

## ORDINANCE NO. 952

### AN ORDINANCE ANNEXING INTO THE CITY OF STAYTON 10 ACRES OF LAND AT THE NORTHERN TERMINUS OF QUAIL RUN AVENUE AND AMENDING THE CITY OF STAYTON ZONING MAP FROM MARION COUNTY URBAN TRANSITIONAL (UT) TO CITY OF STAYTON LOW DENSITY RESIDENTIAL (LD).

WHEREAS, JCNW Family LLC, a majority of the property owners who also own the majority of the property within the territory and of real property therein representing the majority of the assessed value of all real property in the territory, have initiated annexation of that certain real property located at the northern terminus of Quail Run Avenue, Stayton, Marion County, Oregon, more particularly described in Exhibit 1 attached hereto and incorporated herein, and further illustrated on a map shown in Exhibit 2 attached hereto and incorporated herein;

WHEREAS, on June 18, 2012 pursuant to ORS 222.125, the Stayton City Council enacted a resolution initiating annexation proceedings for the territory;

WHEREAS, the Stayton City Council held a public hearing as required by law on August 20, 2012, whereupon the Stayton City Council adopted Resolution 890 containing findings and conclusions in support of its decision and referring the application to the electors of the City of Stayton a measure to approve the proposed annexation; and

WHEREAS, on November 6, 2012, a majority of the electors of the City of Stayton voted in the affirmative regarding the annexation.

NOW THEREFORE, the City of Stayton ordains:

**Section 1.** Pursuant to ORS 222.125, the Stayton City Council hereby proclaims the annexation into the City of Stayton, Oregon, of territory at the northern terminus of Quail Run Avenue, the legal description of which is described in Exhibit 1, which is attached hereto and by reference incorporated herein.

**Section 2.** Pursuant to ORS 222.005 the Stayton City Recorder shall provide by certified mail to all public utilities, telecommunication facilities, and franchise holders operating within the City a written notice of each site address to be annexed as recorded on the Marion County assessment and tax roles, a legal description and map of the proposed boundary change, and a copy of this ordinance. This notice shall be mailed within (10) ten working days of the passage of this Ordinance.

**Section 3.** Pursuant to ORS 222.010 the Stayton City Recorder shall, within ten (10) days of the passage of this Ordinance, provide to the Marion County Clerk, and Marion County Assessor a report of the annexation including a detailed legal description of the new boundaries established by the City.

**Section 4.** Pursuant to ORS 308.225(2) the Stayton City Recorder shall, provide to the Oregon Department of Revenue, a copy of this Ordinance, containing the legal description and map of the territory being annexed.

**Section 5.** The Stayton Official Zoning Map is hereby amended to include the annexed territory as Low Density Residential.

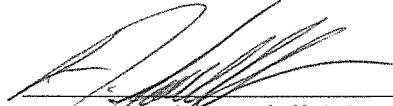
**Section 6.** Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become effective 30 days after the date of signing.

ADOPTED BY THE CITY COUNCIL this 22nd day of January, 2013.

CITY OF STAYTON


Signed: 1-22, 2013

BY:

  
A. Scott Vigil, Mayor

Signed: 1/23, 2013

ATTEST:

  
Don Eubank, City Administrator

APPROVED AS TO FORM:

  
David A. Rhoten, City Attorney

## EXHIBIT 1, Annexation Area

That certain tract of land located in Marion County, Oregon and which is legally described as follows:

The Westerly one half of the following described property:

Beginning at an iron pipe which is 1,349.70 feet South 89° 45' West and 1,254.00 feet North 00° 17' West from the Southeast corner of the Henry Foster Donation Land Claim in Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, and running thence South 89° 45' West 1,423.49 feet to an iron pipe in the West line of that certain tract of land conveyed to William Rauscher by deed recorded in Volume 506, Page 619, Marion County Deed Records; thence North 00° 09' 30" West, along said West line, 596.90 feet to an iron pipe, which iron pipe is 602.13 feet South 00° 09' 30" East from the Northwest corner of said Rauscher Tract; thence North 89° 45' East 1,422.19 feet to an iron pipe; thence South 00° 17' East 596.90 feet to the point of beginning and containing 19.50 acres of land.

# EXHIBIT 2, Map of Annexed Territory

