

A SPECIAL ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY LOCATED ON UPHAM WAY ("KNOWN AS THE WILLIAMS' PROPERTY"); AMENDING THE COMPREHENSIVE PLAN TO DESIGNATE A LAND USE CATEGORY AND GRANTING A ZONE CHANGE FROM SUBURBAN RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL

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

WHEREAS, a hearing was held on February 14, 1994, pursuant to applicable laws, at which time all objections or remonstrances with reference to said proposed annexation were considered by the Planning Commission;

WHEREAS, The City Council hearing notice having been duly given, did hold a public hearing on March 21, 1994, on the record of the Planning Commission on the annexation request;

WHEREAS, the Council has adopted the findings of the Planning Commission, attached hereto and incorporated by this reference as Exhibit "A", determining the annexation to be in compliance with the Comprehensive Plan and Community Development Ordinance;

WHEREAS, the Council did determine annexation of said properties to be in the best interest of the City and the continuous territory;

WHEREAS, the City of Klamath Falls adopted a Comprehensive Plan for the City on April 20, 1982, by virtue of passage of Ordinance No. 6336;

WHEREAS, the Planning Commission and pursuant thereto, the City Council did conduct public hearings in accordance with applicable laws to consider a request for a Comprehensive Plan Amendment of approximately five acres from Urban Residential (County designation) to Low Density Residential (City designation), as petitioned under Sections 12.670 to 12.710 of the Community Development Ordinance;

WHEREAS, pursuant to such record and hearing, the City Council has determined the plan change to be in compliance with the Community Development Ordinance and the Comprehensive Plan;

WHEREAS, the owner of the real property hereinafter described, desires to have a zone change for said property;

WHEREAS, after notice having been duly given, the City Planning Commission held a public hearing on February 14, 1994, on requests;

WHEREAS, the City Council hearing notice haven been duly given, did hold a hearing on March 21, 1994 on the record of the Planning Commission on the request of the City Council; and

WHEREAS, pursuant to such record and hearing, the City Council has determined the zone change to be in compliance with the Community Development Ordinance and the Comprehensive Plan; NOW THEREFORE,

THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:

Section 1

There is hereby annexed to the City of Klamath Falls, a tract of land situated in Section 35, T.38S., R.09E., W.M., being further described as follows:

1. The south five acres of Tract 9 of Enterprise Tracts, in the County of Klamath, State of Oregon and described in Volume 78, Page 17401 of Deed Records in the Klamath County Clerks Office, as shown on Exhibit "B" (attached hereto and incorporated herein by this reference).

Section 2

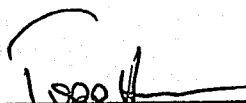
The Land Use Designation for the above described property is hereby changed from Urban Residential (County designation) to Low Density Residential (City designation), as defined by the Comprehensive Plan and Community Development Ordinance of the City of Klamath Falls.

Section 3

The zoning designation for the above described property is hereby changed from Suburban Residential (Klamath County designation) to Single Family Residential (City designation) as set forth in the City's Community Development Ordinance (CDO) No. 6337, the CDO being amended accordingly.

Passed by the Council of the City of Klamath Falls, Oregon, the 4th day of April, 1994.

Presented to the Mayor (~~Mayor Pro-tem~~), approved and signed this 5th day of April, 1994.

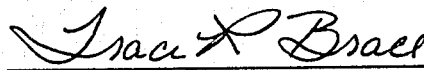

 Mayor (~~Mayor Pro-tem~~)

ATTEST:


 City Recorder (~~Deputy Recorder~~)

STATE OF OREGON
 COUNTY OF KLAMATH
 CITY OF KLAMATH FALLS } ss

I, Traci R. Brace, ~~Recorder~~ (Deputy Recorder) for the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon, at the meeting held on the the 4th day of April, 1994 and thereafter approved and signed by the Mayor (~~Mayor Pro-tem~~) and attested by the City Recorder (~~Deputy Recorder~~).

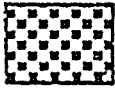

~~City Recorder~~ (Deputy Recorder)

This Ordinance shall become effective thirty (30) days after being approved and signed by the Mayor.

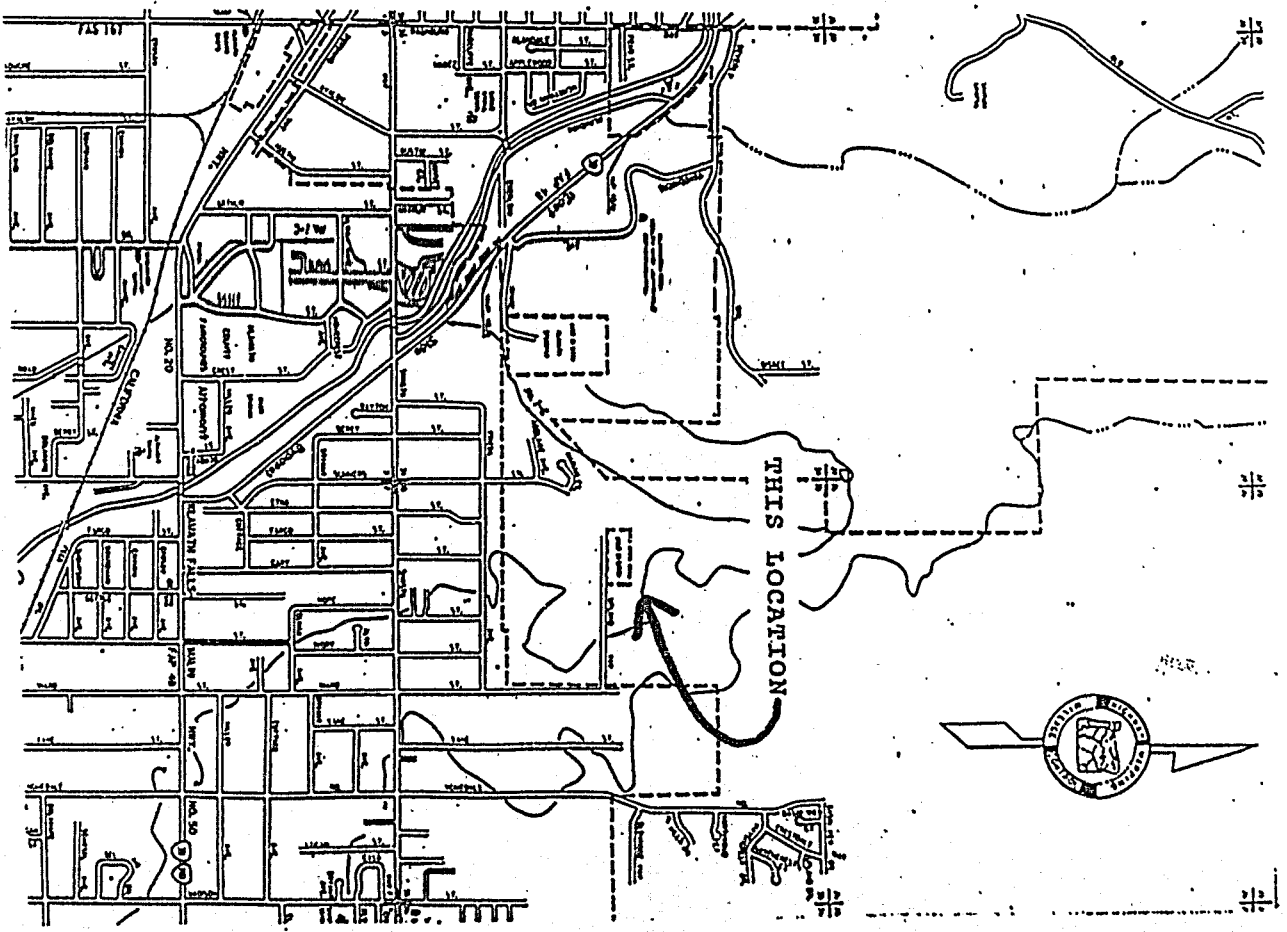
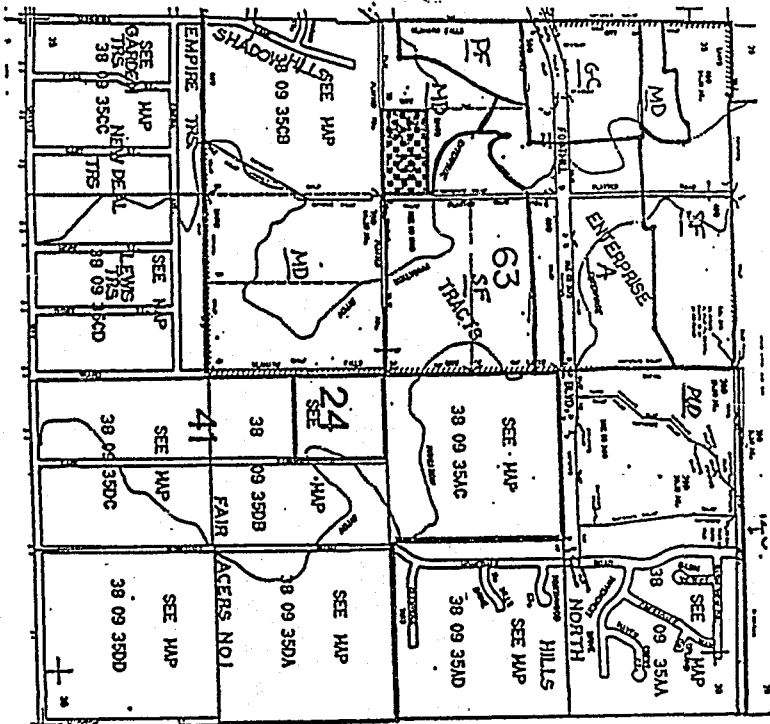

 City Recorder

FINDINGS

1. The subject parcel is surrounded by the city limits and is within the Urban Growth Boundary.
2. The proposed annexation is in conformance with the City's Comprehensive Plan, specifically the Urbanization Element.
3. The subject property contains one single family home and is planned and zoned for low density residential use. The use will not change with the proposed annexation or plan and zone change. No adverse affects on surrounding properties is expected as a result of the proposed annexation.
4. Annexation of the property is compatible with the rational and logical extension of utilities and roads to the surrounding area and will conform with the City's Comprehensive Plan and applicable regulations within the Community Development Ordinance. At the time of annexation, the City will provide and maintain its full range of urban services to the property, subject to city policies and standards.
5. The subject property is not located in a floodplain and does not encroach upon agricultural or forest lands.
6. The annexation will not adversely affect the quality of the community's air, water and land resources.
7. The proposed annexation of the site is consistent with City Council goals to annex county islands.
8. The proposed annexation is in conformance with ORS 222.750 which allows city's to annex county islands within their boundaries without consent of the owner. Consent of the owner has not been received, nor has it been sought.



AREA TO BE ANNEXED



17701

10772

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City of Klamath Falls the 11th day
of April A.D., 19 94 at 3:56 o'clock P M., and duly recorded in Vol. M94
of Deeds on Page 10768.

FEE \$30.00

Evelyn Biehn County Clerk

By Roseline Millenberry