

**ORDINANCE BILL NO. 30-07**

1  
2 AN ORDINANCE declaring and proclaiming certain territory located at 3750 - 3762 AMBER  
3 STREET NE AREA, annexed to the City of Salem, prescribing zoning and withdrawing the territory  
4 from Marion County Fire District #1, the Suburban East Salem Water District and the East Salem  
5 Service District.

6 THE CITY OF SALEM ORDAINS AS FOLLOWS:

7 **Section 1. Findings.**

8 (a) **Initiation.** On April 10, 2006, the City Council of the City of Salem (the Council)  
9 adopted Resolution No. 2006-53 to initiate the annexation of certain real property located at  
10 3750 - 3762 AMBER STREET NE AREA (the Territory) into the City of Salem (the City),  
11 as more particularly described in **Exhibit 1**, which is attached hereto and incorporated herein  
12 by reference.

13 (b) **Hearing and Decision.** The Council held a duly advertised public hearing on  
14 May 1, 2006 and received evidence and testimony regarding: referral to a vote of the people  
15 (as required by Salem City Charter Section 61) of the proposed annexation of the Territory,  
16 including whether the public interest would be served; whether the proposed annexation of  
17 the Territory, including the proposed change in the Territory's zoning designation from  
18 Marion County RM (Multiple Family Residential) to City RM2 (Multiple Family  
19 Residential) upon annexation, complied with Salem Revised Code (SRC) Chapter 165 and  
20 the applicable land use and other criteria; and whether the withdrawal of the Territory from  
21 Marion County Fire District #1, the Suburban East Salem Water District and the East Salem  
22 Service District (the District) upon annexation would be in the best interest of the City. At the  
23 conclusion of the public hearing, after due consideration of the evidence and testimony, the  
24 Council adopted Order No. 06-C-618 as its final decision and findings determining that: the  
25 public interest would be furthered by the referral of the proposed annexation of the Territory  
26 to the voters of the City; the proposed annexation of the Territory, including land use  
27 designations, complied with SRC Chapter 165 and the applicable land use and other criteria;  
28 and, the withdrawal of the Territory from the District would be in the best interest of the City.

1 (c) **Referral and Elector Approval.** On June 19, 2006 the Council adopted Resolution  
2 No. 2006-127 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 Marion County Fire District #1, the Suburban East Salem  
10 Water District and the East Salem Service District (the District) and to provide the Territory  
11 with City services because the public good of the City and the citizens residing in the  
12 Territory would be best served if the citizens residing in the Territory receive City services  
13 without the problems attendant with coordination that would result from the Territory being  
14 subject to the jurisdiction of overlapping urban service providers. It would not be in the best  
15 interest of the City for the citizens residing in the Territory to pay both City taxes and an  
16 additional assessment to the District to receive services that may readily be supplied by the  
17 City without such additional taxation. Since leaving the Territory in the District would lead  
18 to a fragmented approach to delivery of public services, unequal tax bases and resistance to  
19 cooperation, withdrawal would promote efficiency, economy and sound management in the  
20 provision of urban services for the Territory, and the Territory should be withdrawn from the  
21 District.

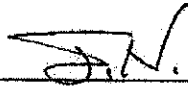
22 **Section 2. Annexation.** The City Council of the City of Salem declares and proclaims that the  
23 Territory described in **Exhibit 1**, which is attached hereto and incorporated herein by reference, is  
24 hereby annexed to the City of Salem, Oregon.

25 **Section 3. Zoning.** The Territory is designated "Multi-Family Residential" in the Salem Area  
26 Comprehensive Plan, and on the Plan Map. The zoning for the Territory is prescribed as RM2  
27 (Multiple Family Residential). The Planning Administrator shall add to the official zoning map the  
28 Territory herein annexed.



3750-3762 Amber Street NE Area  
(Amber Apartments)

Beginning at the point of intersection of the North Line of Amber Street NE and the East Line of 37<sup>th</sup> Avenue NE, said point being in Section 30, Township 7 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; said point also being on the now existing City Limits Line; and running thence:  
South 01° 30' 47" East 595.79 feet along the East Line of said 37<sup>th</sup> Avenue NE and the now existing City Limits Line and the East Line of the old 37<sup>th</sup> Avenue NE Right-of-way Line to the point of intersection of the westerly extension of the South Line of that tract of land described in that instrument recorded in Reel 1892, Page 96, Marion County Records;  
thence North 88° 41' 13" East 239.79 feet along the westerly extension of the South Line of said Reel 1892, Page 96, and the South Line to the southeast corner thereof;  
thence North 01° 31' 54" West 591.27 feet along the East Line of said Reel 1892, Page 96, and the northerly extension of said line to a point on the North Line of said Amber Street NE;  
thence South 89° 41' 00" West 239.68 feet along the South Line of said Amber Street NE to the Point of Beginning.

Approved:   
March 22, 2006  
Annexation No.: C-618  
DOR No.: 24-P122-2006  
DOR Date: 4/11/06

**EXHIBIT 1**