

## ORDINANCE NO.1299

### **AN ORDINANCE ANNEXING ENCLOSED TERRITORY INTO THE CITY OF TILLAMOOK UNDER OREGON REVISED STATUTES (ORS), AND CONSISTENT WITH THE TILLAMOOK URBAN GROWTH MANAGEMENT AGREEMENT (UGMA), TILLAMOOK CITY COMPREHENSIVE PLAN, OREGON ADMINISTRATIVE RULES (OAR) AND STATEWIDE PLANNING GOALS, AND AMENDIGN THE CODE OF THE CITY OF TILLAMOOK, TABLE OF SPECIAL ORDINANCES, SECTION V: ANNEXATIONS**

**WHEREAS**, ORS 222.111 (1) authorizes the boundaries of any city to be extended by annexation of territory contiguous to the city; and

**WHEREAS**, the City of Tillamook (City) has decided to annex a territory not within the City of Tillamook (City) but surrounded by the corporate boundaries of the City consistent with ORS 222.750; and

**WHEREAS**, the City provided notice for a public hearing before the City Council by direct mailing to each record owner of real property in the territory proposed to be annexed, consistent with ORS 222.750(2); and

**WHEREAS**, the proposed annexation territory consists of four (4) tax lots totaling 1.27 acres adjacent to, and surrounded by, City boundaries; and

**WHEREAS**, the City Council held a full hearing on the annexation of the territory at a regularly scheduled City Council meeting on January 5, 2015; and

**WHEREAS**, the City has made findings that the goals, objectives and policies on Public Infrastructure, Urban Growth Management and Urbanization and Energy, of the Tillamook City Comprehensive Plan were considered; and

**WHEREAS**, the City initiated the land annexation process on its own motion when affirmative findings consistent with Sections 5, 6, 8 and 9 of the UGMA were made; and

**WHEREAS**, following the hearing and after considering the evidence and testimony in the record as a whole, the City Council approved the annexation.

#### **NOW, THEREFORE, the City of Tillamook ordains as follows:**

##### **Section 1. Annexation.**

The City Council declares that the territory legally described in Exhibit A and shown on the Exhibit B map is annexed to the City of Tillamook. However, since one subject property (Tax Lot 500) is zoned for, and in, residential use on January 5, 2015, consistent with ORS 222.750(5), it shall have the date for its annexation at January 20, 2018 (three years after the date the city proclaims the annexation approved) except if there is a transfer of ownership; then annexation of said property is immediate.

**Section 2. Duties of the City Recorder.**

The City Recorder is directed to:

- A. File a copy of this Ordinance with the Secretary of State and the Department of Revenue.
- B. File a copy of this Ordinance to Tillamook County Clerk, and provide notice of the delayed annexation to the Tillamook County Clerk within 60 days after the city proclaims the annexation approved.
- C. Provide notice of the delayed annexation not sooner than 120 days and not later than 90 days before the annexation takes effect on January 20, 2018.

**Section 3. Codification.**

Provisions of this Ordinance shall be incorporated in the Code of the City of Tillamook, Table of Special Ordinances, Section V, Annexations, and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word and the sections of the Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

**Section 4: Effective Date.**

This Ordinance shall be in effect 30 days from the date of passage.

**PASSED FIRST READING** by the City Council this \_\_\_\_ day of\_\_\_\_\_, 2015.

**PASSED SECOND READING** by the City Council this \_\_\_\_ day of\_\_\_\_\_, 2015.

**ADOPTED** by the City Council this \_\_\_\_ day of\_\_\_\_\_, 2015.

**APPROVED** by the Mayor this \_\_\_\_ day of\_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
Suzanne Weber, Mayor

\_\_\_\_\_  
Abigail Donowho, City Recorder