

2015-012726  
Klamath County, Oregon



00178968201500127260060067

11/20/2015 03:31:12 PM

Fee: \$67.00

2015-010341  
Klamath County, Oregon



00176108201500103410050055

09/18/2015 10:41:12 AM

Fee: \$62.00

RERECORDED TO CORRECT LEGAL DESCRIPTION IN SPECIAL ORDINANCE  
ANNEXING PROPERTY PREVIOUSLY RECORDED IN KLAMATH COUNTY RECORDS  
2015-010341 AT THE REQUEST OF THE CITY OF KLAMATH FALLS

**Ordinance No. 15-10**

**A SPECIAL ORDINANCE ANNEXING  
PROPERTY, TOTALING 1.61 ACRES OF GENERAL  
COMMERCIAL ZONED PROPERTY (OC & E TRAIL)**

**WHEREAS**, there has been submitted to the City of Klamath Falls a written proposal for annexation of certain real property, which property is hereinafter described; and

**WHEREAS**, a public hearing was held on June 22, 2015 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, held a public hearing on July 20, 2015, 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 will be in compliance with the Community Development Ordinance and the Comprehensive Plan are met; 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 are hereby annexed to the City of Klamath Falls, parcels of land as shown on the map attached hereto as Exhibit A, and described Klamath County Assessor Map and Tax Lot R-3909-004AD-00100-000.

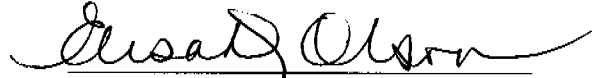
The zoning designation of the property will be General Commercial.

Passed by the Council of the City of Klamath Falls, Oregon, the 3<sup>rd</sup> day of August, 2015.

Presented to the Mayor, approved and signed this 4<sup>th</sup> day of August, 2015

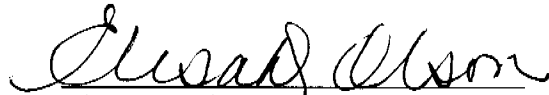
  
\_\_\_\_\_  
Mayor

ATTEST:

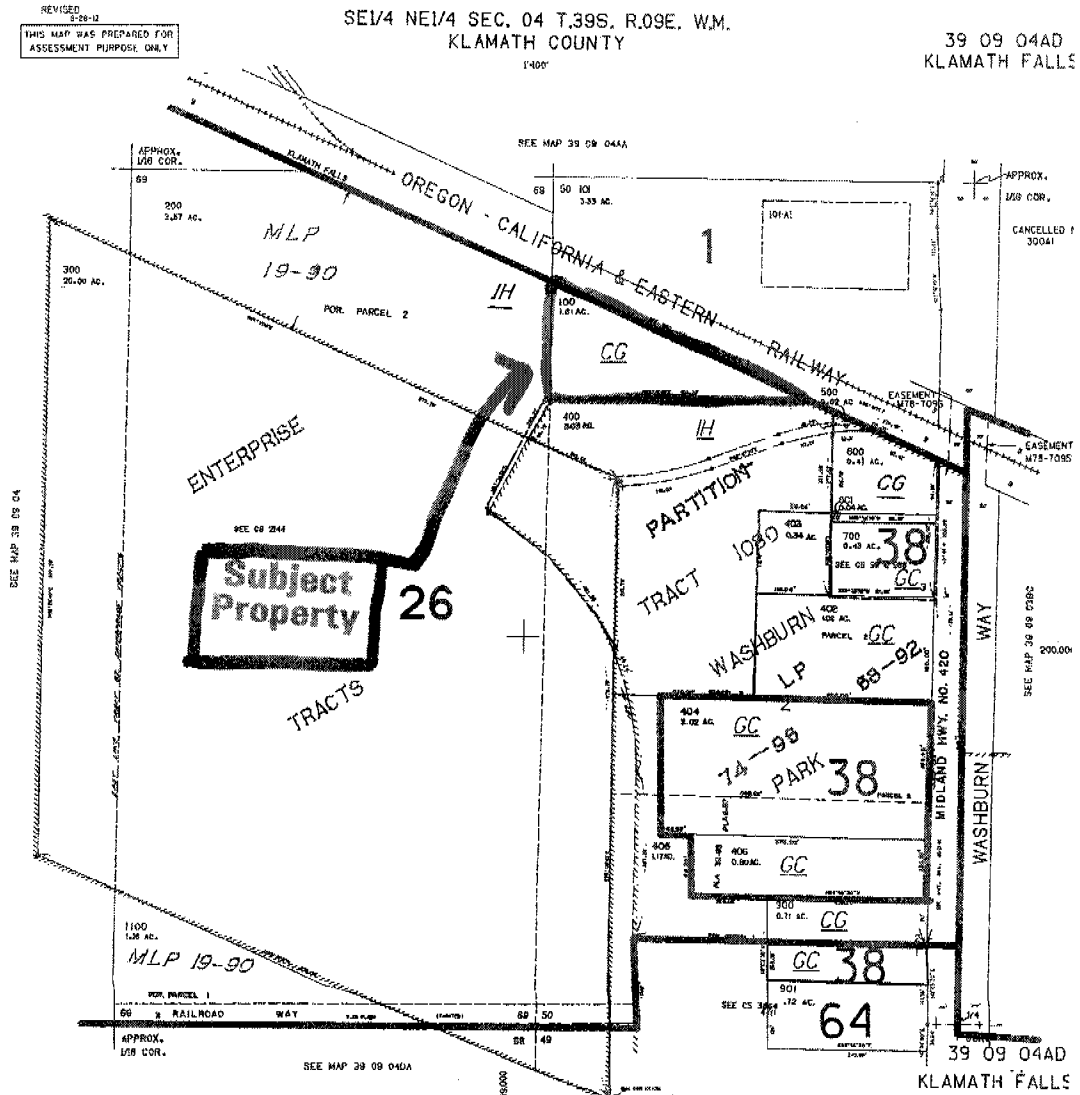
  
\_\_\_\_\_  
City Recorder

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

I, Elisa D. Olson, 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 3<sup>rd</sup> day of August, 2015 and therefore approved and signed by the Mayor and attested by the City Recorder.

  
\_\_\_\_\_  
City Recorder

**Exhibit A  
VICINITY MAP  
NO SCALE**



## **Exhibit B FINDINGS**

**I. RELEVANT REVIEW CRITERIA, FACTS AND ANALYSIS, AND FINDINGS**

*This proposal is being reviewed according to the provisions of the Klamath Falls Community Development Ordinance (Chapters 10-14), specifically Sections 13.105 to 13.140, regarding Annexation.*

*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. This property is zoned for General Commercial uses. This property is already in a developed area and adjacent to the City. The property is surrounded by general commercial zoned property.

**2) The annexation will not encroach upon forestland.**

**Response:** This annexation will not encroach upon forestland. This property is already in a developed area surrounded by property zoned General Commercial.

**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 for the Oregon Parks to obtain domestic water which will help facilitate the maintenance of the OC&E trail.

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

**Response:** The property in question is in a developed area. The development of the property will not affect quality of the community air, water, and land resources.

**5) The annexation will not endanger life or property from natural disasters or hazards.**

**Response:** The property in questions is already developed as the maintenance facility for the OC&E Trail. No addition development is proposed with this annexation. This annexation will not endanger life or property from natural disaster or hazard.

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

**Response:** Yes, this annexation will help facilitate the maintenance of the OC&E trail, which is a popular recreation facility in the City and the County.

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

**Response:** Not applicable. The property is already zoned for general commercial use; therefore the annexation of the property will not have an effect on the community's housing needs.

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

**Response:** Not applicable, this property is already developed.

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

**Response:** The annexation will create a timely, orderly, and efficient arrangement of public facilities and services. There are services already available to adjacent properties.

- 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 property in question abuts Washburn Way, a major arterial in the Klamath Falls Urban area.

- 11) The annexation will aid in conserving energy.

**Response:** This annexation will aid in conserving energy. Once redeveloped, 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:** The property in question is in an area developed with urban uses. This area contains Commercial and Industrial developments.

**Finding:** The annexation conforms to the Comprehensive Plan. This criterion is met.

## **Ordinance No. 15-10**

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**WHEREAS**, pursuant to such record and hearing the City Council has determined the annexation will be in compliance with the Community Development Ordinance and the Comprehensive Plan are met; 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 are hereby annexed to the City of Klamath Falls, parcels of land as shown on the map attached hereto as Exhibit A, and legally described as follows:

**A TRACT OF LAND SITUATED IN THE SE1/4 NE1/4 OF SECTION 4, TOWNSHIP 39 SOUTH, RANGE 9 EAST, OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Beginning at a 5/8" iron pin at the northeast corner of Parcel 2 as shown on Minor Land Partition 19-90 recorded in the Klamath County Clerk's Office, said corner being located on the south right of way line of the Oregon California & Eastern Railway; thence southeasterly, along said south right of way line, to its intersection with the north lot line of Lot 2, Block 2, Tract 1080-Washburn Park as shown on County Survey 3166 on file in the Klamath County Surveyor's Office, said intersection is marked with a 5/8" iron pin; thence S 89deg. 41' 49" W, 403.23' to a 5/8" iron pin shown on said County Survey 3166; thence northeasterly 174.35' to the point of beginning, containing 1.61 acres more or less.

The zoning designation of the property will be General Commercial.