

RESOLUTION NO. 1168

A RESOLUTION ANNEXING PROPERTY LOCATED AT 2828 SE SLAYTON COURT, PRINEVILLE, OREGON, INTO THE CITY OF PRINEVILLE

Prineville City Council makes the following findings:

BACKGROUND:

Mary E. Cochran & Marvin J. Cochran has filed a petition and consent to annex real property located at 2828 SE Slayton Court, Prineville, Oregon, described as Lot 11, Block 1 of the Stearns Subdivision in Prineville, Oregon.

LEGAL CRITERIA AND FINDINGS:

I. OREGON REVISED STATUTES

A. ORS 222.111, Authority and Procedure for Annexation.

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies.

FINDING: The subject property is located within the City's Urban Growth Boundary and contiguous to the Prineville City limits.

(2) A proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

FINDING: The present proposal was initiated by petition filed by the owners of the property to be annexed.

(3) The legislative body of the city shall submit, except when not required under ORS 222.120, 222.170 and 222.840 to 222.915 to do so, the proposal for annexation to the electors of the territory proposed for annexation and, except when permitted under ORS 222.120 or 222.840 to 222.915 to dispense with submitting the proposal for annexation to the electors of the city, the legislative body of the city shall submit such proposal to the electors of the city. The proposal for annexation may be voted upon at a general election or at a special election to be held for that purpose.

D. ORS 222.180, Effective date of annexation.

(1) The annexation shall be complete from the date of filing with the Secretary of State of the annexation records as provided in ORS 222.177 and 222.900. Thereafter the annexed territory shall be and remain a part of the city to which it is annexed. The date of such filing shall be the effective date of annexation.

(2) For annexation proceedings initiated by a city, the city may specify an effective date that is later than the date specified in subsection (1) of this section. If a later date is specified under this subsection, that effective date shall not be later than 10 years after the date of a proclamation of annexation described in ORS 222.177. [Amended by 1961 c.322 §1; 1967 c.624 §15; 1973 c.501 §2; 1981 c.391 §5; 1985 c.702 §12; 1991 c.637 §9]

FINDING: The present annexation request will be complete as of the date of filing with the Secretary of State.

II. OREGON ADMINISTRATIVE RULES

A. OAR 660-014-0060, Annexation of Lands Subject to an Acknowledged Comprehensive Plan.

A city annexation made in compliance with a comprehensive plan acknowledged pursuant to ORS 197.251(1) or 197.625 shall be considered by the commission to have been made in accordance with the goals unless the acknowledged comprehensive plan and implementing ordinances do not control the annexation. [Stat. Auth.: ORS Ch 196 & 197

FINDING: The City of Prineville's Comprehensive Plan has been acknowledged by the Land Conservation and Development Commission pursuant to ORS 197.251 and 197.625. Therefore, the present annexation request is considered to be made in accordance with the statewide planning goals and the goals need not be directly applied to this decision.

III. CITY OF PRINEVILLE CODE

A. Chapter 153, Land Development; Section 153.034, Zoning of Annexed Areas.

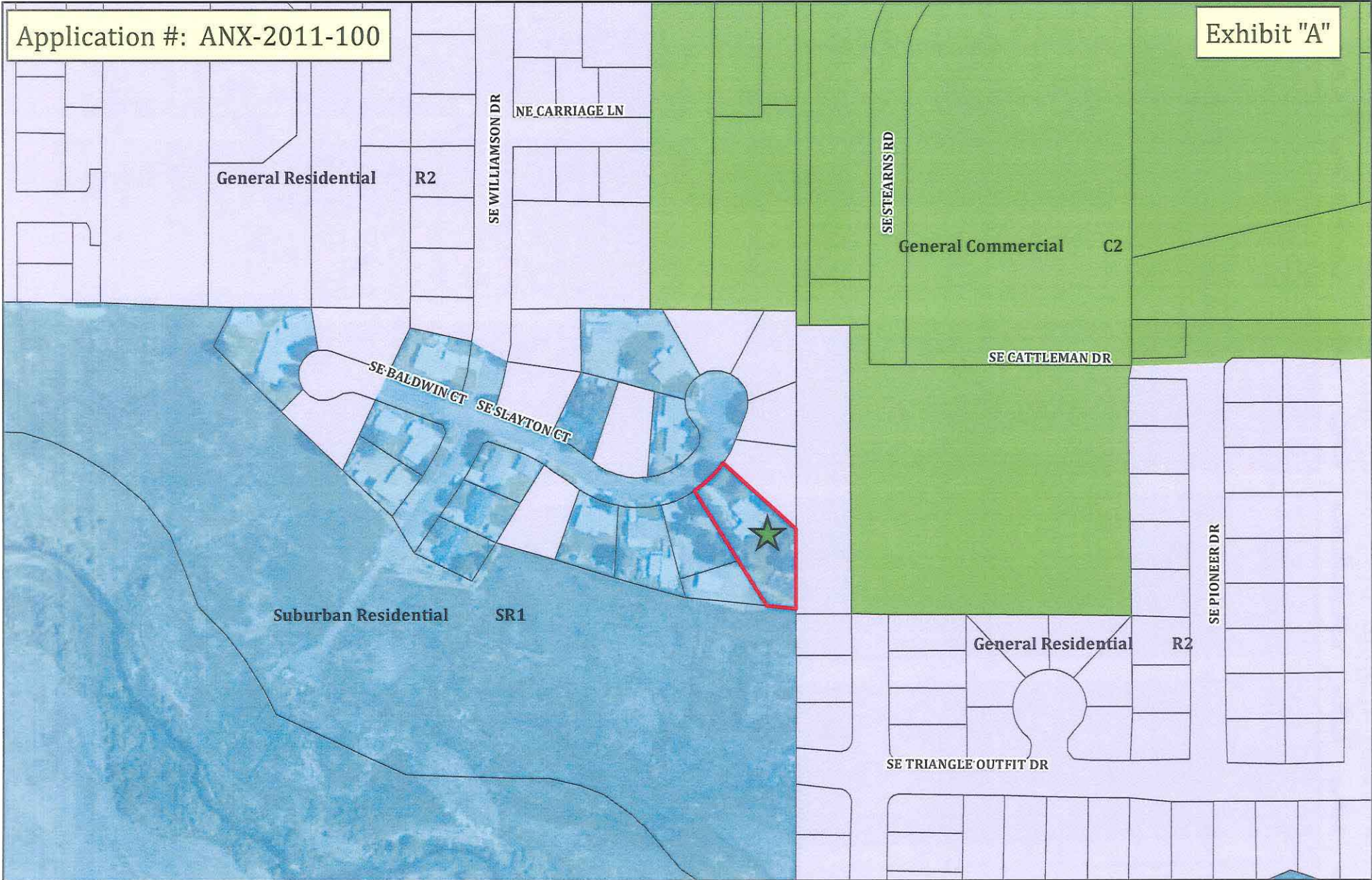
An area annexed to the City shall, upon annexation, assume the zoning classification determined by the City to be in compliance with the Comprehensive Plan; the determination shall be made by the City Council upon receipt of a recommendation relative thereto from the City Planning Commission.

FINDING: The property is zoned SR-1 (Suburban Residential) within Crook County. The City Planning Commission recommend the property be zoned R-2 (General Residential) upon annexation into the City. This zone is consistent with the City/County Urban Growth Management Agreement and the surrounding zone.

BASED UPON the above findings the City of Prineville resolves as follows:

Application #: ANX-2011-100

Exhibit "A"



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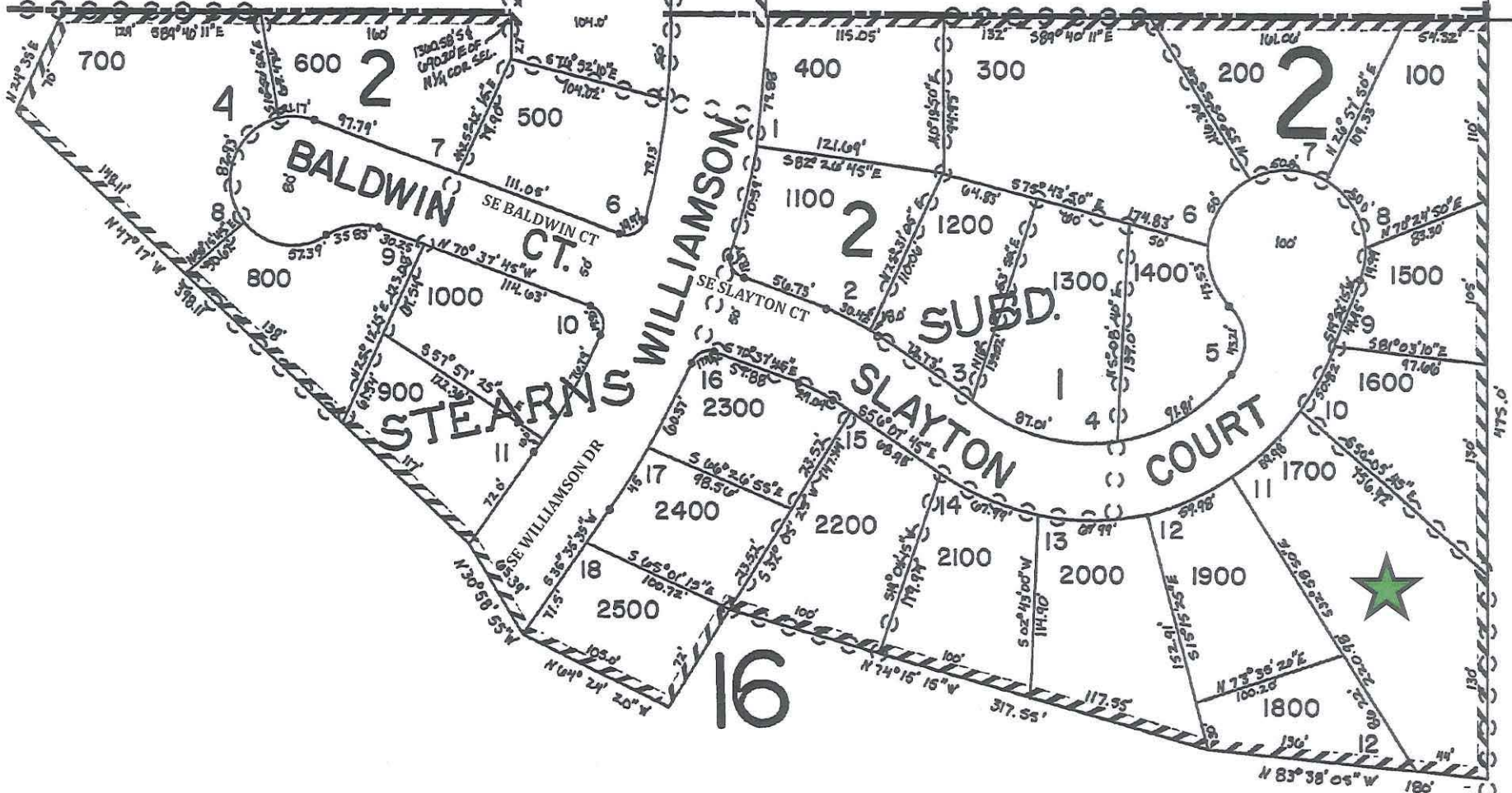
2828 SE Stayton Ct.
151604AC01700



E MAP 15 16 4AB

PRINEVILLE

CITY LIMITS



SEE MAP 15 16 4

2828 SE Stayton Ct.
151604AC01700

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Exhibit "C"

Located in Crook County Oregon:

Lot 11, Block 1 of the Stearns Subdivision, Recorded June 11, 1965 in subdivisions MF No. 95527, Records of Crook County, Oregon, Located in a portion of the NE $\frac{1}{4}$ of Section 4, Township 15, Range 16 East of the Willamette Meridian, Crook County, Oregon.