

ORDINANCE BILL NO. 8-07

AN ORDINANCE declaring and proclaiming certain territory located at 2435 BRUSH COLLEGE ROAD NW, annexed to the City of Salem, prescribing zoning.

THE CITY OF SALEM ORDAINS AS FOLLOWS:

Section 1. Findings.

(a) **Initiation.** On December 12, 2005, the City Council of the City of Salem (the Council) adopted Resolution No. 2005-102 to initiate the annexation of certain real property located at 2435 Brush College Road NW (the Territory) into the City of Salem (the City), as more particularly described in **Exhibit 1**, which is attached hereto and incorporated herein by reference.

(b) **Hearing and Decision.** The Council held a duly advertised public hearing on February 13, 2006 and received evidence and testimony regarding: referral to a vote of the people (as required by Salem City Charter Section 61) of the proposed annexation of the Territory, including whether the public interest would be served; whether the proposed annexation of the Territory, including the proposed change in the Territory's zoning designation from Polk County SR (Suburban Residential) to City RA (Residential Agriculture) upon annexation, complied with Salem Revised Code (SRC) Chapter 165 and the applicable land use and other criteria. At the conclusion of the public hearing, after due consideration of the evidence and testimony, the Council adopted Order No. 06-C-589 as its final decision and findings determining that: the public interest would be furthered by the referral of the proposed annexation of the Territory to the voters of the City; and the proposed annexation of the Territory, including land use designations, complied with SRC Chapter 165 and the applicable land use and other criteria.

(c) **Referral and Elector Approval.** On June 12, 2006 the Council adopted Resolution No. 2006-99 approving referral of the proposed annexation of the Territory to the electors of the City at the September 19, 2006 election, as required by Salem City Charter Section 61. At the election a majority of the votes cast by the electors residing in the City favored annexation of the Territory into the City. This election result is set forth in the canvass of

Enclave: 2435 Brush College Road NW

Beginning at the northeast corner of that tract of land described in that instrument recorded in Book of Records 218, Page 1283, recorded in Polk County, Oregon, said point being in Section 8, Township 7 South, Range 3 West of the Willamette Meridian, City of Salem, Polk County, Oregon; said point also being the northwest corner of Lot 59, Block 1, Brush College Estates No. 2, as recorded in Volume 11, Page 1, Book of Town Plats, City of Salem, Polk County, Oregon; said point also being on the now existing City Limits Line; said point also being on the South Line of Block 3, Wallace Hill West, as recorded in Volume 8, Page 33, Book of Town Plats, City of Salem, Polk County, Oregon; and running thence:

North 75° 49' 41" West 427.03 feet along the South Line of said Wallace Hill West and the said now existing City Limits Line, to the northeast corner of Lot 6, Rose Blossom Subdivision, as recorded in Volume 10, Page 0012, Book of Town Plats, City of Salem, Polk County, Oregon;

thence South 01° 34' 06" West 260.00 feet along the East Line of said Rose Blossom Subdivision, to the southeast corner of Lot 8 of said Rose Blossom Subdivision; also being on the now existing City Limits Line;

thence South 01° 29' 33" West 820.00 feet along the West Line of said Book of Records 218, Page 1283 and the now existing City Limits Line, to the southwest corner thereof;

thence South 82° 35' 35" East 419.20 feet along the South Line of said Book of Records 218, Page 1283 and the now existing City Limits Line, to the southeast corner thereof; said point being on the West Line of Brush College Estates No. 3, as recorded in Volume 12, Page 35, Book of Town Plats, City of Salem, Polk County, Oregon;

thence North 02° 07' 10" East 1027.82 feet along the West Line of said Brush College Estates No. 3 and Brush College Estates No. 2 and the said now existing City Limits Line to the Point of Beginning.

DOR: 27-P19-2005
DOR Date: 11/30/2005

Checked By: J.N.
Project No.: C-589
October 26, 2005