

RESOLUTION NO. 957

A RESOLUTION AMENDING RESOLUTION 952 IN THE MATTER OF THE ANNEXATION OF CERTAIN PROPERTIES TO THE CITY OF PRINEVILLE

IT IS HEREBY RESOLVED by the Prineville City Council (Council) as follows:

- A. WHEREAS the City previously adopted Resolution No. 952 (the "Resolution") on November 11, 2003 annexing certain properties into the City of Prineville and rezoning said properties.
- B. WHEREAS it has been determined that there was a mistake made regarding the procedure for annexing one (1) of the six (6) properties that were annexed under Resolution 952.
 - a. Annexation Item #3 (Exhibit B-3) of Resolution 952, further identified as Crook County Assessors Map 14-16-30C Tax Lot 600 does not meet the requirements set forth for annexation.
 - b. Specifically, it has been determined that Item #3 is not "contiguous" to the current City Limits
- C. WHEREAS it has been determined that a mistake was made in the rezoning of one (1) of the six (6) properties that were annexed under Resolution 952.
 - a. Specifically, Resolution 952 assigned a General Residential (R-2) zoning classification to Annexation Item #4 (Exhibit B-4), further identified as Crook County Assessors Map 14-16-31CD Tax lot 5200.
 - b. As per the Urban Growth Boundary Management Agreement the City entered into with Crook County on the 16th day of October, 2002. Article V (F) of said document states, "As part of an annexation process, the City shall rezone unincorporated lands within the Prineville Urban Growth Boundary Area from the current County zoning to the appropriate City zoning in compliance with Urban Area Comprehensive Plan." The subject parcel was zoned Limited Commercial (L-C) prior to annexation. Upon annexation the subject parcel should have been rezoned General Commercial (C-2) not General Residential (R-2).

THEREFORE, BE IT FURTHER RESOLVED by the Prineville City Council that Resolution No. 952 is hereby amended by deleting the annexation of said property identified in Exhibit B-3 and Item #3 of said resolution No. 952; said properties describes as follows:

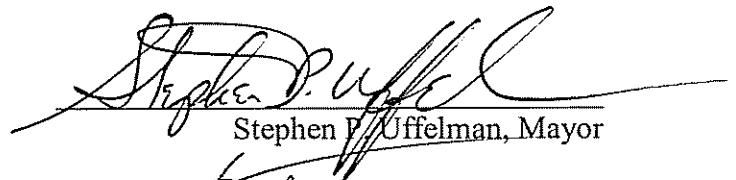
Tax Lot 600 of Crook County Assessor's Map 14-16-30C located in the SE ¼ of Section 25 in Township 14 South, Range 15 East of the Willamette Meridian, and in the SW ¼ of Section 30 in Township 14 South, Range 16 East of the Willamette meridian, more particularly described as follows: Beginning at a point North 01°5' East 1146.29 feet from the SE Corner of said Section 25, said point also being on the East boundary line of said Section 25, thence South 58°22' East 100.65 feet, thence South 52°50' East 251.69 feet, thence South 28°13' West 157.40 feet, thence North 51°31' West 317.95 feet, thence North 87°20' West 123.35 feet, thence North along the East boundary of an existing 20-foot roadway North 01° East 231.82 feet, thence North 89°27' East 11.23 feet, thence South 57° 14' East 169.97 feet to the point of beginning.

THEREFORE, BE IT FURTHER RESOLVED by the Prineville City Council that Resolution No. 952 is hereby amended by changing the zoning of Item #4 (Exhibit B-4), further identified as Crook County Assessors Map 14-16-31CD Tax lot 5200 to be zoned General Commercial (C-2). Said property described as follows:

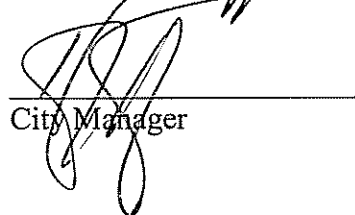
Tax lot No. 5200 of Crook County Assessor's Map 14-16-31CD located in the SW ¼ of Section 31, T14S, R 16E of the W.M., more particularly described as follows: Beginning at a point on the northerly right of way line of the Warm Springs Highway, as it is now located and constructed, said point being 1145 feet East and 485.5 feet North of the Southwest corner of said Section 31; thence North 42° 38' West 121 feet along said right of way line, thence North 47°22' East 425 feet to the TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence North 42°38' West 65 feet, thence North 47°22' East 95 feet, thence South 42°38' East 65 feet, thence South 17°22' West 95 feet to the TRUE POINT OF BEGINNING.; and as found in the record in the office of the County Clerk for Crook County, Oregon (14-16-31CD Tax lot 5200 and MF 115000 thereof.

APPROVED BY THE CITY COUNCIL ON THE 9th DAY OF December, 2003.

APPROVED BY THE MAYOR ON THE 9th DAY OF December, 2003.


Stephen P. Uffelman, Mayor

Attest: 12-9-03
Date:


City Manager