

**A SPECIAL ORDINANCE ANNEXING APPROXIMATELY 23.89 ACRES NORTH OF  
THE NORTHERN TERMINUS OF WASHBURN WAY**

**WHEREAS**, the applicant, the Herald and News, has submitted a written proposal for annexation of certain real property which is hereinafter described; and

**WHEREAS**, a public hearing was held on September 12, 2005, pursuant to applicable laws, at which time all evidence and objection 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 October 3, 2005, on the recommendation of and including the record of the Planning Commission concerning the annexation; 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; and

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

**THE CITY OF KLAMATH FALLS ORDAINS AS FOLLOWS:**

There is hereby annexed to the City of Klamath Falls, parcels of land as shown on the map attached hereto as Exhibit A, and described as:

A TRACT OF LAND LOCATED IN THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD WITH CAP ON THE NORTHERLY RIGHT-OF-WAY OF FOOTHILLS BOULEVARD WHICH BEARS SOUTH 23°01'34" EAST, 1131.01 FEET FROM THE NORTHWEST SECTION CORNER OF SAID SECTION 34; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 60°21'22" WEST, 199.99 FEET; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 82°26'19" WEST, 277.34 FEET TO A POINT ON THE SECTION LINE COMMON TO SECTIONS 33 AND 34; THENCE ALONG SAID SECTION LINE, NORTH 00°24'05" EAST, 845.58 FEET TO A POINT WHICH BEARS SOUTH 00°24'05" WEST, 59.93 FEET FROM SAID NORTHWEST CORNER OF SECTION 34; THENCE SOUTH 89°34'32" EAST, 1332.55 FEET; THENCE SOUTH 00°27'10" WEST, 493.79 FEET; THENCE NORTH 89°29'48" WEST, 560.80 FEET; THENCE SOUTH 00°36'21" WEST, 712.05 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF FOOTHILLS BLVD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING 3 COURSES: THENCE NORTH 72°54'08" WEST, 378.89 FEET; THENCE NORTH 60°19'58" WEST, 19.71 FEET; THENCE NORTH 29°38'10" WEST, 124.96 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 24.15 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE OREGON STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.

Passed by the Council of the City of Klamath Falls, Oregon, the 17th day of October, 2005.

Presented to the Mayor, approved and signed this 18th day of October, 2005.

Mayor

ATTEST:

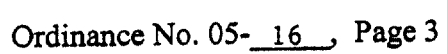
  
City Recorder (Deputy Recorder)

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

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 on the 17th day of October, 2005 and therefore approved and signed by the Mayor and attested by the City Recorder (~~Deputy Recorder~~).

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

**VICINITY MAP**  
No Scale



## Exhibit B FINDINGS

Criterion *The annexation conforms to the Comprehensive Plan.*

- 1) *The annexation will not encroach upon agricultural ground.*  
Response: This annexation will not encroach on agricultural lands. The adjacent properties to the north, east and south are zoned Medium Density Residential (RM) within the County. Immediately south, across Foothills Boulevard and north of Crater Lake Park Way, the property is zoned General Commercial within the City; south of Crater Lake Park Way the property is zoned Apartment Residential within the City. The property to the west is zoned Public Facility within the City.
- 2) *The annexation will not encroach upon forestland.*  
Response: This annexation will not encroach upon forestland. This property is within the Urban Growth Boundary. No forestry operations take place in the area.
- 3) *The annexation will help conserve open space and protect natural resources.*  
Response: This annexation will help conserve open space. This annexation will make it possible to develop light industrial property within the Urban Growth Boundary. This "in fill" will preserve lands dedicated to open space.
- 4) *The annexation will not adversely affect the quality of the community's air, water, and land resources.*  
Response: The mere act of annexation will not adversely affect the quality of the community's air, water and land resource.
- 5) *The annexation will not endanger life or property from natural disasters or hazards.*  
Response: This annexation will not endanger life or property from natural disaster or hazards. Nor will the proposed office and production facility affect any natural disaster or hazard.
- 6) *The annexation will help satisfy the citizen's recreation needs.*  
Response: Not applicable, this annexation will not enhance nor distract from citizen's recreation needs.
- 7) *The annexation will help satisfy the community's housing need.*  
Response: Not applicable, this annexation will not enhance nor distract from the community's housing needs as it is zoned for light industrial use and this zoning will continue.
- 8) *The annexation will diversify and improve the community economy.*  
Response: This annexation will help improve the community's economy by providing new employment opportunities. The annexation will increase the City's tax base annually in real property tax revenue.
- 9) *The annexation will create a timely, orderly, and efficient arrangement of public facilities and services.*  
Response: The land is adjacent to other land and City services within the City limits. It will allow the development to hook up to City services that currently are located adjacent to the area, and would be logical to expand these services.
- 10) *The annexation will help provide a safe, convenient and economic transportation system.*  
Response: This annexation will help provide a safe, convenient and economic transportation system. The area proposed for annexation is north of the northern terminus of Washburn Way and connects to Foothills Blvd, both of which intersect a state highway, Crater Lake Park Way, formerly known as the East Side Bypass. The Transportation System Plan identifies the extension of Washburn Way through this property, ultimately connecting to Old Fort Road. This issue will be addressed in the Design Review (site plan) process.
- 11) *The annexation will aid in conserving energy.*  
Response: This annexation will aid in conserving energy. Once developed, it will help create "in-fill" within the urban area, and therefore, use of existing public facilities and services.
- 12) *The annexation will promote an orderly and efficient transition from rural to urban land uses.*  
Response: Not applicable, the site in question is already urban in nature.

Finding Based on the analysis, this annexation conforms to the Comprehensive Plan. This criterion is met.