

CITY OF SILVERTON
ORDINANCE
18-02

AN ORDINANCE OF THE SILVERTON CITY COUNCIL ANNEXING 0.115 ACRES OF LAND LOCATED AT 535 SHORT STREET INTO THE CITY LIMITS OF THE CITY OF SILVERTON, OREGON AND ZONING THE PROPERTY R-1, SINGLE FAMILY RESIDENTIAL. MARION COUNTY ASSESSOR'S MAP 061W34BD TAX LOT 02200

WHEREAS, the City of Silverton has been petitioned for the annexation of 0.115 acres of land located at 535 Short Street into the City Limits of the City of Silverton, Oregon and zoning the property R-1, Single Family Residential. Marion County Assessor's Map 061W34BD Tax Lot 02200; and

WHEREAS, the area proposed for annexation is described as a tract of land situated in Section 34, T6S, R1W, W.M. Marion County Oregon and more particularly described as follows:

Beginning at the southwest corner of Lot 4, Block 3 of Fronk's Addition:

- (1) Thence North 0°14' West, along the west line of said Lot 4 and its northerly extension, 140 feet to the north line of Short Street (a 40-foot right-of-way);
- (2) Thence North 89°46' East, along said north line, 50 feet more or less to the southeast corner of Lot 2, Block 2 of Fronk's Addition;
- (3) Thence South 0°14' East 140 feet more or less to southeast corner of Lot 4, Block 3 of Fronk's Addition;
- (4) Thence South 89°46' West 50 feet more or less to the point of beginning.

NOW, THEREFORE, THE CITY OF SILVERTON ORDAINS AS FOLLOWS:

Section 1. Legislative Annexation. In accordance with ORS 222.120:

- (1) The Silverton City Council cannot submit this proposal for annexation of territory to the electors of the city for their approval or rejection. A public hearing before the Council was held February 5, 2018, at which time the electors of the city had an opportunity to appear and be heard on the question of annexation.
- (2) The area described above and as shown on Exhibit "B" is hereby annexed to the City of Silverton, effective March 7, 2018.

Section 2. Consent to Annexation. In accordance with ORS 222.125 the Council finds there is no need to hold an election in the city or in any contiguous territory proposed to be annexed as all of the owners of land in that territory, and not less than 50 percent of the electors, if any, residing in the territory, have consented in writing to the annexation of the land in the territory and statement of their consent is filed

with the Council.

Section 3. **Timing of Consents.** The Council finds that only statements of consent to annexation which are filed within any one-year period prior to the hearing have been submitted and describes the 0.115 acres of real property, all located in Marion County, Oregon that shall be annexed to the City of Silverton upon recording with the Secretary of State.

Section 4. **Notice to Utilities.** In accordance with ORS 222.005 the City Recorder shall, no later than 10 working days after passage of this ordinance approving the proposed annexation, provide by certified mail to all public utilities, electric cooperatives and telecommunications utilities operating within the city, each site address to be annexed as recorded on county assessment and tax rolls, a legal description and map of the proposed boundary change and a copy of the City Council's resolution or ordinance approving the proposed annexation.

Section 5. **Notice to County.** In accordance with ORS 222.010, the City Recorder shall report to the Marion County Clerk and County Assessor all changes in the boundaries or limits of the city. The report shall contain a detailed legal description of the new boundaries established by the city. The report shall be filed by the city within 10 days from the effective date of the change of any boundary lines.

Section 6. **Assessor Valuation.** In accordance with ORS 222.030 the Recorder shall request that the Assessor shall furnish within 20 days, a statement showing for the current fiscal year the assessed valuation of the taxable property in the territory to be annexed.

Section 7. **Notice to Secretary of State.** In accordance with ORS 222.177 the City Recorder shall transmit to the Secretary of State:

- (1) A copy of this ordinance proclaiming the annexation.
- (2) An abstract of the vote within the city, if votes were cast in the city, and an abstract of the vote within the annexed territory, if votes were cast in the territory. The abstract of the vote for each election shall show the whole number of electors voting on the annexation, the number of votes cast for annexation and the number of votes cast against annexation.
- (3) If electors or landowners in the territory annexed consented to the annexation under ORS 222.125 or 222.170, a copy of the statement of consent.
- (4) A copy of the ordinance issued under ORS 222.120 (4).
- (5) An abstract of the vote upon the referendum, if a referendum petition was filed, with respect to the ordinance adopted under ORS 222.120.

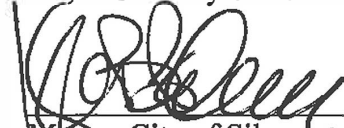
Section 8. **Effective date.** In accordance with ORS 222.180 the effective date of annexation shall be March 7, 2018.

Section 9. **Exhibits.** The City Council adopts the Findings of Fact, attached hereto as "Exhibit A", a map of the area being annexed as Exhibit "B", and by this reference all incorporated herein.

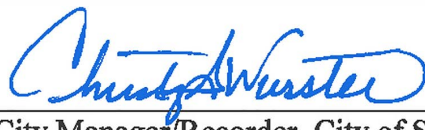
Section 10. **Zone designation.** Upon annexation the property shall have a City of Silverton zoning designation of **R-1 (Single Family Residential)**.

Section 11. This ordinance shall be effective upon and from 30 days of adoption.

Ordinance adopted by the City Council of the City of Silverton, this 5th day of February, 2018.



Mayor, City of Silverton
Kyle Palmer



City Manager/Recorder, City of Silverton
Christy S. Wurster

Exhibit 'B'

