

ORDINANCE BILL NO. 20-07

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2 AN ORDINANCE declaring and proclaiming certain territory located at 1755 DOAKS FERRY  
3 ROAD NW, annexed to the City of Salem, prescribing zoning and withdrawing the territory from the  
4 Salem Suburban Rural Fire Protection District.

5 THE CITY OF SALEM ORDAINS AS FOLLOWS:

6 **Section 1. Findings.**

7 (a) **Initiation.** On December 12, 2005, the City Council of the City of Salem (the  
8 Council) adopted Resolution No. 2005-105 to initiate the annexation of certain real property  
9 located at 1755 DOAKS FERRY ROAD NW (the Territory) into the City of Salem (the  
10 City), as more particularly described in **Exhibit 1**, which is attached hereto and incorporated  
11 herein by reference.

12 (b) **Hearing and Decision.** The Council held a duly advertised public hearing on  
13 February 27, 2006 and received evidence and testimony regarding: referral to a vote of the  
14 people (as required by Salem City Charter Section 61) of the proposed annexation of the  
15 Territory, including whether the public interest would be served; whether the proposed  
16 annexation of the Territory, including the proposed change in the Territory's zoning  
17 designation from Polk County SR (Suburban Residential) to City RA (Residential  
18 Agriculture) upon annexation, complied with Salem Revised Code (SRC) Chapter 165 and  
19 the applicable land use and other criteria; and whether the withdrawal of the Territory from  
20 the Salem Suburban Rural Fire Protection District (the District) upon annexation would be in  
21 the best interest of the City. At the conclusion of the public hearing, after due consideration  
22 of the evidence and testimony, the Council adopted Order No. 06-C-602 as its final decision  
23 and findings determining that: the public interest would be furthered by the referral of the  
24 proposed annexation of the Territory to the voters of the City; the proposed annexation of the  
25 Territory, including land use designations, complied with SRC Chapter 165 and the  
26 applicable land use and other criteria; and, the withdrawal of the Territory from the District  
27 would be in the best interest of the City.  
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1 (c) **Referral and Elector Approval.** On June 12, 2006 the Council adopted Resolution  
2 No. 2006-111 approving referral of the proposed annexation of the Territory to the electors of  
3 the City at the September 19, 2006 election, as required by Salem City Charter Section 61.  
4 At the election a majority of the votes cast by the electors residing in the City favored  
5 annexation of the Territory into the City. This election result is set forth in the canvass of  
6 votes from the election reviewed by the Council at it's October 23, 2006 meeting and  
7 proclaimed by the Mayor.

8 (d) **Withdrawal from Special District.** The Council finds it is in the best interest of the  
9 City to withdraw the Territory from the Salem Suburban Rural Fire Protection District (the  
10 District) and to provide the Territory with City services because the public good of the City  
11 and the citizens residing in the Territory would be best served if the citizens residing in the  
12 Territory receive City services without the problems attendant with coordination that would  
13 result from the Territory being subject to the jurisdiction of overlapping urban service  
14 providers. It would not be in the best interest of the City for the citizens residing in the  
15 Territory to pay both City taxes and an additional assessment to the District to receive  
16 services that may readily be supplied by the City without such additional taxation. Since  
17 leaving the Territory in the District would lead to a fragmented approach to delivery of public  
18 services, unequal tax bases and resistance to cooperation, withdrawal would promote  
19 efficiency, economy and sound management in the provision of urban services for the  
20 Territory, and the Territory should be withdrawn from the District.

21 **Section 2. Annexation.** The City Council of the City of Salem declares and proclaims that the  
22 Territory described in **Exhibit 1**, which is attached hereto and incorporated herein by reference, is  
23 hereby annexed to the City of Salem, Oregon.

24 **Section 3. Zoning.** The Territory is designated "Developing Residential" in the Salem Area  
25 Comprehensive Plan, and on the Plan Map. The zoning for the Territory is prescribed as RA  
26 (Residential Agriculture). The Planning Administrator shall add to the official zoning map the  
27 Territory herein annexed.



**Enclave: 1755 Doaks Ferry Road NW**

Beginning at the point of intersection of the now relocated West Line of County Road No. 7303 (commonly known as Doaks Ferry Road NW) and the North Line of that tract of land described in Book of Records 186, Page 1000, Polk County Records; said point being 183.79 feet South 00° 59' 43" East and 46.08 feet North 89° 23' 38" West from the northeast corner of Lot 1, Highland Fruit Farms, as recorded in Volume 1, Page 25, Book of Town Plats, City of Salem, Polk County, Oregon; said point being in Section 17, Township 7 South, Range 3 West of the Willamette Meridian, City of Salem, Polk County, Oregon; said point also being on the now existing City Limits Line; and running thence:

South 01° 01' 56" West 74.73 feet;

thence South 03° 09' 48" West 100.24 feet along said relocated West Line of Doaks Ferry Road NW and the now existing City Limits Line to a point on the South Line of said tract of land;

thence North 89° 23' 43" West 313.69 feet along the South Line of said tract of land and said now existing City Limits Line to the southwest corner thereof;

thence North 01° 02' 18" West 174.95 feet along the West Line of said tract of land and said now existing City Limits Line to the northwest corner thereof;

thence South 89° 23' 38" East 323.74 feet along the North Line of said tract of land and said now existing City Limits Line to the Point of Beginning.

DOR: 27-P20-2006

DOR Date: 1/6/2006

Checked By: J.M.

Project No.: C-602

December 28, 2005