

An Ordinance fixing the time and place for public hearings on the question of annexation to the City of McMinnville, Oregon, of the following-described area and territory, and withdrawal of said area and territory from the McMinnville Rural Fire Protection District:

Approximately 12,545 square feet of land which is located adjacent to the Tall Oaks 2nd Addition Sub-division and described as a portion of Tax Lot 104, Section 29, T. 4 S., R. 4 W., Willamette Meridian.

; and declaring an emergency.

RECITALS:

Leavitt NuPacific is the owner of the tract of land described in Exhibit "A", which is attached hereto and by this reference incorporated herein, and has petitioned and desires that said area and territory be annexed to the City of McMinnville; and

The above-described property is contiguous to the City of McMinnville, Oregon; and

The Council of the City of McMinnville, Oregon, believes it may be appropriate that said property be annexed to the City of McMinnville, Oregon, in order that said property may obtain water and sewer for domestic use, if available; and

The Council of the City of McMinnville, Oregon, elects to dispense with submitting the question of annexation of said area and territory to the registered voters of the City of McMinnville, Oregon, and desires that a public hearing be held before the Council of the City of McMinnville, Oregon, upon the question of the annexation of said property hereinabove described as provided by Section 222.170, Oregon Revised Statutes; and

Said area and territory described in Exhibit "A" is a part of the McMinnville Rural Fire Protection District; McMinnville Rural Fire Protection District has no liabilities or indebtedness; and the City of McMinnville, Oregon, is furnishing fire protection to the McMinnville Rural Fire Protection District under a contract between said municipalities; and

It appears to the Council that the area and territory above described should be withdrawn from said McMinnville Rural Fire Protection District, subject to the approval of the annexation of said area being final, and pursuant to ORS 222.524, et sec., it is necessary to hold a public hearing on the question of such withdrawal at which hearing the Council of the City of McMinnville shall hear objections to such withdrawal and determine whether such withdrawal is to the best interests of the City; now, therefore,

THE CITY OF McMinnville ORDAINS AS FOLLOWS:

Section 1. That the Council of the City of McMinnville, Oregon, does hereby call, fix and order public hearings to be held before the Common Council of the City of McMinnville, Oregon, in the Council Chambers in the City of McMinnville, Oregon, at the hour of 8:15 o'clock p.m. on the 7 day of July, 1981, at which time the registered voters of the City of McMinnville, Oregon, may appear and be heard on the question of the annexation of the property hereinabove described to the City of McMinnville, Oregon, and to hear all objections to the withdrawal from the McMinnville Rural Fire Protection District of the area and territory hereinabove first described.

Section 2. That the Recorder of the City of McMinnville, Oregon, is hereby authorized and directed to cause notice of said hearings to be published once each week for two successive weeks prior to the day of said hearing in the News-Register, a newspaper of general circulation published in the City of McMinnville, Oregon, and to cause notices of said public hearings to be posted in four public places in the City of McMinnville, Oregon, for a period of at least two weeks prior to said hearings, and such notice shall describe the area and territory proposed to be annexed to the City of McMinnville, Oregon, and withdrawn from McMinnville Rural Fire Protection District, described in Exhibit "A" which is attached hereto and by this reference incorporated herein, and the registered voters of the City of McMinnville shall be invited to appear at said public hearings and be heard on the question of such proposed annexation and withdrawal.

Section 3. Whereas, the above-described area and territory is without the City and may not receive City services until annexed and the Council is desirous of proceeding with these hearings as soon as possible, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council this 2 day of June, 1981, by the following votes:

Ayes: Gormley, Gale, Macy, Allen, Wilson and Springer

Nays: _____

Approved this 2 day of June, 1981.


MAYOR

Attest:

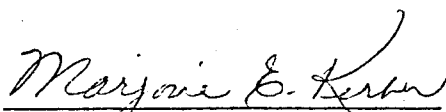

RECORDER

EXHIBIT "A"

A tract of land in the S. F. Staggs Donation Land Claim No. 55, Notification No. 1211, Section 29, Township 4 South, Range 4 West, Willamette Meridian, in the County of Yamhill and State of Oregon, more particularly described as follows:

Commencing at the Northeast corner of said Staggs D.L.C.; thence along the East line thereof South 4,400.00 feet to the Southeast corner of that certain tract of land described in deed to Francis L. Michelbook, et ux, recorded November 12, 1935, in Book 110, Page 629, Deed Records; thence along the South line of said Michelbook tract South 89°44'21" West 645.00 feet to the Northwest corner of that certain tract of land described in Circuit Court Decree No. 36664, recorded under Film 38, Page 1698 on August 31, 1979, Yamhill County Records, also being the Southeast corner of the duly recorded Plat of Tall Oaks 2nd Addition, and the point of beginning of the tract herein to be described; thence along the west line of said Court Decree South 0°15'36" East 17.23 feet to the North line of the duly recorded plat of "South Park Subdivision"; thence along said north line North 89°57'17" West 827.96 feet to the East line (south projection) of that certain tract of land described in deed to David J. Kraemer, et ux, recorded May 31, 1974, in Film 100, Page 772 Deed Records; thence along said East line North 0°00'03" West 12.47 feet to the South line of said Michelbook tract and the Southwest corner of said Tall Oaks 2nd Addition; thence along said South line North 89°44'21" East 827.90 feet to the point of beginning.