

**A SPECIAL ORDINANCE ANNEXING INTO THE CITY OF KLAMATH FALLS
LOTS 38 THROUGH 43, 45 THROUGH 47, 50, 51, 86 AND 87 OF BLOCK 7 IN THE
CREGAN PARK SUBDIVISION, TOTALING APPROXIMATELY 2.11 ACRES**

WHEREAS, the applicant, Lewis Hanson Company, Inc., submitted a written proposal for annexation of certain real property which is hereinafter described; and

WHEREAS, a public hearing was held on December 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 January 17, 2006, 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, approximately 2.11 acres as shown on the map attached hereto as Exhibit A, and described as follows:

Lots 38 through 43 inclusive of CREGAN PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Lots 45, 46, 47, 50, 51, 86 and 87 of CREGAN PARK, according to the official plat thereof on file in the office on the County Clerk of Klamath County, Oregon.

The property is currently shown on Klamath County Tax Assessors Map, Sheet 3909-007BC, Tax Lots 01900 and 02901.


Passed by the Council of the City of Klamath Falls, Oregon, the 6th day of February, 2006.

Presented to the Mayor, approved and signed this 7th day of February, 2006.



Mayor

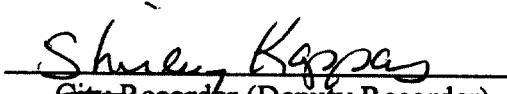
ATTEST:



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 6th day of February, 2006 and therefore approved and signed by the Mayor and attested by the City Recorder (~~Deputy Recorder~~).



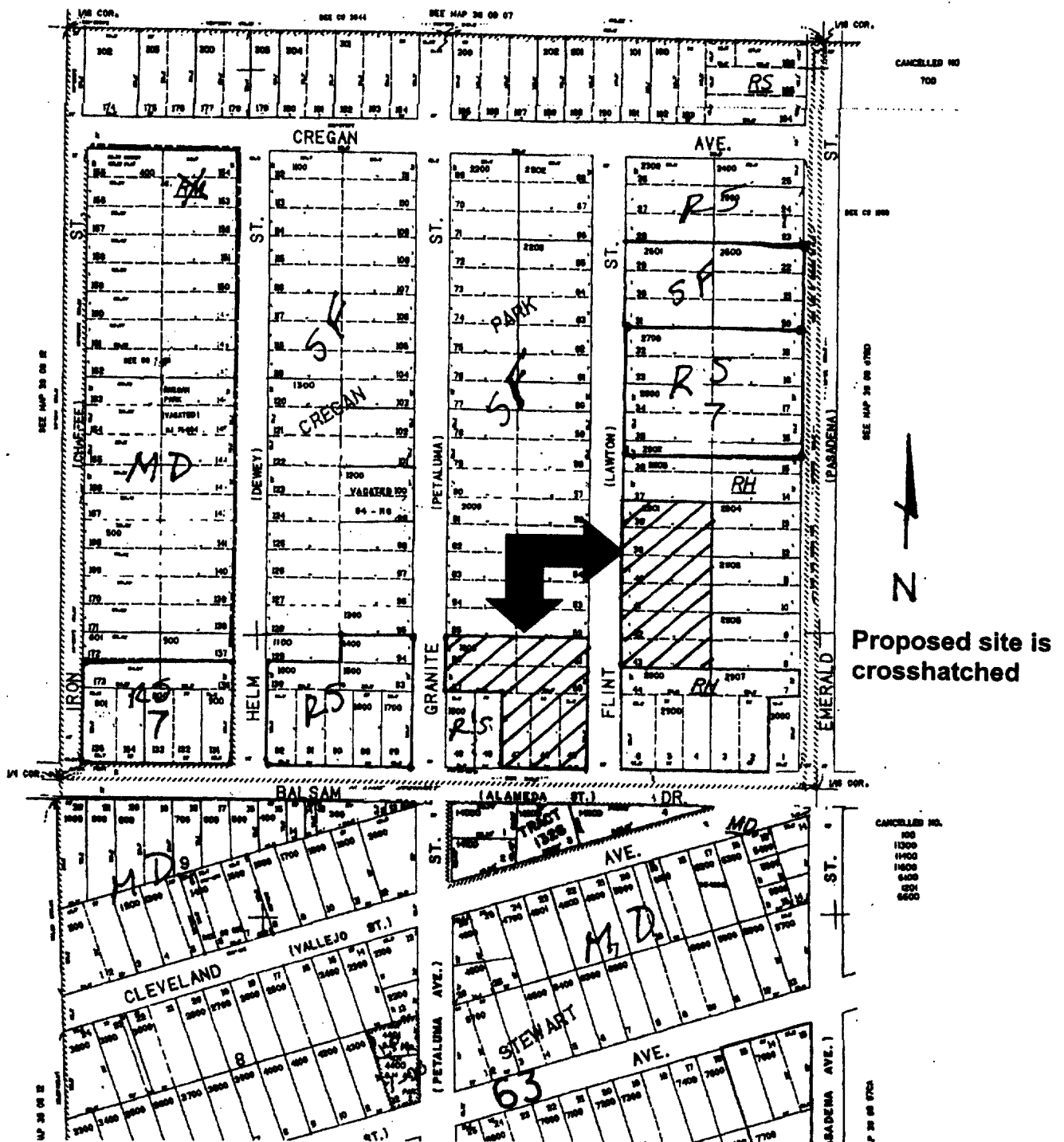
City Recorder (~~Deputy Recorder~~)

Exhibit A VICINITY MAP No Scale

SW1/4 NW1/4 SEC. 07 T.39S. R.09E. WM.
KLAMATH COUNTY

39 09 07BC

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



**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. These are existing lots totaling 2.11 acres for residential development and will remain residential if annexed. The property is surrounded by other City and County residential lots. Zones adjacent to tax lot 1900 are as follows: north is single family residential within the city, south is suburban residential within the county and medium density within the city, west is suburban residential within the county and single family within the city and east is high density residential within the county. Zones adjacent to tax lot 2901 are as follows: north is high density residential and suburban residential within the county, south high density residential within the county, and across Balsam Drive is medium density residential within the city, west single family residential within the city and east high density residential within the county.

2) The annexation will not encroach upon forestland.

Response

This annexation will not encroach upon forestland. These are existing 13 lots totaling 2.11 acres for residential development and will remain residential if annexed. The property is surrounded by other City and County residential lots. Zones adjacent to tax lot 1900 are as follows: north is single family residential within the city, south is suburban residential within the county and medium density within the city, west is suburban residential within the county and single family within the city and east is high density residential within the county. Zones adjacent to tax lot 2901 are as follows: north is high density residential and suburban residential within the county, south high density residential within the county, and across Balsam Drive is medium density residential within the city, west single family residential within the city and east high density residential within the county.

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 existing residential lots within the Urban Growth Boundary.

4) The annexation will not adversely affect the quality of the community's air, water, and land resources.

Response

Before this property is developed, the developer must make all public right of way infrastructure improvements, such as street, water, sewer, storm drainage and streetlights that meets the approval of Klamath County Public Works and the City of Klamath Falls. This annexation will not adversely affect the community's air, water, and land resources.

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. The proposed residential sites will not affect any natural disaster or hazard.

6) The annexation will help satisfy the citizen's recreation needs.

Response

This annexation will not enhance nor distract from citizen's recreation needs, therefore is not applicable.

7) The annexation will help satisfy the community's housing need.

Response

The annexation of this property with help to facilitate the development of residential structures and provide the City of Klamath Falls with an additional 13 residential tax lots.

8) *The annexation will diversify and improve the community economy.*

Response

This annexation, if approved, will increase the City's tax base through an increase in real and personal property tax revenue in addition to generating funds through system development charges and income through ongoing water and sewer fees. The construction of residences will provide economic opportunities for individuals in the building industry.

9) *The annexation will create a timely, orderly, and efficient arrangement of public facilities and services.*

Response

The lot is adjacent to other land within the City limits and to City services, so it is logical to expand these services to the property. There are concerns regarding the infrastructure system of the Cregan Park Subdivision and adjacent Stewart Lennox areas. Water is the most critical. A recent model of the Stewart Lennox area predicts that there are only 30 to 40 ERUs of water available without major infrastructure improvements. The improvements needed are storage, enhancement of the existing Debbie well, and maybe the development of a new well. The sewer system currently has approximately 400 ERUs available before it reaches capacity. The City has commissioned a comprehensive study of the sewer system to identify the needed improvements. The study is anticipated to be complete in December, 2006.

To the best of our knowledge, the natural resources are present to provide the water. The infrastructure will need to be developed. Annexation provides the first step in the development of this property. The City is providing services on a first-come first-serve basis with priority given to properties within the city limits.

10) *The annexation will help provide a safe, convenient and economic transportation system.*

Response

The annexation will help provide a safe, convenient and economic transportation system as the area fronts City developed roads. Tax lot 1900 fronts Balsam Drive, Granite Street and Flint, and tax lot 2901 fronts Flint Street. If the property is developed with residences then it will contribute a fair and proportionate share toward development of the City's sidewalks, curbs and gutters through a Local Improvement Contract.

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 existing public facilities and services, provided they are available.

12) *The annexation will promote an orderly and efficient transition from rural to urban land uses.*

Response

The site in question is already urban in nature, therefore it is not applicable.

Finding

The proposed annexation conforms to the comprehensive plan. This criterion is met.