

ORDINANCE NO. 1308

AN ORDINANCE ANNEXING ENCLOSED TERRITORIES (TERRITORY A, TERRITORY B, AND TERRITORY C) 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

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 territories (Territory A, Territory B, and Territory C) 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 mail 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 territories (Territory A, Territory B, and Territory C) consist of eighteen (18) tax lots totaling 6.36 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 February 16, 2016; and

WHEREAS, the City has made mutual 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. The City Council declares that the territories legally described in Exhibit A and shown on the Exhibit B maps are annexed to the City of Tillamook. However, since all eighteen (18) properties are zoned for, and in, residential use on February 16, 2016, they shall have the date for their annexation at March 7, 2019 (at least three years after the date the city proclaims the annexation approved) consistent with ORS 222.750(5) except if there is a transfer of ownership; then annexation of said property is immediate; and

Section 2. The City Recorder is directed to:

- A. File a copy of this Ordinance and the statements of consent to this annexation consistent with ORS 222.180 with the Secretary of State and the Department of Revenue.
- B. File a copy of this Ordinance to Tillamook County.
- C. Provide notice of the delayed annexation to be recorded by the Tillamook County clerk will occur within 60 days after the city proclaims the annexation approved.
- D. Provide notice of the delayed annexation not sooner than 120 days and not later than 90 days before the annexation takes effect.

Passed 1st reading by the Tillamook City Council on this ___day of _____, 2016.

Passed 2nd reading by the Tillamook City Council on this ___day of _____, 2016.

Adopted by the Common Council this ___day of _____, 2016.

Approved by the Mayor this ___day of _____, 2016.

ATTEST:

Suzanne Weber, Mayor

Abigail Donowho, City Recorder

EXHIBIT A

Legal Description of Annexed Territory A

Fifteen parcels of land located in Section 29, Township 1 South, Range 9 West of the Willamette Meridian to be annexed into the City of Tillamook, Oregon, the perimeter boundary of which is more particularly described as follows:

Beginning at Northwest corner of that property described in deed Instrument 2009-006894, Tillamook County Records said corner being located 1070.1 feet south and 1946.3 feet West of the Northwest Corner of the Tripp DLC in Section 29;

Thence South 89°00'00" East, a distance of 156.00 feet to a point on the West line of Lot 8 as shown on Map A 18, Tillamook County Survey Records;

Thence North 01°00'00" East, a distance of 34.19 feet to the Northwest corner of said Lot 8;

Thence North 89°30'00" East, a distance of 876.10 feet to the Northeast corner of that property described in deed Instrument 2010-01301, Tillamook County Records;

Thence along the East line of that property described in said deed Instrument 2010-01301, South 01°00'00" West, a distance of 184.50 feet to a point on the North right-of-way of Third Street;

Thence along the North right-of-way of Third Street, South 89°30'00" West, a distance of 454.12 feet to a point;

Thence continuing along the North right-of-way of Third Street, South 83°34'00" West, a distance of 582.73 feet to a point;

Thence North 01°00'00" East, a distance of 214.65 feet to the Point of Beginning.

Located in Section 29, Township 1 South, Range 9 West of the Willamette Meridian and containing 202,761 square feet.

Legal Description of Annexed Territory B

One parcel of land located in Section 29, Township 1 South, Range 9 West of the Willamette Meridian to be annexed into the City of Tillamook, Oregon, the perimeter boundary of which is more particularly described as follows:

Beginning at the Northwest corner of that property described in deed Instrument 2005-006608, Tillamook County Records said corner being located 776.9 feet South and 835.7 feet West of the Northwest corner of the Tripp DLC in Section 29;

EXHIBIT A

Thence along the North line of that property described in said deed Instrument 2005-006608, North 89°30'00" East, a distance of 76.00 feet to a point being the Northeast corner of that property described in said deed Instrument 2005-006608;

Thence South 01°00'00" West, a distance of 184.50 feet to a point on the North right-of-way of Third Street, being the Southeast corner of that property described in deed Instrument 2005-006608;

Thence along the North right-of-way of Third Street, South 89°30'00" West, a distance of 76.00 feet to a point being the Southwest corner of that property described in deed Instrument 2005-006608;

Thence North 01°00'00" East, a distance of 184.50 feet to the Point of Beginning.

Located in Section 29, Township 1 South, Range 9 West of the Willamette Meridian and containing 14,022 square feet.

Legal Description of Annexed Territory C

Two parcels of land located in Section 30, Township 1 South, Range 9 West of the Willamette Meridian to be annexed into the City of Tillamook, Oregon, the perimeter boundary of which is more particularly described as follows:

Commencing at the Section corner common to Sections 29, 30, 31 & 32, Township 1 South, Range 9 West;

Thence North 00°11'06" East, a distance of 40.00 feet to a point on the North right-of-way of Twelfth Street;

Thence along the North right-of-way of Twelfth Street, North 89°23'12" West, a distance of 210.75 feet to a point being the Southeast corner of Parcel 1 of Partition Plat Number 1999-4;

Thence North 00°11'32" East, a distance of 419.97 feet to the Northeast corner of Parcel 2 of Partition Plat Number 2004-06 and the Point of Beginning of the Annexed Territory C herein described;

Thence North 00°11'32" East, a distance of 200.00 feet to a point on the South line of the Haynes Donation Land Claim;

Thence along the South line of Haynes Donation Land Claim, North 89°59'05" West, a distance of 210.70 feet to a point being the Northwest corner of that property described in deed Book 376, Page 517;

EXHIBIT A

Thence along the West line of that property described in deed Book 376, Page 517, South $00^{\circ}11'32''$ West, a distance of 367.90 feet to a point being the Southwest corner of that property described in deed Book 376, Page 517;

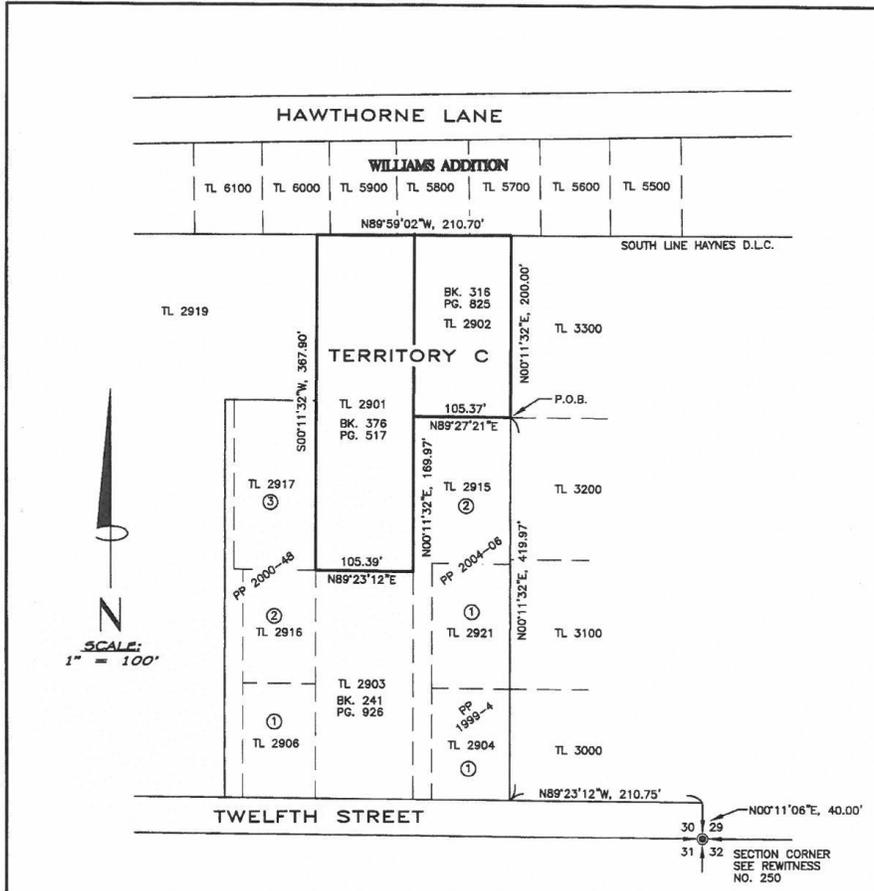
Thence North $89^{\circ}23'12''$ East, a distance of 105.39 feet to a point on the West Line of Parcel 2, Partition Plat Number 2004-06;

Thence along the West line of Parcel 2, Partition Plat Number 2004-06, North $00^{\circ}11'32''$ East, a distance of 169.97 feet to a point being the Northwest corner of Parcel 2, Partition Plat Number 2004-06;

Thence along the North line of Parcel 2, Partition Plat Number 2004-06, North $89^{\circ}27'21''$ East, a distance of 105.37 feet to the Point of Beginning.

Located in Section 30, Township 1 South, Range 9 West of the Willamette Meridian and containing 60,061.58 square feet.

EXHIBIT B



NOTES

1. THE PURPOSE OF THIS MAP IS TO GRAPHICALLY DEPICT THE BOUNDARY OF TERRITORY C TO BE ANNEXED INTO THE CITY OF TILLAMOOK, OREGON.
2. THE POINT OF BEGINNING (P.O.B.) FOR TERRITORY C IS THE NORTHEAST CORNER OF PARCEL 2, PARTITION PLAN NO. 2004-06 AND WAS DETERMINED BY HOLDING RECORD VALUES PER TILLAMOOK COUNTY SURVEYS OF RECORD.
3. THE BOUNDARY OF TERRITORY C WAS DETERMINED BY HOLDING RECORD DEED AND SURVEY VALUES.

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EXHIBIT MAP FOR:
CITY OF TILLAMOOK
 TERRITORY C
 TO BE ANNEXED INTO
 THE CITY OF TILLAMOOK
 SE 1/4 OF SE 1/4 SECTION 30, T1S, R9W
 CITY OF TILLAMOOK, TILLAMOOK COUNTY, OREGON



- SURVEYING
- CIVIL ENGINEERING
- PLANNING
- WATER & NATURAL RESOURCES
- WETLAND CONSULTING

CLATSOP COUNTY
 4253-A HWY 101 N.
 GEARHART, OR 97138
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TILLAMOOK COUNTY
 PHONE (503) 368-5394

PACIFIC COUNTY
 PHONE (360) 842-4454

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Dale N. Barrett

OREGON
 JULY 16, 1982
 DALE N. BARRETT
 1979

RENEWS: DECEMBER 31, 2017

DATE	JOB NO.	EQUIPMENT	FIELD	DRAWN	CHECKED
JAN. 27, 2016	67680D	N/A	N/A	RAP	DNB