

96 FEB 21 P3:47

ORDINANCE NO. 96-2

A SPECIAL ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY
LOCATED WEST OF THE TERMINATION OF DOUGLAS AVENUE AND
CLEVELAND AVENUE, IN THE STEWART LENNOX SUBDIVISION;
AMENDING THE COMPREHENSIVE PLAN TO DESIGNATE
A LAND USE CATEGORY AND GRANTING A ZONE
CHANGE FROM RESIDENTIAL-MEDIUM DENSITY
TO MEDIUM DENSITY 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 October 23, 1995, 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 January 16, 1996; 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 Medium 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 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, 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 Tract 1283 the NE¼, SE¼, of Section 12, T39S, R8EWM, being further described as follows:

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AFTER RECORDING RETURN TO:
City Recorder
P. O. Box 237
Klamath Falls, OR 97601

1. Beginning at a 2½" brass capped monument, marking the initial point, from which the south 1/16 corner common to Section 7, T39S, R9EWM and Section 12, T39S, R8EWM, bears S32°26'11"E 830.02 feet; thence N09°30'40"E 75.31 feet; thence N23°31'19"E 87.78 feet; thence N38°48'27"E 87.78 feet; thence N54°05'35"E 87.78 feet; thence N68°25'43"E 80.51 feet; thence N72°47'33"E 189.39 feet to a point on the west line of Lot 1, Block 9 of "Stewart", a duly recorded subdivision; thence S00°49'55"E, along said line, 479.27 feet to a 5/8" iron pin marking the southwest corner of Lot 1 Block 8 of said "Stewart"; thence continuing along said line, S00°52'27"E 177.04 feet to point on the west line of Lot 24, Block 1 of said "Stewart"; thence N87°54'27"W 245.01 feet; thence N89°24'23"/w 225.01 feet; thence N00°35'37"E 185.00 feet; thence S89°24'23"E 27.88 feet; thence N00°35'37"E 100.00 feet to the point of beginning, containing 5.67 acres.

Section 2

The Land Use Designation for the above described property is hereby changed from Urban Residential (County designation) to Medium 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 Urban Residential-Medium Density (Klamath County designation), to Medium Density 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 5th day of February, 1996.

Presented to the Mayor (~~Mayor Pro-tem~~), approved and signed this 6th day of February, 1996.

Tom Km
Mayor (~~Mayor Pro-tem~~)

ATTEST:

Elisa D. Fritz
City Recorder (~~Deputy Recorder~~)

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

I, Elisa D. Fritz, 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 5th day of February, 1996 and thereafter approved and signed by the Mayor (~~Mayor Pro-tem~~) and attested by the City Recorder (~~Deputy Recorder~~).

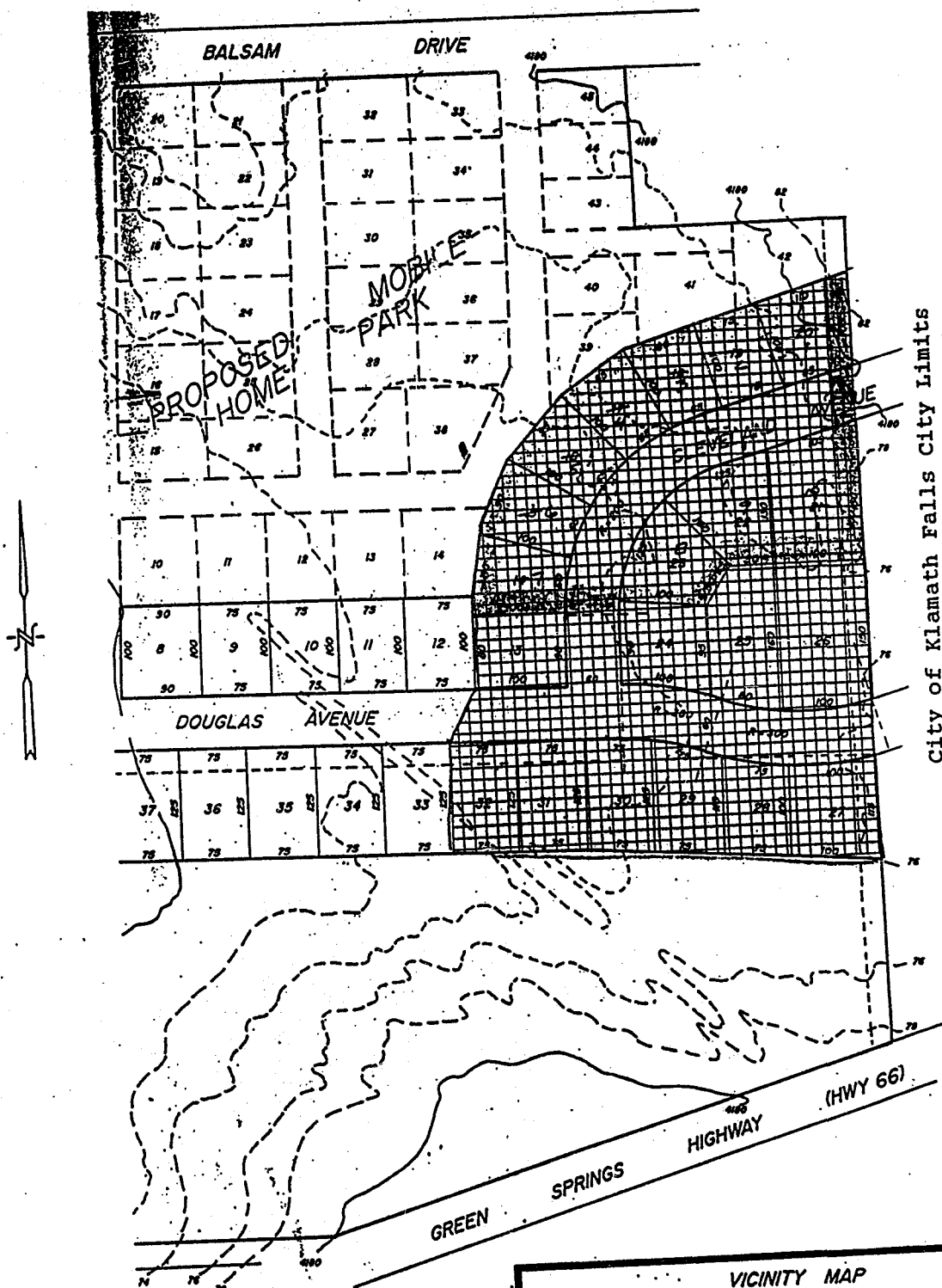
Elisa D. Fritz
City Recorder (~~Deputy Recorder~~)

EXHIBIT "A"**FINDINGS**

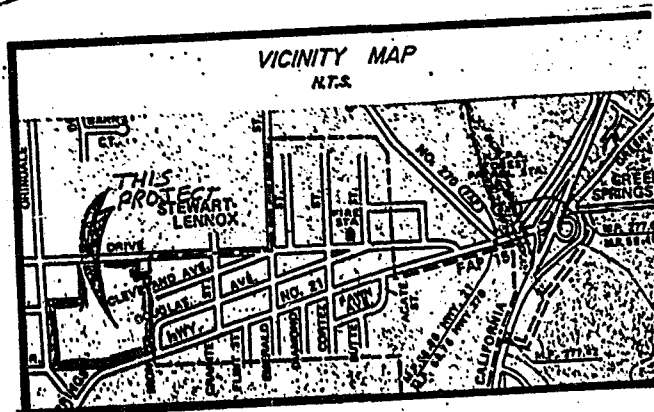
1. The subject parcel is adjacent to the City limits and is within the Urban Growth Boundary.
2. The proposed annexation is in conformance with the City's Comprehensive Plan, specifically the Urbanization Element.
3. The subject property is planned and zoned for Medium Density Residential use. The use 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 agriculture 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 lands when services are provided or at the request of the property owner.

TRACT 1283

TRACT 1288
SITUATED IN THE NE1/4 SE1/4 OF SECTION 12,
T39S, R8EWM, KLAMATH COUNTY, OREGON
JUNE, 1993



AREA TO BE ANNEXED



TRACT 1893

SECTION 18 IN THE NE 1/4 BEING OF SECTION 18
TOWNSHIP 36 NORTH RANGE 12 EAST COUNTY OF KLAMATH

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of City Of Klamath Falls the 21st day
of February A.D. 19 96 at 3:47 o'clock P. M., and duly recorded in Vol. M96
of Deeds on Page 4812

FEE \$25.00

Bernetha G. Letsch, County Clerk
By Cheryl Russell

CITY OF KIAMSON LUTIE CIRC TRIPPS

