

**ORDINANCE BILL NO. 25-07**

1 AN ORDINANCE declaring and proclaiming certain territory located at 4625 CORDON ROAD NE,  
2 annexed to the City of Salem, prescribing zoning and withdrawing the territory from Marion County  
3 Fire District #1.  
4

5 THE CITY OF SALEM ORDAINS AS FOLLOWS:

6 **Section 1. Findings.**

7 (a) **Initiation.** On April 10, 2006, the City Council of the City of Salem (the Council)  
8 adopted Resolution No. 2006-49 to initiate the annexation of certain real property located at  
9 4625 CORDON ROAD NE (the Territory) into the City of Salem (the City), as more  
10 particularly described in **Exhibit 1**, which is attached hereto and incorporated herein by  
11 reference.

12 (b) **Hearing and Decision.** The Council held a duly advertised public hearing on  
13 April 24, 2006 and received evidence and testimony regarding: referral to a vote of the people  
14 (as required by Salem City Charter Section 61) of the proposed annexation of the Territory,  
15 including whether the public interest would be served; whether the proposed annexation of  
16 the Territory, including the proposed change in the Territory's zoning designation from  
17 Marion County UT-5 (Urban Transition - 5 acres) to City RA (Residential Agriculture) upon  
18 annexation, complied with Salem Revised Code (SRC) Chapter 165 and the applicable land  
19 use and other criteria; and whether the withdrawal of the Territory from Marion County Fire  
20 District #1 (the District) upon annexation would be in the best interest of the City. At the  
21 conclusion of the public hearing, after due consideration of the evidence and testimony, the  
22 Council adopted Order No. 06-C-612 as its final decision and findings determining that: the  
23 public interest would be furthered by the referral of the proposed annexation of the Territory  
24 to the voters of the City; the proposed annexation of the Territory, including land use  
25 designations, complied with SRC Chapter 165 and the applicable land use and other criteria;  
26 and, the withdrawal of the Territory from the District would be in the best interest of the City.

27 (c) **Referral and Elector Approval.** On June 19, 2006 the Council adopted Resolution  
28 No. 2006-122 approving referral of the proposed annexation of the Territory to the electors of

1 the City at the September 19, 2006 election, as required by Salem City Charter Section 61.  
2 At the election a majority of the votes cast by the electors residing in the City favored  
3 annexation of the Territory into the City. This election result is set forth in the canvass of  
4 votes from the election reviewed by the Council at it's October 23, 2006 meeting and  
5 proclaimed by the Mayor.

6 **(d) Withdrawal from Special District.** The Council finds it is in the best interest of the  
7 City to withdraw the Territory from Marion County Fire District #1 (the District) and to  
8 provide the Territory with City services because the public good of the City and the citizens  
9 residing in the Territory would be best served if the citizens residing in the Territory receive  
10 City services without the problems attendant with coordination that would result from the  
11 Territory being subject to the jurisdiction of overlapping urban service providers. It would  
12 not be in the best interest of the City for the citizens residing in the Territory to pay both City  
13 taxes and an additional assessment to the District to receive services that may readily be  
14 supplied by the City without such additional taxation. Since leaving the Territory in the  
15 District would lead to a fragmented approach to delivery of public services, unequal tax bases  
16 and resistance to cooperation, withdrawal would promote efficiency, economy and sound  
17 management in the provision of urban services for the Territory, and the Territory should be  
18 withdrawn from the District.

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

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


26 **Section 4. Withdrawal from Marion County Fire District #1.** The Territory is hereby withdrawn  
27 from Marion County Fire District #1, such withdrawal to be effective upon, and contemporaneous  
28 with, the date of annexation.

1 **Section 5. Direction.** The City Recorder shall submit a copy of this ordinance and such other  
2 information as ORS 222.177 requires to the Oregon Secretary of State, and shall provide the notice  
3 and reports required by ORS 222.005(1) and ORS 222.010 to the persons or entities described  
4 therein.

5 PASSED by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

6 ATTEST:

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8  
9 City Recorder

10 Approved by the City Attorney:  \_\_\_\_\_

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12 Checked by: C. Urbani

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4625 Cordon Road NE

Beginning at the point of intersection of the old West Line of Market Road No. 97 (commonly known as Cordon Road NE) and the North Line of that tract of land described in that instrument recorded in Reel 1574, Page 697, Marion County Records; said point being 437.55 feet South 09° 00' 00" West and 31.97 feet North 89° 44' 08" West from the northwest corner of the W. R. Munkers Donation Land Claim No. 51; said point being in Section 5, Township 7 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; said point also being on the Urban Growth Boundary Line; and running thence: North 89° 44' 08" West 5.07 feet to the northeast corner of said Reel 1574, Page 697; thence North 89° 44' 08" West 1,124.28 feet along the North Line of said Reel 1574, Page 697, to the northwest corner thereof; said point also being on the now existing City Limits Line; thence South 04° 17' 29" West 189.54 feet along the West Line of said Reel 1574, Page 697, and the now existing City Limits Line to the southwest corner thereof; thence South 89° 45' 00" East 1,111.39 feet along the South Line and the easterly extension of the South Line of said Reel 1574, Page 697, to a point on the Urban Growth Boundary Line (the Urban Growth Boundary Line located on the old west Right-of-way Line of Cordon Road NE 45 feet from the Center Line); thence North 09° 40' 12" East 191.36 feet along the Urban Growth Boundary Line to the Point of Beginning.

Approved: J.N.  
March 1, 2006  
Annexation No.: C-612  
DOR No.: 24-P119-2006  
DOR Date: 3/20/2006

EXHIBIT 1