

ORDINANCE NO. 826

AN ORDINANCE ANNEXING AN ISLAND OF UNINCORPORATED LAND INTO THE CITY OF PRINEVILLE; THE ISLAND LYING GENERALLY TO THE SOUTH AND WEST OF THE PRINEVILLE HIGH AND SCHOOL DISTRICT PROPERTY LOCATED IN SECTION 5, T15S, R16EWM, CROOK COUNTY, OREGON; AND DISPENSING WITH A CITY ELECTION ON THE QUESTION OF ANNEXATION.

WHEREAS, Prineville City Council, hereafter referred to as Council, has been informed that the Prineville City Planning Commission, hereafter referred to as Commission, held public hearings on the matter of land surrounded by the corporate limits of Prineville on July 16, 1979, August 7, 1979, and September 4, 1979, pursuant to hearing procedures outlined in City Ordinance 807; and

WHEREAS, Council, upon receiving Commission's recommendation, called for a public hearing at their October 23, 1979, meeting for December 11, 1979; and

WHEREAS, the Council conducted a public hearing on December 11, 1979, at which time they received staff report from the Planning Department, counsel from the City Attorney, objections and remonstrances and support regarding possible annexation; and

WHEREAS, the Council continued the matter to the January 8, 1980, meeting to allow absent Council members to listen to the tape of the public hearing; and

WHEREAS, on January 8, 1980, the Council, being fully advised of the issues, felt the annexation of the island to be in the best interest of the City;

NOW THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE DO ORDAIN AS FOLLOWS:

Section 1. Annexation Area. The following described surrounded territory is hereby proclaimed to be annexed to the City of Prineville:

A parcel of land located in Section Five (5), Township Fifteen South (T15S), Range Sixteen East (R16E), Willamette Meridian, Crook County, Oregon, more particularly described as follows: Beginning at the Northwest corner of Lot 6 of the Amended Map of Prineville Acres Subdivision as filed in Book 5 on Page 13, Records of Crook County, Oregon; thence South along the West line of said plat a distance of 824 feet to the Southwest corner of Lot 7 of said plat; thence East along the South line of said plat a distance of 1310.5 feet to the Southeast corner of Lot 9 of said plat and a point on the existing boundary line of the City of Prineville as described in Ordinance No. 519 and recorded in Deed Book 83 on Page 317, Records of Crook County, Oregon; thence North along the East line of said plat and said existing boundary line a distance of 864 feet to the North line of S.E. Second Street as shown on said plat; thence West along said North line and existing boundary line a distance of 610.5 feet; thence West along the North line of said S.E. Second Street a

distance of 700 feet to the Southwest corner of Lot 1 of said plat; thence South along the West line of said plat a distance of 40 feet to the Point of Beginning.

Section 2. Annexation Without Election. The City Council does hereby elect to dispense with submitting the question of annexation to an election by the registered voters of the City as authorized under ORS 222.750.

Section 3. Findings and Conclusions. The Council upon receiving reports and testimony do hereby make the following findings to support their decision of annexation:

- 1) The island of land is located in the Urban Growth Boundary of Prineville and is defined as urban in the Comprehensive Plan.
- 2) The Physical Development Plan Map of the Comprehensive Plan of the island aforementioned is Residential.
- 3) Section 2.050 of City Ordinance 807 requires that areas annexed to the City assume the Zoning Classification in compliance with the Comprehensive Plan.
- 4) Resolution 485, Annexation Policy, states annexations shall be in the best interests of the entire City and provides for necessary control for development in an orderly and logical extension of services.

The Council, based upon these findings, does hereby conclude that the annexation complies with the Comprehensive Plan and the Annexation Policy, Resolution 485. The Council also concludes that it is not City Policy to annex areas and force existing uses which are permitted under the Ordinance to improve the use to meet all the standards of the Zone as a requirement of annexation.

Section 4. Zone. The entire territory of the island shall be designated as an R-2, Residential, Zone in the annexation.

Section 5. Record. The City Recorder shall submit to the Secretary of State of Oregon a copy of this ordinance. The City Recorder shall also send a description by metes and bounds, or legal subdivisions, of the new boundaries of the City within ten (10) days of the effective date of annexation to the Crook County Assessor and Crook County Clerk.

PASSED by the Council of the City of Prineville this 22 day of January, 1980, by the following roll call vote;

YEAS: Asher, Jackson, Davis, Bannon, BLANK, SHELK AND GIOVANINI


NAYS: NONE

ABSENT: None

Approved by the Mayor this 22 day of January, 1980.



Arnold Evans, City Administrator

  
Nello Giovanini, Mayor