

ORDINANCE BILL NO. 31 FOR 1980

ORDINANCE NO. 813

AN ORDINANCE INITIATING AN AMENDMENT TO THE SWEET HOME ZONING MAP OF 1974, SAID MAP BEING A PART OF ORDINANCE NO. 644 AND DECLARING AN EMERGENCY.

WHEREAS, the City Council in accordance with Ordinance No. 644, an ordinance regulating the use of land and structures in the City of Sweet Home; and establishing zones for that purpose under Article 3, Section 3.010 hereby initiates an amendment to the Sweet Home Zoning Map of 1974, said map being a part of Ordinance No. 644.

WHEREAS, the Planning Commission of the City of Sweet Home has considered this matter in a public hearing as provided by law and has recommended to the City Council that this zoning amendment be made as hereinafter provided; the City Council has held a public hearing on this matter on September 23, 1980;

The City Council hereby finds that the proposed zoning amendment conforms with the Comprehensive Plan of the City of Sweet Home.

NOW, THEREFORE, THE CITY OF SWEET HOME DOES ORDAIN:

Section 1. The Sweet Home zoning map of 1974, said map being a part of Ordinance No. 644, is hereby amended to change the zoning of the real property situated in the City of Sweet Home, Linn County, Oregon which is now designated by the Linn County Assessor as Tax Lot 5800, Map No. 13-1E-29, and which is more particularly described as follows:

The following described real property located on the North side of the South Santiam Highway, in Section 29, Township 13 South, Range 1 East of the Willamette Meridian, in Linn County, Oregon, and more particularly described as follows, to-wit: Beginning at a 3/4 inch iron rod in the South line of and North 89° 55' West 3.431 chains from the Southeast corner of Section 29, Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon, and running thence North 0° 11' West 6.212 chains to a one inch pipe; thence North 89° 48' East 4.165 chains to a 1/2 inch pipe; thence South 0° 11' East 9.646 chains to the North line of the Santiam Highway and a 1/2 inch pipe thence South 76° 53' West 1.185 chains along said highway line to a 1/2 inch pipe; thence North 39° 20' West 4.769 chains to the point of beginning. ALSO, commencing at a point marked by a 3/4 inch rod 48 inches long, which is North 89° 55' West, a distance of 226.05 feet from the Northeast corner of Section 32, Township 13 South, Range 1 East of the Willamette Meridian, Oregon, and running thence South 39° 20' East a distance of 4.769 chains, more or less, to a 1/2 inch by 18 inch iron pipe on the Northerly right of way line of the South Santiam State Highway; thence South 76° 53' West along the said Northerly line of said highway a distance of 185.06 feet to a 3/4 inch by 18 inch iron pipe; thence North 20° 19' East 4.603 chains to a 1/2 inch by 18 inch iron pipe; thence South 89° 55' East, a distance of 84.94 feet to the point of beginning. EXCEPTING therefrom, Beginning at the Southwesterly corner of the tract hereinabove described; thence

North 20° 19' West along the Westerly line of said tract a distance of 30 feet to an iron stake; thence North 76° 53' East parallel to the Northerly right of way line of the said South Santiam State Highway, a distance of 30 feet to an iron peg; thence South 20° 19' East parallel to the Westerly boundary line of the tract above described, a distance of 30 feet to an iron peg on the Northerly line of said South Santiam Highway; thence Southerly along said line a distance of 30 feet to the point of beginning, ALSO, Beginning at a point on the South line of Section 29, Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon, which point is North 89° 55' West 226.05 feet from the Southeast corner of said Section 29, and thence North 89° 55' West, a distance of 189.84 feet; thence North 57° 22' West a distance of 193.50 feet; thence North 61° 13' East a distance of 129.73 feet; thence North 34° 34' West a distance of 102.00 feet; thence North 80° 12' East a distance of 307.00 feet; thence South 0° 11' East 302.40 feet to the point of beginning, all lying in said Section 29, Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon. EXCEPT that portion conveyed to the State of Oregon by Deed recorded April 14, 1953, in Deed Book 231, page 798. ALSO EXCEPT that portion conveyed to Everett E. Mack, et ux, by deed recorded March 30, 1966, in Deed Book 315, page 848. AND EXCEPT that portion condemned for highway purposes under Linn County Case File No. 35019. SAVE AND EXCEPT that portion of the above described tract of land lying within the boundaries of public roads and highways.

Section 2. The said property is hereby rezoned from R-1, Single Family Residential to C-2, Highway Commercial.

Section 3. WHEREAS, it is necessary, and it is for the interest and benefit of the City that this ordinance become effective immediately, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect after the passage by the Council and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 7<sup>TH</sup> day of October, 1980.

  
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Mayor

ATTEST:

  
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City Manager - Ex-officio City Recorder