

RESOLUTION NO. 966

A RESOLUTION INITIATING THE ANNEXATION OF A CITY-OWNED PARCEL ON KINDLE WAY INTO THE CITY LIMITS AND A COMPREHENSIVE PLAN MAP AMENDMENT OF CITY-OWNED PROPERTIES

WHEREAS, it is within the City of Stayton's power under ORS 222.111(2) to initiate the annexation of territory into the City Limits;

WHEREAS, in December 2016, the City purchased approximately 13 acres of land described as Parcel 2 of Partition Plat 2016-057 and identified as Marion County Tax Lot 091W04D 00301;

WHEREAS, in January 2017, the City purchased approximately 23 acres of land addressed as 2800 Kindle Way and identified as Marion County Tax Lot 091W04D 00200;

WHEREAS, both properties are designated residential in the Stayton Comprehensive Plan;

WHEREAS, the City intends to develop the properties into a stormwater detention facility and a city park;

WHEREAS, the property addressed as 2800 Kindle Way is not in the City Limits of the City of Stayton;

WHEREAS, the public parks are not permitted uses in residential zones under the Stayton Land Use and Development Code;

NOW THEREFORE, BE IT RESOLVED that:

Section 1. Initiation of Annexation Proceedings. The Stayton City Council does hereby initiate Annexation proceedings under Stayton Municipal Code Section 17.12.210 to annex the following territory into the City Limits:

The 23 acres identified as Marion County Tax Lot 091W04D 00200 and addressed as 2800 Kindle Way and further described as:

Parcel I:

Beginning at a point on the westerly line of a tract of land conveyed to Lola Lambert by deed recorded in Volume 564, Page 428, Deed Records for Marion County, Oregon, which place of beginning is 20 chains South 89° 45' West and 1865.00 feet North 0° 18' 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; Thence North 0° 18' West 1445.00 feet to the Northwest corner of said Lambert tract; Thence North 89° 45' East 665.52 feet to the Northeast Corner of said tract; Thence South 0° 18' East 1445.00 feet along the easterly line of said tract; Thence South 89° 45' West 665.52 feet to the place of beginning.

Parcel II:

A parcel of land in the Southeast Quarter of Section 4, Township 9 South, Range 1 West of the Willamette Meridian, Marion County, Oregon, said parcel being part of the Henry Foster Donation Land Claim No. 45, said township and range and bound by the following:

Beginning at a point on the East line of the land described in the deed recorded at Reel 1186, Page 708, Marion County Deed Records, which point is 1801.00 feet North 00°

17' 51" West from a point on the South line of the said Claim which is 225.37 feet West from a 3-inch brass disk which marks the Southeast corner of said Section 4; Thence South 89° 45' 00" West, parallel with the said south line, 665.38 feet; Thence North 00° 17' 25" West, on the west line of the said land described in Reel 1186, Page 708, 64.00 feet; Thence North 89° 45' 00" East, on the south line of land described in the deed recorded at Reel 1178, Page 41, said deed records, 665.37 feet; Thence South 00° 17' 51" East, on the said east line, 64.00 feet to the point of beginning.

Section 2. Initiation of Comprehensive Plan Map Amendment. The Stayton City Council does hereby initiate Comprehensive Plan Map Amendment proceedings under Stayton Municipal Code Section 17.12.170.3 from Residential to Public for the properties identified as Marion County Tax Lot 091W04D 00200 and 091W04D 00301.

Section 3. Public Hearing Scheduled. The Stayton Planning Commission shall hold a public hearing on the proposed annexation and comprehensive plan map amendment on September 25, 2017 in accordance with Stayton Municipal Code Title 17, Chapter 17.12, Section 17.12.170 and 17.12.210.

This Resolution shall become effective upon adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL this 22nd day of August, 2017

CITY OF STAYTON

Date: 8/22, 2017

By: Henry A. Porter
Henry A Porter, Mayor

Date: 8/22, 2017

Attest: Keith D. Campbell
Keith D. Campbell, City Administrator

APPROVED AS TO FORM:

David A. Rhoten
David A. Rhoten, City Attorney