

## ORDINANCE NO. 5932

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF KLAMATH FALLS, OREGON, AND PROVIDING FOR ZONING OF SUCH PROPERTIES.

WHEREAS, there has been submitted to the City of Klamath Falls, a written proposal for annexation of certain real property by the owners thereof, which property is hereinafter described; and,

WHEREAS, Ordinance No. 5920 was passed, initiating annexation of said territory, calling a hearing, and directing notice be given thereon; and,

WHEREAS, a hearing was held on May 21, 1973, pursuant to applicable laws at which time all objections or remonstrances with reference to said proposed annexation were considered by the Common Council; and,

WHEREAS, the Common Council did determine annexation of said properties is to the best interest of the City and to the contiguous territory; and,

WHEREAS, to protect the public health, safety, and general welfare, said property upon annexation should be zoned as hereinafter provided; now therefore,

THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:

## Section 1.

The following described contiguous territory is hereby proclaimed to be annexed to the City of Klamath Falls:

The North half of the Northeast Quarter of the Southeast Quarter of Section 14, Township 39S, Range 9E, less existing dedicated right-of-way and containing 19.05 acres, more or less.

AND ALSO: A tract of land situated in the NW1/4 SE 1/4 of Section 14, T39S, R9EWM, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the westerly right-of-way line of Homedale Road, said point located South 1513.25 feet and West 30.00 feet from the Northeast

corner of the SW 1/4 NE 1/4 of said Section 14; thence S 89° 57' 25" W, perpendicular to the said westerly right-of-way line of said Homedale Road, generally along an existing fence line 364.83 feet, more or less, to a point on the easterly right-of-way line of the A-3B Irrigation lateral; thence S 06° 15' 27" W along said easterly right-of-way 113.57 feet; thence N 89° 57' 25" E generally along an existing fence line 377.29 feet, more or less, to a point on the westerly right-of-way line of said Homedale Road; thence N 00° 02' 35" W along said westerly right-of-way line 112.89 feet to the point of beginning, containing 0.96 acres, more or less. The above described tract of land subject to a sanitary sewer easement along the southerly line, 15 feet in width, parallel with and measured at right angles to the said southerly line.

#### Section 2.

All the heretofore described real property shall be zoned R-7.5, Single Family, Low Density, Residential Zone, as such zone is defined in Ordinance No. 5095 (Zoning Ordinance) of the City of Klamath Falls.

#### Section 3.

The following special conditions shall prevail:

- 1) A 10 year moratorium from the City tax levy.
- 2) City will construct at its expense approximately 600 feet of sewer from the Gatewood Subdivision to the centerline of Homedale Road to serve the subject property, and will schedule such construction in the 1974 construction season across easements obtained by the owners of the subject property.
- 3) City will collect \$200.00 for each residential connection to the sewer at the time of connection to defray costs to the City for the construction of the interceptor sewer on Johns Avenue.
- 4) Building permit fees are hereby waived subject to the following conditions:
  - A. If a building code is enacted by Klamath County or mandated by Statute which requires permit fees and inspection of unincorporated areas, the waiver granted in Condition 4 above would become null and void, and all applicable fees and inspections will be in effect.
  - B. It is further understood that the City Building Official will be granted the opportunity to plan check all basic plans without fee and that the City reserves the right to perform spot inspections to verify compliance with the City Building Code.
  - C. If the City finds substantial noncompliance it may institute appropriate inspections and apply reasonable charges for these services.



10607

## Section 4.

The City Recorder shall submit to the Secretary of the State of Oregon (1) a copy of this Ordinance, (2) a copy of the statement of consent of the landowners of the territory annexed, and (3) a copy of Ordinance No. 5920 dispensing with an election in the City on the question of annexation. The City Recorder shall also send a description by metes and bounds or legal subdivision, of the new boundaries of the City within ten (10) days of the effective date of annexation to the Klamath County Assessor and the Klamath County Clerk

Passed this 6th day of August, 1973  
by the Common Council of the City of Klamath Falls.  
Presented to the Mayor and by him approved and signed  
this 6th day of August, 1973.

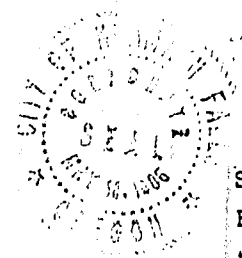
Robert Elsworth  
Mayor

ATTEST:

Rosie Keller  
Recorder

STATE OF OREGON,  
COUNTY OF KLAMATH, SS.  
CITY OF KLAMATH FALLS.

I, Rosie Keller, Recorder for the City of Klamath Falls, Oregon, do hereby certify that the above and foregoing is a true and correct copy of an ordinance duly adopted by the Common Council of the City of Klamath Falls at a regular meeting held on the 6th day of August, 1973, and thereafter approved and signed by the Mayor and attested by the Recorder.



STATE OF OREGON; COUNTY OF KLAMATH, ss.  
Recorder  
City of Klamath Falls

Filed for record at request of City Hall  
this 10th day of August A. D., 1973 at 12:02 o'clock P. M., and duly recorded in  
Vol. M-73 of deeds on Page 106  
Fee 6.00

WM. D. MILNE, County Clerk

By Handwritten Signature

Aug 10 2 10 PM 1973