

1 (c) **Referral and Elector Approval.** On July 24, 2006 the Council adopted Resolution
2 No. 2006-164 approving referral of the proposed annexation of the Territory to the electors of
3 the City at the November 7, 2006 election, as required by Salem City Charter Section 61. At
4 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 December 11, 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20 Territory, and the Territory should be withdrawn from the District.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.

28 **Section 4. Withdrawal from the Salem Suburban Rural Fire Protection District.** The Territory

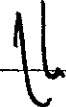
1 is hereby withdrawn from the Salem Suburban Rural Fire Protection District, such withdrawal to be
2 effective upon, and contemporaneous with, the date of annexation.

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

7 PASSED by the Council this _____ day of _____, 2007.

8 ATTEST:

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11 City Recorder

12 Approved by the City Attorney:  _____

13 Checked by: C. Urbani

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**North of Orchard Heights Road NW and West of Landaggard Drive NW
(2587 Orchard Heights Road NW)**

Beginning at the point of intersection of the North Line of County Road No. 7304 (commonly known as Orchard Heights Road NW) and the West Line of Landaggard Heights as recorded in Volume 4, Page 37, Book of Town Plats, Polk County, Oregon; said point being in Section 17, Township 7 South, Range 3 West of the Willamette Meridian, Polk County, Oregon; said point also being on the now existing City Limits Line; and running thence:
North 00° 12' 00" West 890.03 feet along the West Line of said Landaggard Heights to the point of intersection of the North Line of that tract of land described in that instrument recorded in Document No. 2003-009201, Polk County Records;
thence North 88° 03' 30" West 244.10 feet along the North Line of said tract of land to the northwest corner thereof;
thence South 00° 09' 00" East 890.00 feet along the West Line of said Document No. 2003-009201 to a point on the North Line of said Orchard Heights Road NW; said point also being on the now existing City Limits Line;
thence South 88° 03' 30" East 245.00 feet along the North Line of said Orchard Heights Road NW and the now existing City Limits Line to the Point of Beginning.

Approved: J.N.
May 17, 2006
Annexation No.: C-641
DOR No.: 27-P27-2006
DOR Date: 5/23/06

EXHIBIT 1