

ORDINANCE BILL NO. 6 FOR 2001

ORDINANCE NO. 1140

AN ORDINANCE ANNEXING TERRITORY WITHIN THE URBAN GROWTH BOUNDARY AND AMENDING THE SWEET HOME ZONING MAP, SAID MAP BEING A PART OF ORDINANCE NO. 906.

WHEREAS, the Planning Commission of the City of Sweet Home has considered these matters in a public hearing held on September 10, 2001, as provided by law, and has recommended to the City Council that the Annexation and Zoning Map amendment be approved as hereinafter provided; and

WHEREAS, the City Council held a public hearing on this matter on September 25, 2001; and

WHEREAS, to minimize potential conflict between City of Sweet Home and Linn County regulations, this Ordinance needs to be enacted upon passage.

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

The City Council hereby finds that the proposed Annexation and Zoning Map amendment meet the decision criteria.

Section 1. The properties within the City of Sweet Home, Linn County, Oregon, known by Assessor's Map 13-1E-31BB Tax Lot 600 and Assessors Map 13-1E-31 BA, Tax Lots 1100, 3500, 3300, 3100, 3000, 3003, and 3200, are hereby Annexed into the City of Sweet Home and designated Single Family Residential on the Sweet Home Zoning Plan Map. The following legal descriptions correspond with these Assessor's identifications:

131E31BB/600: Beginning at a point on the North line of and South 89°56'34" East 210 feet, more or less, from the Northwest Corner of the Lowell Ames, Jr. D.L.C. No. 47 in Section 31, Township 13 South, Range 1 East, Willamette Meridian, in Linn County, Oregon, thence North 9°00' West 230 feet, more or less, as described in Book 288 Page 582, along the East right-of-way line of the Old Pleasant Valley Road as described in Linn County Survey No. 22761 to a point on the North Bank of the South Santiam River; thence Easterly along said Bank, 950 feet more or less, to a point on said North Bank and the East line of Government Lot 1; thence Southerly along said East line of Government Lot 1, 418 feet more or less, to a point on said North line of D.L.C. No. 47; thence North 89°56'34" West 650 feet, more or less, along the North line of said D.L.C. No. 47, to the point of beginning containing 5.69 acres of which 3.69 acres is in the South Santiam River to the ordinary high water mark; except those portions in the public right-of-way of County Road 906 as described in Linn County Survey 22761.

131E31BA/1100: Beginning at a point on the North line of and South 89°56'34" East 860 feet, more or less, from the Northwest Corner of the Lowell Ames, Jr. D.L.C. No. 47 in Section 31, Township 13 South, Range 1 East, Willamette Meridian, in Linn County, Oregon and on the East line of Government Lot 1 thence Northerly along said East line of Government Lot 1 to a point on the South Bank of the South Santiam River 160 feet, more or less; thence Southeasterly along said South Bank 288 feet, more or less, to a point on said South Bank and the North line of said D.L.C. No. 47; thence North

89°56'34" West 217 feet, more or less, along the North line of said D.L.C. No. 47, to the point of beginning containing 0.55 acres.

131E31BA/3500: Beginning on the East line of Park Ave. extended North (sometimes referred to as Ninth Avenue) at a point North 0°11' West 15 feet and North 89°56' West 193 feet from the Southeast corner of said Government Lot 2; thence North 0°11' West along the East line of said Park Avenue 50 feet; thence South 89°56' East 95 feet; thence South 0°11' East 50 feet to the North line of a 15 foot strip conveyed to Thomas R. Bennett, et ux, by deed record 184, page 885; thence Westerly on the North line of said Bennett Strip 95 feet to the place of beginning. Excepting Therefrom the minerals as reserved in Deed recorded in Book 104, page 369, Deed Records, Linn County, Oregon.

131E31BA/3300: Beginning at a point on the East Line of Park Avenue, extended, which is North 0°11' West 65 feet and North 89°56' West 193 feet to the Southeast corner of Government Lot 2 in the Northwest quarter of the Northeast quarter of Section 31, Township 13 South, Range 1 East of the Willamette Meridian, Linn County, Oregon, thence North 0°11' West 50 feet; thence South 89°56' East 95 feet; thence South 0°11' East 50 feet; thence North 89°56' West 95 feet to the place of beginning.

131E31BA/3100: Beginning at an iron rod, said iron pipe being North 89°56' West 304.88 feet and North 0°13'30" West 200.70 feet from the Northeast corner of the Lowell Ames Jr. Donation Land Claim Number 47 in Township 13 South, Range 1 East Willamette Meridian, Linn County, State of Oregon; running thence from said point of beginning North 89°56' West 95.00 feet to an iron pipe in the East boundary line of 9<sup>th</sup> Avenue (Park Avenue); thence South 0°11' East 85.00 feet; thence South 89°56' East 95.00 feet; thence North 0°12' West 85.00 feet to the point of beginning.

131E31BA/3000: TRACT A: Beginning at a spring leaf set on the East line of and North 0°13'30" West 200.70 feet from the Southeast corner of Lot 2 of Section 31, Township 13 South, Range 1 East, Willamette Meridian, thence North 89°56' West 192.88 feet to an iron pipe set on the East line of Park Avenue, extended North, in the City of Sweet Home; thence North 0°11' West along the East line of said Park Avenue, extended 50.00 feet to an iron pipe; thence South 89°56' East 192.85 feet to a spring leaf set on the East line of said Lot 2; thence South 0°13'30" East 50.00 feet to the place of beginning. Excepting therefrom that portion conveyed to the City of Sweet Home by instrument recorded April 5, 1982 in Vol. 310, Page 315 Microfilm Records of Linn County, Oregon.

TRACT B: Beginning at a point which is North 89°56' West, 207.00 feet and North 0°13'30" West, 250.70 feet from the Northeast corner of the Lowell Ames, Jr. Donation Land Claim No. 47, in Section 31, Township 13 South, Range 1 East, of the Willamette Meridian, in Linn County, Oregon; running thence North 89°56' West, parallel to the North line of said Donation Land Claim 97.85 feet; thence North 62°56'24" East, 109.66 feet; thence South 0°13'30" East, 50.00 feet to the point of beginning.

131E31BA/3003: PARCEL II: Beginning at a point which is North 89°56' West 207.00 feet and North 0°13'30" West 250.70 feet from the Northeast corner of the Lowell Ames, Jr. Donation Land Claim No. 47, in Section 31, Township 13 South, Range 1 East of the Willamette Meridian, in Linn County, Oregon; running thence North 89°56' West parallel to the North line of said Donation Land Claim, 97.85 feet to the true point of beginning; thence South 0°11' East 25.00 feet to a ½ inch rod; thence North 89°56' West 10.00 feet; thence North 0°11' West 25.00 feet; thence South 89°56' East 10.00 feet to the true point of beginning.

131E31BA/3200: Beginning at the Southeast corner of Government Lot 2 of said section; thence North 0°13'30" West 200.70 feet to a spring leaf set on the East line of said lot; thence North 89°56' West 192.88 feet to an iron pipe set on the East line of 9<sup>th</sup> Avenue; thence South 0°11' East, along said East line of 9<sup>th</sup> Avenue, 200.70 feet to the South line of said Lot 2; thence Easterly, on said South line, 193 feet to the place of beginning. Excepting therefrom, the Westerly 95 feet thereof, the Easterly line of said Westerly 95 feet to be parallel with the Easterly line of 9<sup>th</sup> Avenue. Further excepting therefrom, that portion off the south side of the above described tract contained in deed to Theodore R. Bennett and wife recorded October 5, 1946 in book 184, page 858, Deed Records of Linn County, Oregon. Also Excepting therefrom, that tract of land conveyed to Tim D. and Eugenia Boatwright by deed recorded January 23, 1996 in Vol. 783, page 791, Deed Records of Linn County Oregon. Together with, a right of way conveyed by L. N. Nonemaker and wife to W. D. Goodhue and wife, recorded November 6, 1946 in Book 186, page 309, Deed Records of Linn County, Oregon.

**Section 2. Expediency Clause. It is hereby adjudged and declared that existing conditions are such that this ordinance is needed to be immediately enforced upon its passage. Therefore, this ordinance shall take effect and be in full force and effect from and after its passage and approval of the Mayor.**

PASSED by the Council and approved by the Mayor this 23rd day of October, 2001.

  
Mayor

ATTEST:

  
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City Manager - Ex Officio City Recorder