

ORDINANCE NO. 97-2A SPECIAL ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY
LOCATED ALONG WASHBURN WAY, SOUTH OF
OC&E RAIL RIGHT OF WAY

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

WHEREAS, a hearing was held on November 25, 1996, 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 6, 1997; on the record of the Planning Commission on the annexation requests;

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, 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 parcel of land situated along Washburn Way, in the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 4AD, Tax Lot 700, Township 39 South, Range 9 East, WM., Klamath County, Oregon, being further described as follows:

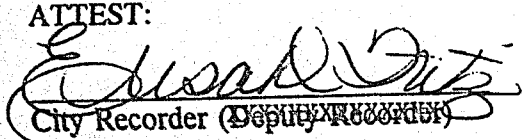
Beginning at a point on the west right of way line of Washburn Way, said point being the northeast corner of Parcel 2 as shown on Survey No. 5388 recorded in the office of the Klamath County Surveyor; thence N.00°03'30"E., along said west right of way line, 114.00 feet; thence N.89°56'30"W., 161.96 feet; thence S.00°03'30"W., 114.00 feet; thence S.89°56'30"E., 161.96 feet to the Point of Beginning and furthered referenced in Exhibit "B".

Passed by the Council of the City of Klamath Falls, Oregon, the 21st day of January, 1997.

Presented to the Mayor (Mayor Pro-tem), approved and signed this 22nd day of January, 1997.


Mayor (Mayor Pro-tem)

ATTEST:


City Recorder (Deputy Recorder)

After recording return to:
City Recorder
P.O.Box 237
Klamath Falls, OR 97601

STATE OF OREGON
COUNTY OF KLAMATH
CITY OF KLAMATH FALLS

} ss

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 21st day of January, 1997 and thereafter approved and signed by the Mayor (~~Mayor Erickson~~) and attested by the City Recorder (~~Deputy-Recorder~~).



City Recorder ~~(Deputy-Recorder)~~

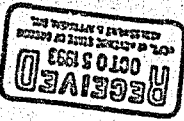
EXHIBIT "A"

FINDINGS

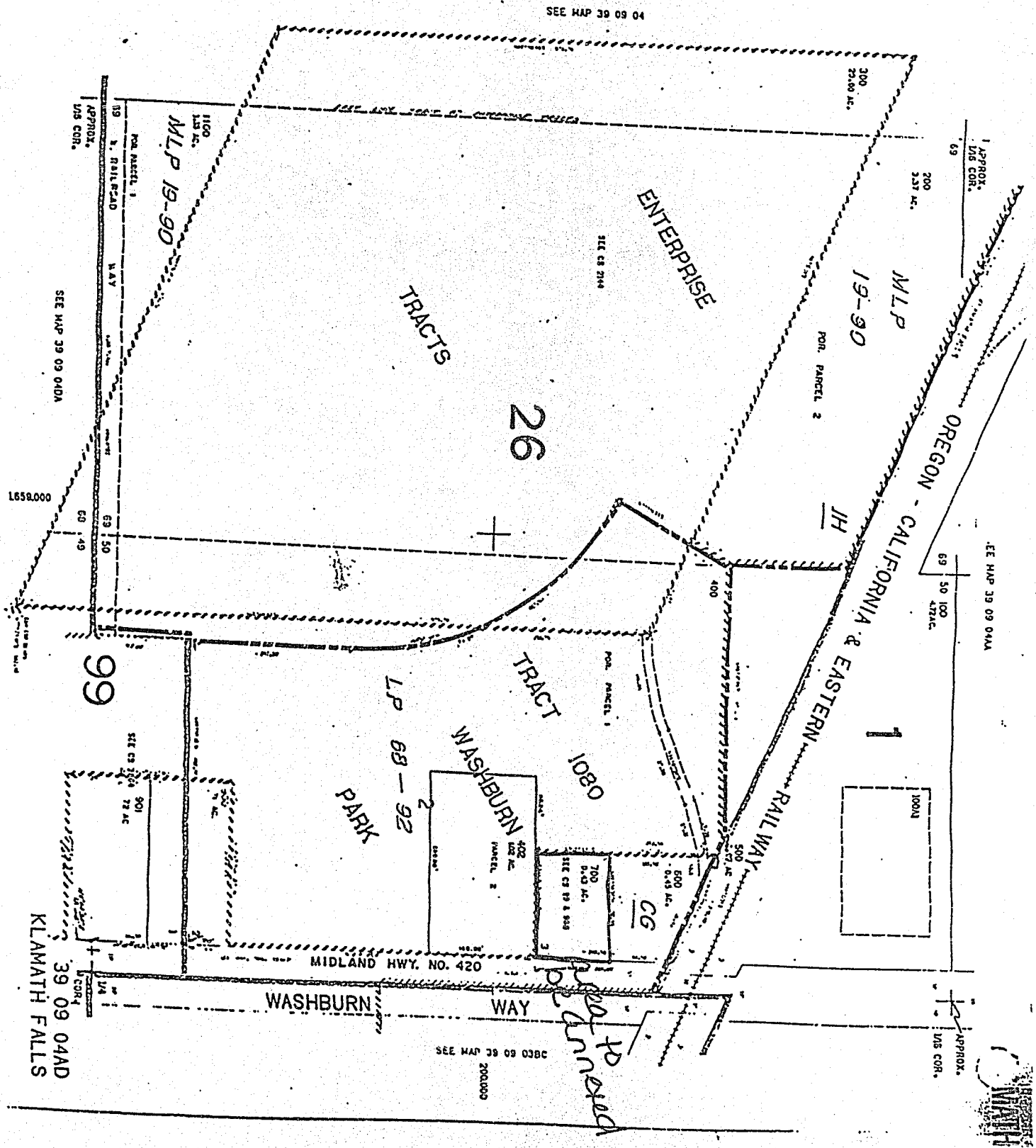
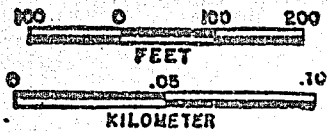
1. The subject property is planned and zoned for commercial use. It is within the center of the Urban Growth Boundary. The use will not change with the proposed annexation or plan and zone change. The property to be annexed is improved and urbanized. Future development will conform with the City's Comprehensive Plan and applicable regulations within the Community Development Ordinance. No adverse affects on surrounding properties is expected as a result of the proposed annexation.
2. The subject property is not located in a floodplain or other natural hazard or resource area.
3. The proposed annexation of the site is consistent with City policy which requires the annexation, by consent, of nonresidential properties to the City if provided with water service and is responsive to the request for annexation by the majority of the property owners.
4. Fire and road access are currently available to the subject property. No impact on these services is expected with the annexation of the subject property to the City of Klamath Falls. Police protection will be available following annexation. It will be provided through the patrol route currently servicing the Gatewood and airport areas. Water service is available per City standards.

EXHIBIT "B"

4125



SCALE 1:2400



STATE OF OREGON : COUNTY OF KLAMATH: SS.

Filed for record at request of City of Klamath Falls the 10th day
of February A.D., 19 97 at 3:24 o'clock P. M., and duly recorded in Vol. M97
of Deeds on Page 4122

FEE \$25.00

Bernetha G. Leisch, County Clerk
by Kathleen Ross