger to public health under Oregon Revised Statutes 222.850 to 222.915; now therefore,

THE CITY OF SWEET HOME DOES ORDAIN:

Section 1. Territory Withdrawn. The territory described below is hereby withdrawn from the City of Sweet Home in accordance with ~~1977 Oregon Laws, Chapter 229~~ ^{1977 Oregon Laws, Chapter 229}, which has been enacted and added to and made a part of Oregon Revised Statutes 222.850 to 222.915; and said territory is described as follows:

Government Lot 4 in Section 26, Township 13 South,
Range 1 East of the Willamette Meridian, Linn County,
Oregon.

Section 2. Record. The city recorder shall file with the Secretary of State of Oregon a copy of this ordinance, a copy of the consent of the Administrator of the Health Division, and a copy of the petition of the owners of the real property in the said territory, requesting that it be withdrawn from the City of Sweet Home. The City of Sweet Home shall also file a copy of this ordinance, which contains the legal description of the territory to be withdrawn,

and an accurate map of the territory to be withdrawn, with the Linn County Assessor and also with the Department of Revenue, State of Oregon. The city recorder shall also file a copy of this ordinance with the Linn County Clerk.

Section 3. Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 29 day of June, 1977.



Mayor

ATTEST:



City Manager