

GARIBALDI ORDINANCES

ORDINANCE NO. 228

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF GARIBALDI, TO WIT TAX LOT 1N10-20A-01301 AND TAX LOT 1N10-20A-01300.

Whereas the City of Garibaldi elected to dispense with election of annexation of property described in Attachment "A", and

Whereas the petitioner requested annexation, and

Whereas the City Council has adopted the findings as described in Attachment "B",

Therefore, City of Garibaldi ordains as follows:

Section 1. Annexation Area. The contiguous territory and legal description thereof as described in Attachment "A" is hereby annexed to the City of Garibaldi.

Section 2. Record. The City shall submit to the Oregon Secretary of State a copy of this ordinance, and a copy of the statement of consent of the landowners in the territory annexed. The City shall also send a description by metes and bounds or legal subdivisions, and a map depicting the new boundaries of the City within ten days of the effective date of annexation to the Tillamook County Assessor, Tillamook County Clerk, and the State Department of Revenue.

Passed by the City Council and approved by the Mayor this AUGUST 11, 1997.

Joel I. Johnson
JOEL I. JOHNSON, MAYOR

ATTEST:

Saundra L. Jones
SAUNDRA L. JONES, CITY RECORDER

P.O. Box 219 ■ 160 Laneda Ave.
Manzanita, OR 97130

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July 25, 1997

**ANNEXATION DESCRIPTION
for
City of Garibaldi**

Lewis Kasch Property

in Section 20, T1N, R10W, W.M.

Beginning at a point on the South right-of-way line of the Oregon Coast Highway which is 355.89 feet West of the East line of Section 20, Township 1 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon;

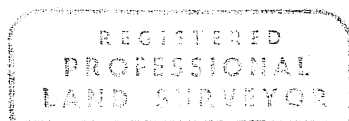
thence North 945 feet to the North line of Government Lot 4 of said Section 20;

thence East 241.05 feet along the North line of said Government Lot 4;

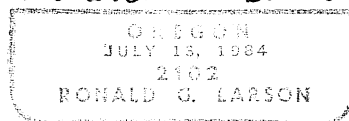
thence South 1008 feet to the South right-or-way line of the Oregon Coast Highway;

thence Northwesterly 250 feet along said South right-or-way line to the point of beginning.

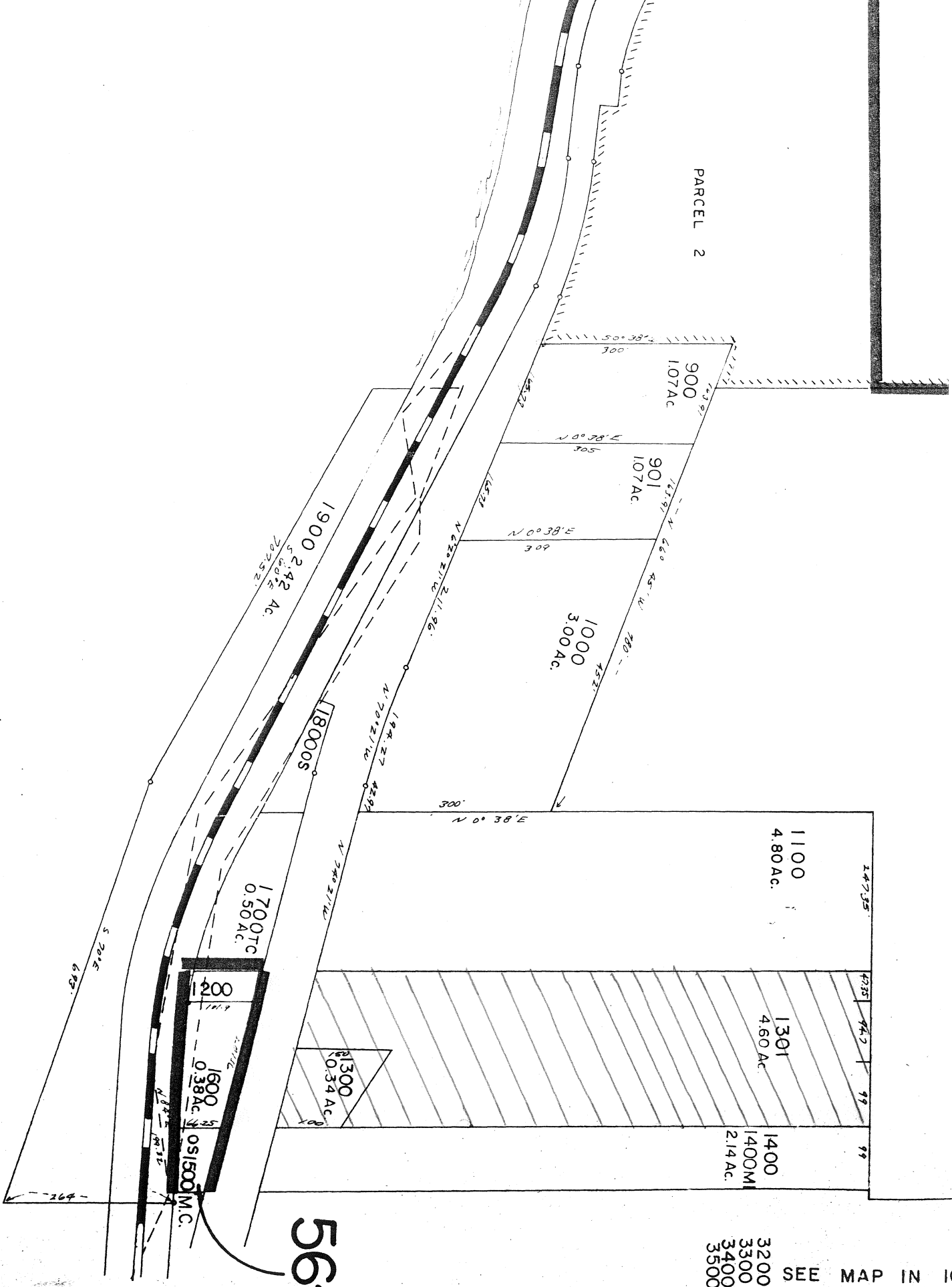
<ANNEX.LEG>



Ronald G. Larson



SEE MAP IN 10



3200
3300
3400
3500 SEE MAP IN 10

56-13

IN 10 20A

May 20, 1997

STAFF REPORT

TO: GARIBALDI CITY COUNCIL

FROM: DICK PEARSON, CITY PLANNER

SUBJ: LEWIS KASCH REQUEST FOR ANNEXATION

FINDINGS:

When annexing property to the City, the State requires three specific findings be made:

1. The property is in the Urban Growth Boundary.
2. The property is contiguous to the City.
3. The property owners have concurred with the annexation in writing or an election is held and a majority of property owners vote in favor of annexation.

In this case:

- A. The property is in the UGB.
- B. The property is contiguous to the City across Highway 101. Roadways, waterways, and railways that separate a property from the City Limits do not count, since the nature of these properties is such that they do not vote on an annexation or benefit from an annexation nor do they pay taxes.
- C. Mr. Kasch, the Holder of Current Life Trust, and the two Tenants in Common have signed a letter requesting the annexation.

The City Comprehensive Plan also requires that a finding be made that:

- A. Adequate sewer and water system capacity is available at the time of the request and the services can be extended in an orderly economic fashion.

The site is currently served by City water. The sewer is across the Highway and currently serves property across the Highway. The City has adequate capacity to serve the additional home sites according to the Public Works Director.