

Ordinance No. 02- 13

**A SPECIAL ORDINANCE ANNEXING A .38 ACRE PARCEL LOCATED AT 429 OLD FORT ROAD**

**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 May 13, 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 June 17, 2002 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 City Council did determine annexation of said property to be in the best interest 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, a parcel of land as shown 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 22nd day of July, 2002.

Presented to the Mayor (~~Mayor Pro tem~~), approved and signed this 23rd day of July, 2002.

  
\_\_\_\_\_  
Mayor (~~Mayor Pro tem~~)

ATTEST:

  
\_\_\_\_\_  
City Recorder (~~Deputy Recorder~~)

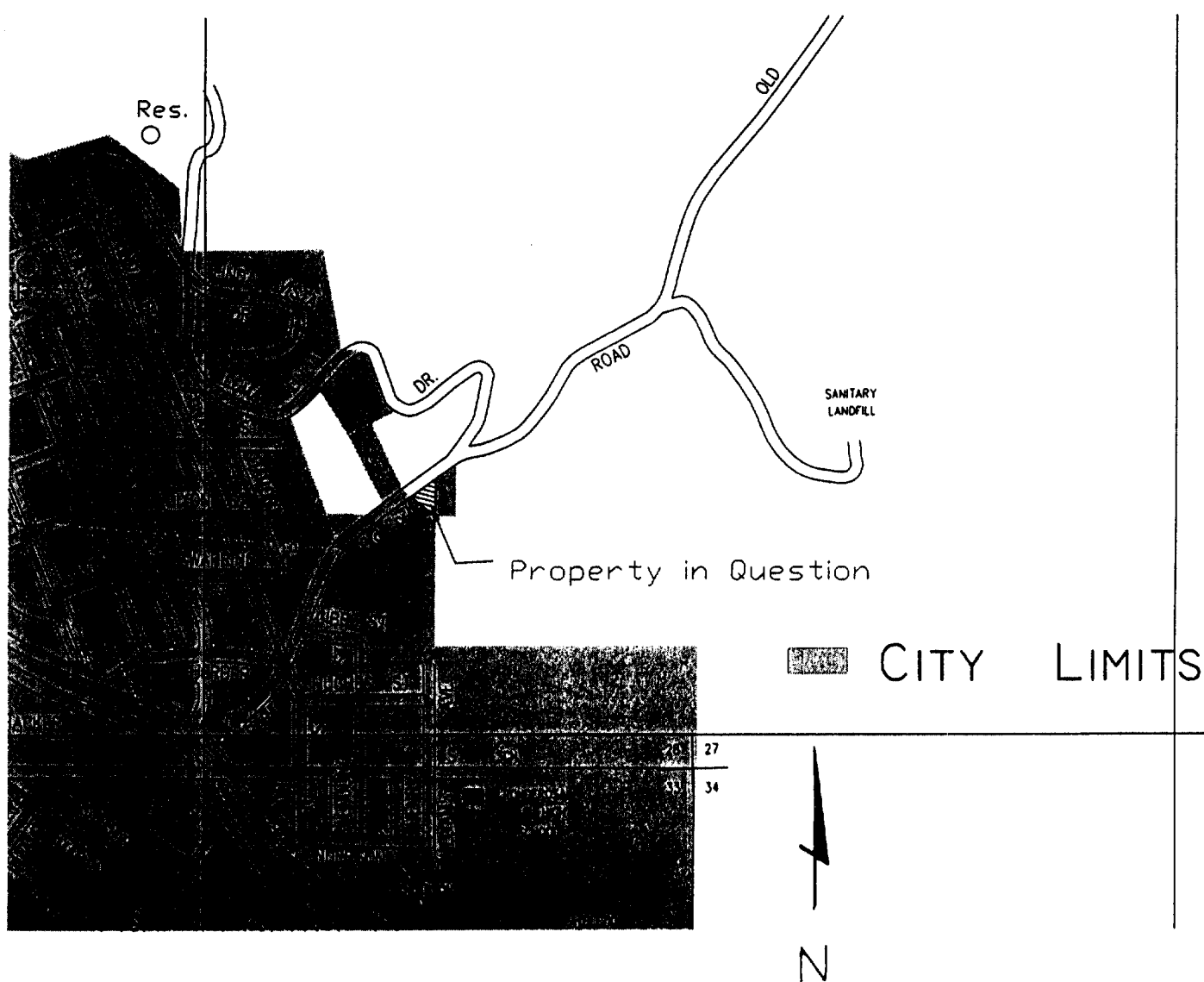
State of Oregon, County of Klamath  
Recorded 08/14/2002 9:00 a.m.  
Vol M02, Pg 45672-76  
Linda Smith, County Clerk  
Fee \$ 41.00 # of Pgs 5

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 22<sup>nd</sup> day of July, 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)



**Exhibit “B”**  
**(Findings)**

Annexation Criterion:

1. This annexation will not encroach on agricultural lands. The adjacent area has already been developed for high density residential use. The closest property zoned for agricultural use is over 2 miles away to the North.
2. This annexation will not encroach upon forestland. The adjacent is area has already been developed for high density residential use. The closest property zoned for forestry use is approximately .5 miles away to the North.
3. 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.
4. This annexation will not adversely affect the community’s air, water, and land resources. The proposed use for this vacant property is a 4-plex. The creation of this 4-plex will not affect the air, water, or land resources in the area.
5. The proposed 4-plex is not located in a flood plain area, and will be constructed in accordance with current seismic standards.”
6. This annexation will enhance the citizen’s recreation needs. The development of this parcel will help to bring in more revenue though taxes to enhance citizen’s recreation needs.
7. This annexation will help improve the community’s economy by providing new employment opportunities and work for construction companies.
8. This annexation will not have a negative effect on housing. This parcel, when developed, will provide 4 new residences to the community.
9. 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.
10. This annexation will help provide a safe, convenient and economic transportation system. The proposed development is on a developed County street.
11. 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 an area already developed for residential uses.
12. Not Applicable, the site in question is already urban in nature.

**Exhibit "C"**  
**(Legal Description)**

A tract of land situated in the NW ¼ SE ¼ of Section 28, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of Dixon Addition to the City of Klamath Falls, OR, and running thence North 45° 46' West 181.2 feet to a point on the easterly right of way line of the Old Fort Klamath Road, thence North 46° 29' East along said Northerly right of line a distance of 184.65 feet to a point on the 40 line, thence South 1° 02' West along said 40 line a distance of 253.21 feet to the point of beginning.