

RESOLUTION NO. 552

A RESOLUTION ADOPTING THE FINDINGS IN ORDER NO. 07-14/94 TO CHANGE THE URBAN GROWTH BOUNDARY INCORPORATING REAL PROPERTY ADJACENT TO THE CITY'S WASTEWATER TREATMENT PLANT AND TO ANNEX THE COMBINED PROPERTY

WHEREAS, the City of Stayton is the sole owner of certain real property, an approximate nineteen (18.85) acre parcel, tax accounts 61204-001 and 61205-000, situated in Marion County, State of Oregon, located south of Ida Street and adjacent to the North Santiam River; and

WHEREAS, on 18 July 1994, the City Council initiated the process with Resolution No. 543 and on 29 July 1994 the city staff filed an application, pursuant to ORS 222.125, the Urban Growth Boundary and Policy Agreement between Marion County and City of Stayton, and Stayton Code Sections 17.12.420 and 17.12.460, to change the urban growth boundary and annex the subject property; and

WHEREAS, on 29 August 1994 the Stayton Planning Commission and on 6 September 1994 the City Council held public hearings as required by law and on 6 September 1994 the Stayton City Council adopted Order No. 07-14/94 approving the urban growth boundary change and annexation of the city's wastewater treatment plant property.

NOW, THEREFORE, BE IT APPROVED by the City Council of the City of Stayton, Oregon.

SECTION 1. That pursuant to ORS 222.125 the City Council hereby approves the urban growth boundary change for the City of Stayton, Oregon for property lying contiguous to the present urban growth boundary, located adjacent to the city's wastewater treatment plant (see Exhibit A, page 4), which is described in Reel 1116, Page 380, of the Marion County Deed Records, and is described as follows:

Beginning at a point on the South line of Ida Street, City of Stayton, Oregon, said point being North 89°36' West 231 feet from the northeast corner of that tract of land conveyed to Fred C. Hottinger and Marie Hottinger by deed dated November 25, 1953, and recorded in Volume 457, Page 650 of the Deed Records of Marion County, Oregon and running thence South 00°22' West, along the west line of the southeast quarter of Section 9 and the northeast quarter of Section 16, Township 9 South, Range 1 West of the Willamette Meridian, 2780.72 feet to the true point of beginning, said true point of beginning being on the east line of that tract of land conveyed to F.J. and L. Fery by deed recorded in Volume 436, Page 116 Deed Records of Marion County, Oregon, said line dividing said Section 16 into east and west halves; thence North 89°38' West 300 feet; thence South 00°22' West to the Santiam River; thence Northeasterly, meandering along said River, to a point on the southerly extension of the beforesaid line dividing Section 16 into east and west halves; thence North 00°22' West, along said dividing line, to the true point of beginning and containing 10.5 acres of land, more or less.

SECTION 2. That pursuant to the Urban Growth Boundary and Policy Agreement between Marion County and the City of Stayton the City Administrator shall forward to the Marion County Planning Department Order No. 07-14/94 for consideration by the Marion County Board of Commissioners within ten (10) working days of passage of this resolution.

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SECTION 3. That upon the Marion County Board of Commissioners' decision to concur with Order No. 07-14/94 changing the urban growth boundary and that pursuant to ORS 222.125 the City Council hereby proclaims the annexation to the City of Stayton, Oregon property located south of Ida Street and adjacent to the North Santiam River (see Exhibit A, page 4), which is described in Reel 1116, Page 380, and Volume 568, Page 74, of the Marion County Deed Records, and is described as follows:

Beginning at a point on the South line of Ida Street, City of Stayton, Oregon, said point being North 89°36' West 231 feet from the Northeast corner of that tract of land conveyed to Fred C. Hottinger and Marie Hottinger by deed dated November 25, 1953 and recorded in Volume 457, Page 650 of the Marion County Deed Records and running thence South 00°22' West, along the North-South centerlines of Sections 9 and 16 in Township 9 South, Range 1 West of the Willamette Meridian, 2780.72 feet to the northeast corner of that tract of land conveyed to the City of Stayton by deed recorded in Reel 1116, Page 380 of the Marion County Deed Records; thence North 89°38' West 300 feet to the northwest corner of said City of Stayton tract of land: thence South 00°22' West, along the west line of said City of Stayton tract of land and parallel to the before said centerline of Section 16, to the Santiam River; thence Northeasterly, meandering along said river, to the southeast corner of that tract of land conveyed to the City of Stayton by deed recorded in Volume 568, Page 74 of the Marion County Deed Records; thence North 00°22' East, along the east line of the last said City of Stayton tract of land and parallel to the centerline of the before said Section 16, 1170 feet, more or less, to the northeast corner of the last said City of Stayton tract of land; thence North 89°38' West along the most easterly north line of the last City of Stayton tract of land, 270 feet to a point which is 30 feet easterly of the centerline of Section 16 when measured at right angles thereto; thence North 00°22' East, along the easterly line of the last said City of Stayton tract of land and parallel to and 30 feet easterly of the centerlines of Sections 16 and 9, 2780.72 feet, more or less, to the intersection of said east line with the southerly right of way line of the before said Ida Street; thence North 89°36' West, along the south right of way line of Ida Street, 30 feet to the place of beginning.

Section 4. That pursuant to ORS 222.005 the City Administrator shall provide by certified mail to all public utilities, telecommunications utilities, and franchise holders operating within the city a written notice of the site address to be annexed as recorded on the Marion County assessment and tax rolls, a legal description and map of the proposed boundary change, and a copy of this resolution. This information shall be mailed within ten (10) working days of receipt of Marion County Board of Commissioners' notification to the city to concur with Order No. 07-14/94.

Section 5. That pursuant to ORS 222.010 the City Administrator shall, within ten (10) working days of receipt of Marion County Board of Commissioners' notification to the city to concur with Order No. 07-14/94, 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.

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PASSED BY THE CITY COUNCIL this 6th day of September 1994.

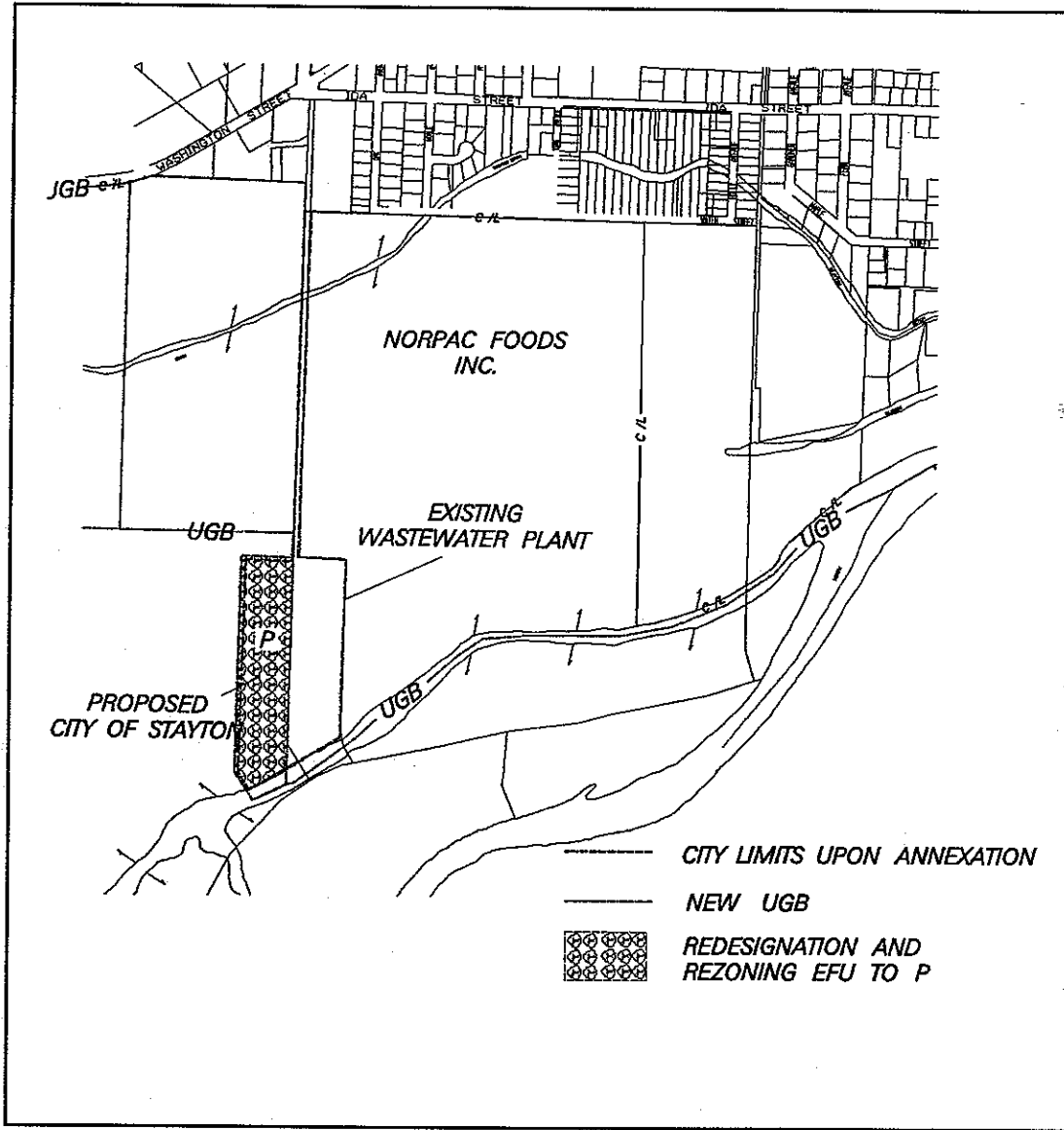
Date: 9-14-94

By: *Willmer Van Vleet*
WILLMER VAN VLEET, Mayor

ATTEST

Date: Sept. 14, 1994

By: *David W. Kinney*
DAVID W. KINNEY, City Administrator



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 Exhibit A - Map of Location
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