

ORDINANCE NO. 774

AN ORDINANCE WITHDRAWING TERRITORY FROM THE CITY OF SCAPPOOSE

The City of Scappoose ordains as follows:

Section 1. Pursuant to ORS 222.460, the property described on Exhibit A and illustrated on Exhibit B, attached hereto and incorporated herein, situated in the City of Scappoose, Columbia County, Oregon and identified as tax lot 3201-010-02002 (the "Property"), is hereby withdrawn from the City of Scappoose.

Section 2. In support of the above withdrawal of the Property from the City, the Scappoose City Council finds that:

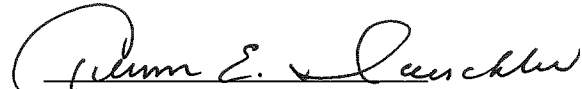
- (a) Such withdrawal would straighten the City's boundaries and contribute to a clear identification of the City, and the public interest will be furthered by such withdrawal for the reason that the Property cannot presently be served by public sewer facilities of the City.
- (b) The subject Property is not served by public water or public sewer and has no permanent structures.
- (c) City Council has initiated proceedings authorized by ORS 222.460 to withdraw the Property from the City, and such proceedings require adoption of a resolution and two public hearings.
- (d) The City Council adopted Resolution 06-02 on February 6, 2006 to set the date of the initial public hearing for February 21, 2006.
- (e) Notice of the initial public hearing was published in the *South County Spotlight* on February 8 and 15, 2006, as required by ORS 222.460(4) and ORS 222.120(3).
- (f) Notice of the initial public hearing was posted by City staff in four public locations on January 20, 2006 as required by ORS 222.460(4) and ORS 222.120(3).
- (g) A public hearing was held on February 21, 2006, at which time the City Council adopted Resolution 06-03 fixing the date of the final public hearing for March 20, 2006.
- (h) Notice of the final public hearing was published in the *South County Spotlight* on March 8 and 15, 2006, as required by ORS 222.460(4) and ORS 222.120(3).
- (i) Notice of the final public hearing was posted by City staff in four public locations on February 23 and 24, 2006 as required by ORS 222.460(4) and ORS 222.120(3).
- (j) A final public hearing was held on March 20, 2006.

- (k) There have been no written requests for an election as provided by ORS 222.460(6).

Adopted this 3rd day of April, 2006.

First Reading: March 20, 2006

Second Reading: April 3, 2006


Glenn Dorschler, Mayor

Attest:

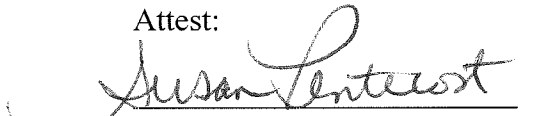

Susan Pentecost, City Recorder

Exhibit A

Legal Description of Property Proposed for Withdrawal from City of Scappoose

Beginning at the point of intersection of the West right of way line of West Lane County Road with the North line of the Timothy Lamberson Donation Land Claim said point being 879.19 feet North and 6232.33 feet East of the Southwest corner of said Lamberson Donation Land Claim, said point also being in Section 1, Township 3 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, thence North 59° 48' 30" West along said Donation Land Claim Line, a distance of 831.99 feet to the center of Scappoose Creek; thence down the center of said creek North 4 degrees 44' 30" East, a distance of 45.76 feet; thence North 5° 36' East, a distance of 157.63 feet to the North line of the D. B. Marshall tract, as described in Deed Book 30 at page 638; thence South 69° 09' 30" East along said North line a distance of 127.50 feet to the Northeast corner thereof and the West line of Parcel 1 of the Hudson Rowell and Company tract, as described in deed book 121 at page 262; thence along said West line North 21° 26' 30" East, a distance of 420.01 feet; thence North 10° 17' West, a distance of 385.06 feet; thence North 13° 58' East, a distance of 499.99 feet to and the true point of beginning of the following described tract; thence North 0° 11" East, a distance of 161.82 feet; thence North 23° 09' West, a distance of 136.70 feet to the most Southerly corner of the James O. Fischer tract, as described in amended default judgment entered February 19, 1970 in state Circuit Court Case #17616; thence along the Southeasterly line of said Fischer tract North 74° 10' 40" East, a distance of 256.65 feet; thence South 47° 38' 40" East a distance of 48.31 feet; thence North 55° 08' 30" East, a distance of 142.17 feet to the Southwesterly right of way line of said West Lane County Road; thence along said right of way line South 41° 21' 40" East, a distance of 221.38 feet; thence South 21° 31' East, a distance of 160.62 feet; thence South 2° 29' East, a distance of 164.49 feet; thence South 5° 58' 05" West, a distance of 260 feet to a point; thence Northwesterly on a straight line to the true point of beginning.

COLUMBIA COUNTY

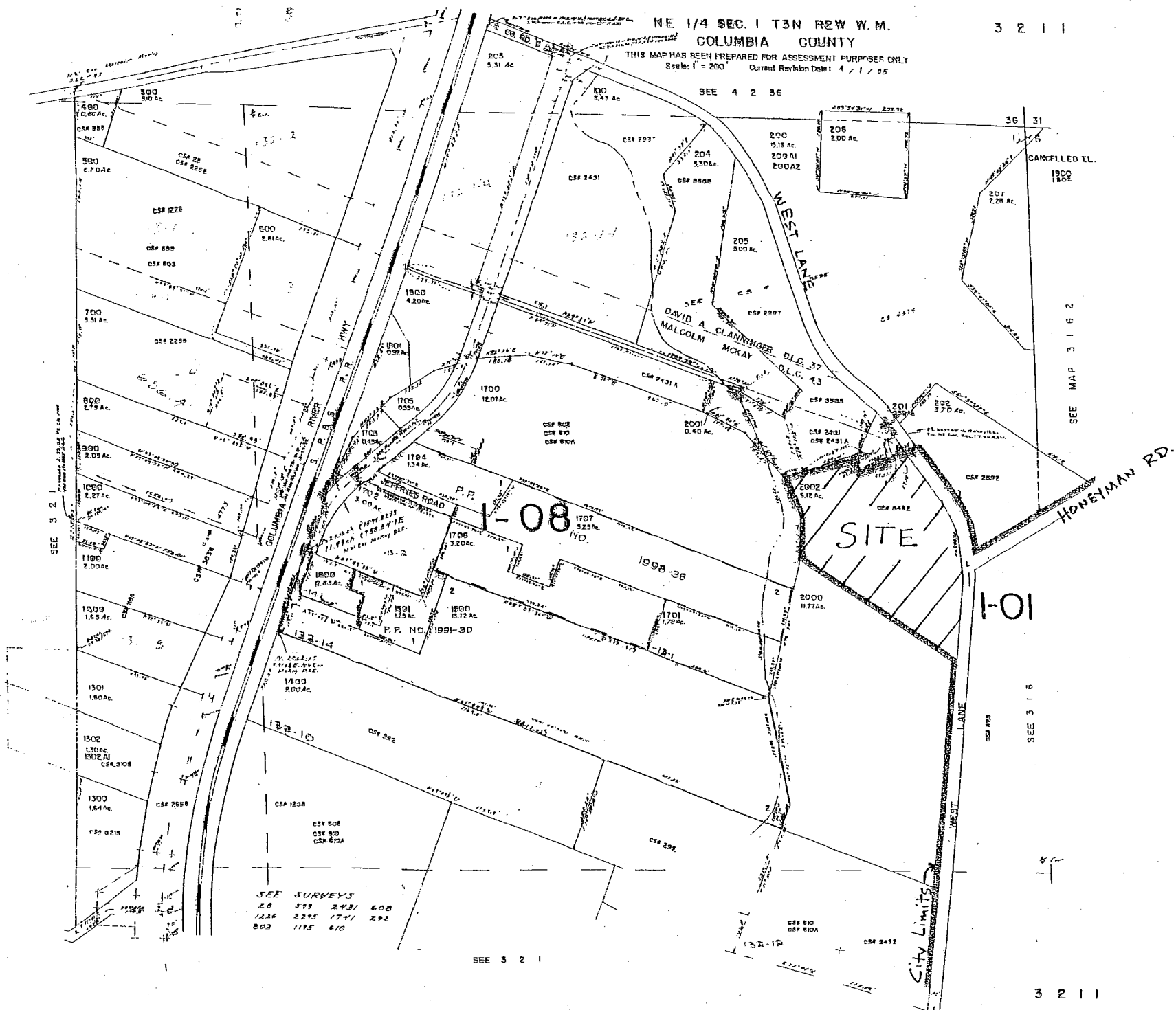
THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY
Scale: 1" = 200' Current Revision Date: 4/1/05

SEE 4 2 36

CANCELLED TL.
1900
1862

SEE MAP 3 1 6 2

SEE 3 1 5



SEE SURVEYS

28	519	2431	608
1226	2245	1741	292
803	1115	610	

SEE 3 2 1

Exhibit B