

ORDINANCE NO. 827

AN ORDINANCE ANNEXING AN ISLAND OF UNINCORPORATED LAND IN THE CITY OF PRINEVILLE - THE ISLAND LYING SOUTH OF HIGHWAY 26, 1 AND EAST OF OCHOCO CREEK - THE ISLAND LOCATED IN SECTION 5, T15S, R16EWM; 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 1, 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: Commencing at the Southeast corner of the Northeast quarter of said Section 5; thence North along the East line of said Section 5 a distance of 824.0 feet; thence West, 644.75 feet; thence North, 496.0 feet; thence West, 675.25 feet to the TRUE POINT OF BEGINNING of this description and also being 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 following said existing boundary line as described by said instrument along the following courses: North, 102.0 feet; thence West, 40.0 feet; thence North, 256.71 feet; thence West, 241.0 feet; thence South, 150.0 feet; thence North 69°50' West, 116.0 feet; thence South, 5.0 feet; thence North 43°15' West, 179.58 feet to a point on the existing boundary line of the City of Prineville, Oregon; Thence leaving the line as described by said instrument, North along the existing boundary line of the City

of Prineville a distance of 79.89 feet, more or less, to the South right-of-way line of the Ochoco Highway; thence East along the South right-of-way line of said Ochoco Highway along the existing boundary line of the City of Prineville as described in City Ordinance No. 718 as recorded in Deed Book MF 26074, Records of Crook County, Oregon, to a point located 1139.05 feet West of the North-South section line dividing Sections 4 and 5, T15S, R16E, Willamette Meridian; thence South along said existing boundary line as described by said instrument a distance of 466.0 feet, more or less, to a point on the existing boundary as previously described in City Ordinance No. 519; thence West along said existing boundary line as described by said instrument to the TRUE POINT OF BEGINNING of this description.

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 aforementioned island is Outlying Commercial.
- 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 a C-2, Outlying Commercial, 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, Giovanini

NAYS: None

ABSENT: None

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


Nello Giovanini, Mayor



Arnold Evans, City Administrator