

ORDINANCE NO. 2017-02

AN ORDINANCE OF THE CITY OF SEASIDE, OREGON, ANNEXING CERTAIN TERRITORY EAST OF THE CITY (Property located to the south of 495 North Wahanna Road)

WHEREAS, there has been submitted to the City of Seaside, a written proposal for annexation to the City by the owner's consent, who also owns all of the land in the contiguous territory, described below which real property therein represents all of the assessed value of all real property in the contiguous territory to be annexed:

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

SECTION 1. ANNEXATION AREA: ALL THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION OF DARREL W. SPICER PROPERTY, CLATSOP COUNTY DEED RECORDS, UNDER RECORDING INSTRUMENT #200900559 REVISING RECORDING INSTRUMENT #200600468 SUBSEQUENT TO BOUNDARY ADJUSTMENT WITH ROE PROPERTY, RECORDING INSTRUMENT #200316559; SITUATED IN THE NE ¼ OF THE NW ¼ OF SECTION 22, T6N, R10W, W.M; MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 3 1/4 ALUMINUM CAP STAMPED "CLATSOP COUNTY SURVEYOR" MONUMENTING THE NORTH QUARTER CORNER OF SECTION 22, T 6 N, R 10 W, W.M., CITY OF SEASIDE, CLATSOP COUNTY, OREGON; THENCE SOUTH 00 DEGREES 03 MINUTES 36 SECONDS WEST, A DISTANCE OF 143.05 FEET ALONG THE EASTERLY BOUNDARY OF THE "GILBERT TRACT", TO A 5/8" REBAR WITH A PLASTIC ORANGE CAP STAMPED "MENDENHALL LS 2001", SAID POINT IS THE "TRUE POINT OF BEGINNING" OF THE SUBJECT PROPERTY; THENCE CONTINUING SOUTH 00 DEGREES 03 MINUTES 36 SECONDS WEST, ALONG THE EASTERLY BOUNDARY OF THE "GILBERT TRACT", A DISTANCE OF 257.99 FEET TO THE NORTHEAST CORNER OF THE "EBERMAN HEIRS" TRACT; THENCE SOUTH 89 DEGREES 06 MINUTES 21 SECONDS WEST, A DISTANCE OF 671.87 FEET TO THE EASTERLY RIGHT OF WAY LINE OF "WAHANNA ROAD", MONUMENTED BY A MAG NAIL WITH A 1 1/2" BRASS WASHER STAMPED "MENDENHALL LS 2001"; THENCE NORTH 03 DEGREES 07 MINUTES 41 SECONDS EAST, ALONG THE EASTERLY RIGHT OF WAY OF WAHANNA ROAD", A DISTANCE OF 221.50 FEET, TO A POINT ON THE "AS ADJUSTED" BOUNDARY COMMON TO THE ROE AND SPICER PROPERTIES MONUMENTED BY A MAG NAIL WITH A 1 1/2" BRASS WASHER STAMPED "MENDENHALL LS 2001"; THENCE NORTH 89 DEGREES 06 MINUTES 21 SECONDS EAST, LEAVING THE EASTERLY RIGHT WAY OF "WAHANNA ROAD", A DISTANCE OF 78.52 FEET TO A 5/8" REBAR WITH A PLASTIC ORANGE CAP STAMPED "MENDENHALL LS 2001"; THENCE NORTH 00 DEGREES 03 MINUTES 36 SECONDS EAST, A DISTANCE OF 37.00 FEET, TO A 5/8" REBAR WITH A PLASTIC ORANGE CAP STAMPED "MENDENHALL LS 2001"; THENCE NORTH 89 DEGREES 06 MINUTES 21 SECONDS EAST, A DISTANCE OF 581.50 FEET TO THE TRUE POINT OF BEGINNING. THE DESCRIBED "AS ADJUSTED" PARCEL CONTAINS 168655 SQUARE FEET. THIS PROPERTY IS VACANT LAND LOCATED SOUTH OF 495 NORTH WAHANNA ROAD SEASIDE, OREGON.

SECTION 2. ZONE – The upland portion of the subject property is zone High Density Residential (R-3) and the wetland area is zoned Freshwater Wetland (A-3) in accordance with the zones established under the City of Seaside Comprehensive Plan & The Zoning Ordinance of Seaside, Oregon.

SECTION 3. RECORD – The City Auditor shall submit to the Secretary of the State of Oregon: (1) A copy of this Ordinance, and (2) a copy of the Statement of Consent of the landowner in the territory annexed. The City Auditor shall also send a description by metes and bounds or legal subdivisions of the new boundaries of the City of Seaside within ten (10) days of the effective date of annexation to the Clatsop County Assessor, the Clatsop County Clerk, and the Clatsop County Planning Department.

SECTION 4. FIRE PROTECTION – The subject property is hereby withdrawn from the Seaside Rural Fire Protection District and included in the City of Seaside for fire protection purposes.

SECTION 5. ROAD DISTRICT - The subject property is hereby withdrawn from the Clatsop County Road District No. 1 and included in the City of Seaside Road District.

SECTION 6. POLICE PROTECTION – The subject property is hereby withdrawn from the Clatsop County Law Enforcement District and included in the City of Seaside for police protection purposes.

SECTION 7. WATER PROVISION – The subject property is hereby withdrawn from the Stanley Acres Water District and included in the City of Seaside for the purpose of providing water.

SECTION 8. FINDINGS – The City Council makes the following findings pertinent to the annexation:


- A. The City of Seaside has an acknowledged Comprehensive Plan.
- B. The subject property is within the City's adopted Urban Growth Boundary.
- C. The properties are contiguous to the City Limits.
- D. There is unanimous consent of the property owners.

SECTION 9. EFFECTIVE DATE – The effective date of this Ordinance is March 29, 2017, in accordance with ORS 222.040 and 222.180.

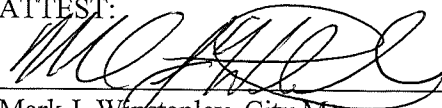
ADOPTED by the City Council of the City of Seaside on this 27 day of February, 2017, by the following roll call vote:

YEAS: MONTERO, PHILLIPS, MORRISEY, FRANK, BARBER
NAYS: NONE
ABSTAIN: NONE
ABSENT: HORNING

SUBMITTED to and **APPROVED** by the Mayor on this 28 day of February, 2017.



JAY BARBER, MAYOR

ATTEST:


Mark J. Winstanley, City Manager