

**CITY OF TOLEDO
ORDINANCE NO. 1399**

AN ORDINANCE OF THE TOLEDO CITY COUNCIL AMENDING SECTION 1 OF ORDINANCE NO. 1395 TO CORRECT A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION (AX-2-21/RZ-3-21)

WHEREAS, on March 23, 2021, Kelly and Lorraine Foley filed a written request for annexation of property located at 150 SE Sturdevant Road (Assessor's Map #11-10-17 A Tax Lots 800 and 1100 – approximately 6.7 acres) that is outside the city limits but is contiguous to the city limits of the City of Toledo; and

WHEREAS, on March 23, 2021, in addition to the annexation request, the property owner of Assessor's 11-10-17 A Tax Lots 800 and 1100 also filed a request to rezone the 6.7 acre parcel of the property from County R-1 to City Single-Family Residential (R-S), consistent with the 2000 Toledo Comprehensive Land Use Plan Map; and

WHEREAS, the Planning Commission held a public hearing on May 12, 2021, on the proposed annexation and rezone (local file #AX-2-21/RZ-3-21) to consider and make a recommendation on the proposed annexation and rezone to the City Council; and

WHEREAS, the City Council held a public hearing on June 2, 2021, to consider and take action on the annexation and rezone request, and the City Council adopted facts and findings on the request as set forth in the staff report; and

WHEREAS, before annexation, the property was located within the boundaries of the Toledo Rural Fire Protection District and the Lincoln County Library District; and

WHEREAS, the City Council held a public hearing on June 2, 2021, for the purpose of hearing any objections to the withdrawal of the property from the Toledo Rural Fire Protection District and the Lincoln County Library District.

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

Section 1. The legal description in Ordinance No. 1395 for the property located at 150 SE Sturdevant Road is deleted and replaced with the legal description set forth:

The following described property located in Toledo, Oregon which is identified as the parcel designation as Lincoln County Assessor's Map # 11-10-17 A Tax Lots 800 and 1100, and as described below is annexed to the City of Toledo, Oregon:

A tract of land lying in the Northeast corner of Section 17, Township 11 South, Range 10 West of the Willamette Meridian in Lincoln County, Oregon. More particularly described as:

Beginning at a point 1373.22 feet North and 859.23 feet West of the East Quarter


corner of Section 17; thence South 43°09'00" West, 203.24 feet thence South 36°46'00" West, 542.50 feet to a line 80 Rods West of the East line of Section 17, more or less to the East line of that tract described in Book 124, Page 152 of Lincoln County Deed Records, existing city limits; thence North 0°21'10" West, 436.15 along the southerly extension of the East line of Partition Plat 2005-15, 432 feet to the Northeast corner of Parcel 2; thence along the Northern boundary of Partition 2005-15, South 89°33'11" West, 50.00 feet; thence North 30°06'24" West, 81.30 feet; thence North 89°20'14" West, 153.78 feet to the East boundary of Sturdevant Road; thence North 1°20'32" East, 277.91 feet to Southwest corner of the United States of America Tract described in Book 185, Page 485, Deed Records; thence South 89°10'21" East, 732.78 feet, to the Southeast corner of the United States of America Tract; thence North 1°05'00" East, 150.00 feet; thence South 30°49'00" East, 154.09 feet; thence South 30°37'00" West, 221.10 feet to the point of beginning

Section 2. This Ordinance shall be effective 30 days upon passage by the Toledo City Council.


This Ordinance adopted by the Toledo City Council this 17th day of November, 2021.

APPROVED:

ATTEST:



Mayor Rod Cross

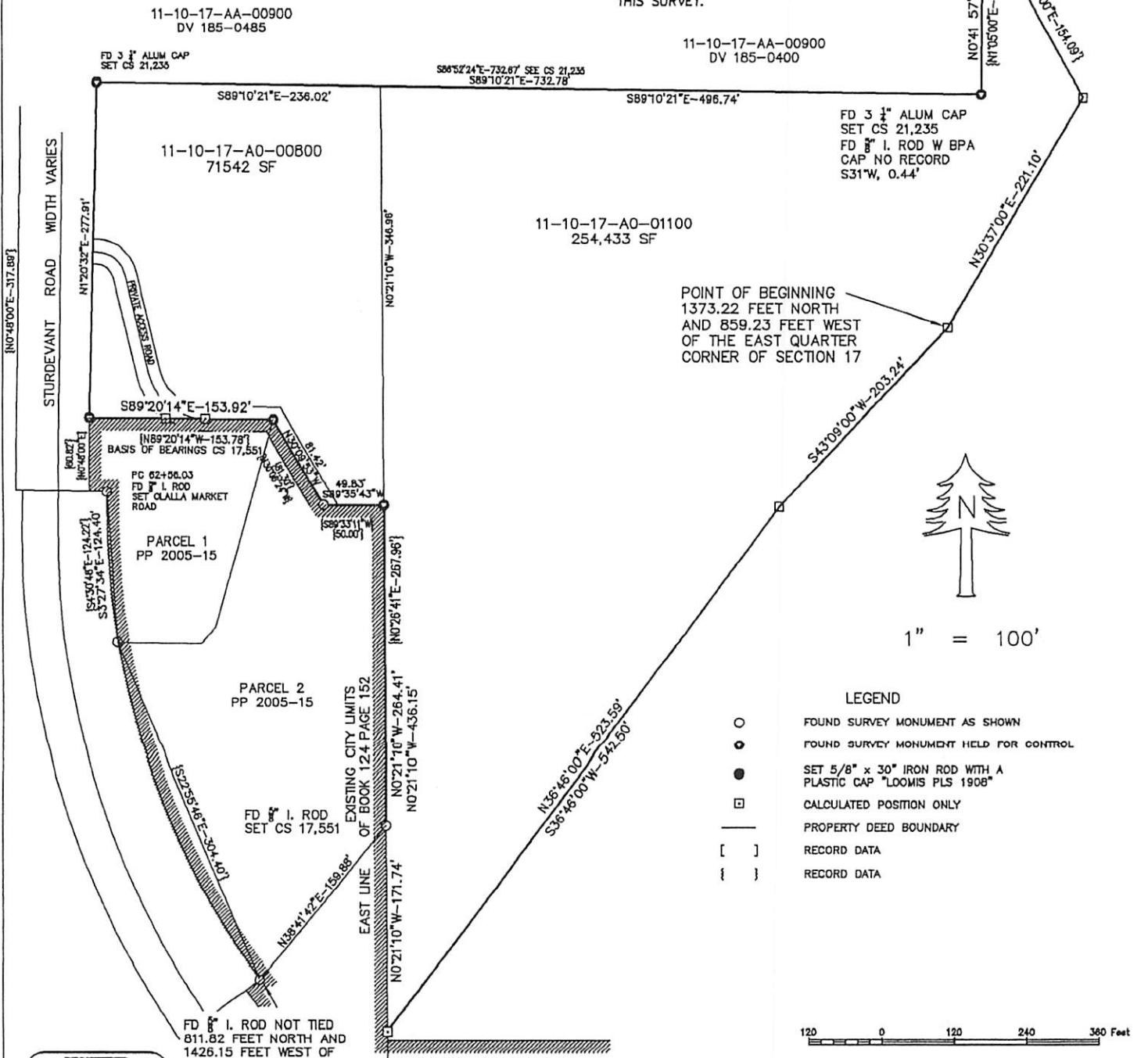


City Recorder Lisa Figueroa

ANNEXATION SURVEY
 FOR KELLY & LORAINNE FOLEY
 IN THE SW 1/4 OF THE NE 1/4 OF SECTION 17
 TOWNSHIP 11 SOUTH, RANGE 10 WEST, WM
 IN TOLEDO, LINCOLN COUNTY, OREGON

SURVEYOR'S NARRATIVE

THIS ANNEXATION SURVEY WAS DONE TO ADD TAX LOT 00800 FROM TAX LOT 01100 TO BE INSIDE OF THE CITY OF TOLEDO. THE BOUNDARY LINES AS SHOWN ARE THE BEARINGS AS DESCRIBED IN THE DEEDS TO THE TRACTS. SOME OF THE BOUNDARY MONUMENTS HAVE BEEN LOCATED IN THIS SURVEY. A ONE SECOND TOPCON GPT 3000-W TOTAL STATION WITH DATA COLLECTION WAS USED IN THIS SURVEY.



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 8, 1980
 DAVID A. LOOMIS
 1908

RENEWAL DATE:
 JANUARY 1, 2023

SURVEY FOR: KELLY & LORAINNE FOLEY
 LOCATION: 11-10-17-A0-00800, 01000 & 01100

SURVEYED BY

DAVID LOOMIS SURVEYING
 = DAVID A. LOOMIS LS 1908 =
 459 PIONEER MOUNTAIN LOOP
 TOLEDO, OR, 97391
 541.336.2994 - 541.270.2928
 FAX: 541.336.2994

CHECKED BY: DAL
 DRAWN BY: DAL
 SCALE: 1" = 100'
 DATE: JULY 2021
 No. D121-080