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State of Oregon, County of Klamath
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Linda Smith, County Clerk
Fee \$ 47.00 # of Pgs 5

Ordinance No. 02-10

**A SPECIAL ORDINANCE ANNEXING A .52 ACRE PARCEL BORDERING WASHBURN WAY
AND EDISON AVENUE**

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; and

WHEREAS, a public hearing was held on March 25, 2002, pursuant to applicable laws, at which time all evidence and objections with reference to said proposed annexation were considered by the Planning Commission; and

WHEREAS, the City Council hearing notices having been duly given, did hold a public hearing on May 6, 2001 on the recommendations of the Planning Commission on the annexation; and

WHEREAS, the City Council has adopted the findings of the Planning Commission, attached hereto and incorporated by this reference as Exhibit "B"; and

WHEREAS; the Council did determine annexation of said property to be in the best interests of the city and the contiguous territory; and

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:

There is hereby annexed to the City of Klamath Falls, on the map attached hereto as Exhibit "A" and as described in the legal description attached hereto as Exhibit "C".


Passed by the Council of the City of Klamath Falls, Oregon, the 20th day of May, 2002.

Presented to the Mayor (~~Mayor Pro tem~~), approved and signed this 21st day of May, 2002.



Mayor (~~Mayor Pro tem~~)

ATTEST:



City Recorder (Deputy Recorder)

41 ✓

STATE OF OREGON }
COUNTY OF KLAMATH } SS
CITY OF KLAMATH FALLS)

I, Shirley Kappas, ~~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 May, 2002 and thereafter approved and signed by the Mayor (~~Mayor Pro tem~~) and attested by the ~~City Recorder~~ (Deputy Recorder).

Shirley Kappas
~~City Recorder~~ (Deputy Recorder)

Exhibit "A"
(Vicinity Map)

1-100-

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SEE MAP 39 09 10BB

ONYX

AVE.

FREMONT

PARK

TRACY

THAC

DITIONAL

10 4

ALTIMONT ACRES

WASHBURN

(MIDLAND HWY.)

ST. NO. 420

EDISON

AVE.

TRACT

41

WASHBURN
8 1

2274

L A V E R N E

AVE.

SEE MAP 39 09 10CB

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Exhibit "B"
(Findings)

Annexation Criterion:

13. This annexation will not encroach on agricultural lands. This area has already been developed for commercial uses. The closest property zoned for agricultural use is approximately 1.5 miles away to the South.
14. This annexation will not encroach upon forestland. This area has already been developed for commercial uses. The closest property zoned for forestry use is approximately 3.5 miles away to the North.
15. This annexation will help conserve open space. This annexation will make it possible to utilize a vacant parcel that is well within the Urban Growth Boundary. This "in-fill" will not affect lands dedicated to open space.
16. This annexation will not adversely affect the community's air, water, and land resources. The proposed use for this vacant property is a retail store. The creation of this retail store will not affect the air, water, or land resources in the area.
17. This annexation will not endanger life or property from natural disaster or hazards. The proposed retail store will not affect any natural disaster or hazard.
18. This annexation will enhance the citizen's recreation needs. The development of this parcel will help to bring in more revenue through taxes to enhance citizen's recreation needs.
19. This annexation will help improve the community's economy by providing new employment opportunities and work for construction companies.
20. This annexation will not have a negative effect on housing. The parcel is currently zoned for commercial uses, and will remain the same.
21. This annexation will create a timely, orderly and efficient arrangement of public facilities and services. It will allow City Services to be extended to help facilitate the development of this lot.
22. This annexation will help provide a safe, convenient and economic transportation system. The proposed development is on a developed City street and a developed Klamath County street. It is also on the route of the Basin Transit Service.
23. This annexation will aid in conserving energy. This development will help create "in-fill" within the Urban Growth Boundary and therefore people will not have to travel outside of the already commercial area.
24. Not Applicable, the site in question is already urban in nature.

Exhibit "C"
(Legal Description)

A tract of land situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the northeast right of way corner of Washburn Way and Edison Avenue, thence North $00^{\circ} 02' 15''$ West 8 feet to the true point of beginning of this description; thence North $00^{\circ} 02' 15''$ West along the East right of way line of Washburn Way a distance 120.76 feet to a $\frac{5}{8}$ inch iron pin; thence North $89^{\circ} 30' 00''$ East a distance of 175.00 feet to a $\frac{5}{8}$ inch iron pin; thence South $00^{\circ} 02' 15''$ East, along a line that is parallel with Washburn Way, a distance of 128.76 feet to a $\frac{5}{8}$ inch iron pin on the north right of way line of Edison Avenue; thence South $89^{\circ} 30' 00''$ West a distance of 167.00 feet, thence Northwesterly in a straight line to the true point of beginning of this description.