

ORDINANCE NO. 98-12

**A SPECIAL ORDINANCE ANNEXING CERTAIN
TERRITORY TO THE CITY OF KLAMATH FALLS
LOCATED AT 2977 WASHBURN WAY**

WHEREAS, the City of Klamath Falls initiated an annexation based upon property owner request; of certain real property by the Klamath Falls City Council thereof, which property is hereinafter described;

WHEREAS, a hearing was held on June 8, 1998, 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 July 6, 1998; 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 "B", determining the annexation to be in compliance with the Comprehensive Plan and Community Development Ordinance;

WHEREAS, the Council did determine annexation of said property 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 annexation 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 3.7 acre tract as shown on the map attached hereto as Exhibit "A" and further described as a part of the S ½ SW ¼ SW ¼ of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, described as follows:

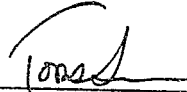
Beginning on the North lone of said fractional subdivision 60 feet West from the Northeast corner thereof and go thence West on the North line thereof 550 feet to the East right of way line of Washburn Way; thence South on said right of way line 300 feet to the North right of way line of Hilyard Avenue; thence East on said right of way line 550 feet to the point due South from the point of beginning; thence North 300 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon State Highway Commission by instrument recorded January 17, 1966 in Volume 66 at page 489.

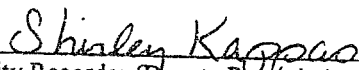
ALSO EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its Department of Transportation by instrument recorded January 23, 1997, Volume M97, page 2009, Microfilm Records of Klamath County, Oregon.

Passed by the Council of the City of Klamath Falls, Oregon, the 20th day of July, 1998.

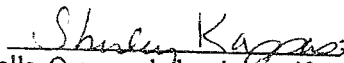
Presented to the Mayor (~~Mayor Pro-tem~~), approved and signed this 21st day of
July, 1998.


Mayor (~~Mayor Pro-tem~~)

ATTEST:


City Recorder (~~Deputy Recorder~~)

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

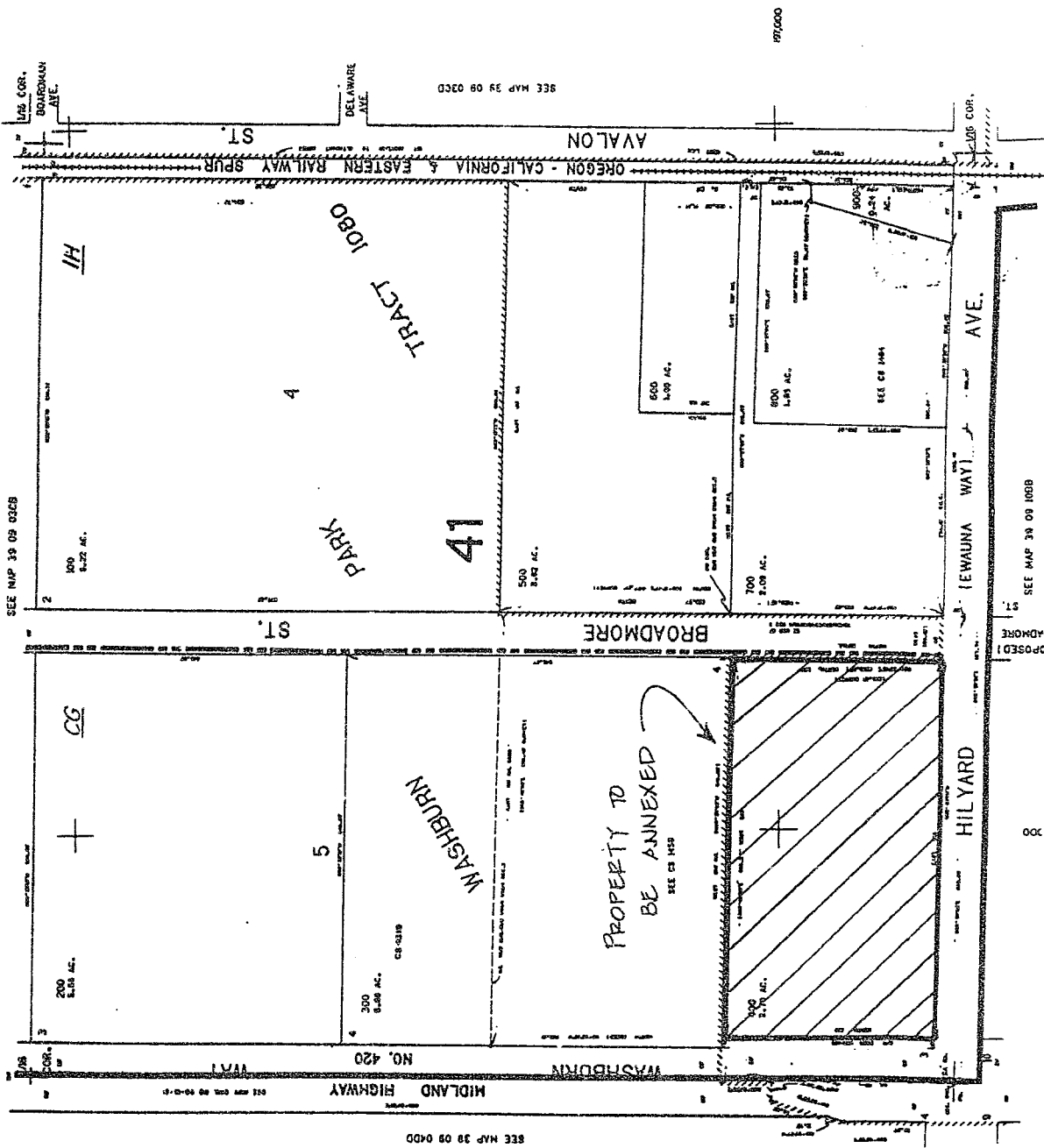
I,  Recorder (~~Deputy Recorder~~) for the City of Klamath Falls, Oregon, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Council of the City of Klamath Falls, Oregon, at the meeting held on the 20th day of July, 1998 and thereafter approved and signed by the Mayor (~~Mayor Pro-tem~~) and attested by the ~~City Recorder~~ (~~Deputy Recorder~~).


~~City Recorder~~ (~~Deputy Recorder~~)

3709.03cc.400

MATH COUNTY

THIS MAP WAS PREPARED FOR



Ordinance No. 98-12, Page 3

EXHIBIT "B"

1. The subject property is currently planned and zoned for commercial use. It is in the Urban Growth Boundary. The use will not change with the proposed annexation. The property is currently improved and used for commercial purposes. No adverse affects on surrounding properties are expected as a result of the proposed annexation.
2. The subject property is not located in the floodplain or other natural hazard or resource area.
3. The proposed annexation of the site is consistent with the City policy requiring annexation, by consent, of nonresidential properties to the City if provided water service and is responsive to the request for annexation by property owners.
4. Emergency vehicle access exists on site. Police protection will be available following annexation. Water service has been provided per City standards.

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of City of Klamath Falls the 4th day
of September A.D., 19 98 at 10:54 o'clock A M., and duly recorded in Vol. M98
of Deeds on Page 32587

FEE \$25.00

By Bernetha G. Letsch County Clerk
Kathleen Ross

AFTER RECORDING RETURN TO:
City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601