

**CITY OF TOLEDO  
ORDINANCE NO. 1400**

**AN ORDINANCE OF THE TOLEDO CITY COUNCIL PROCLAIMING THE ANNEXATION AND REZONE OF REAL PROPERTY, AMENDING THE 2000 TOLEDO COMPREHENSIVE LAND USE PLAN AND ZONING MAP, AND THE WITHDRAWAL FROM TOLEDO RURAL FIRE PROTECTION DISTRICT AND THE LINCOLN COUNTY LIBRARY DISTRICT CERTAIN REAL PROPERTY BEING ANNEXED TO THE CITY OF TOLEDO, OREGON**

**WHEREAS**, on January 14, 2022, Robert L. Downs filed a written request for annexation of property located at 2500 NE Arcadia Drive (Assessor's Map #11-10-5 Tax Lots 2303 and 2304 – approximately 30.45 acres) that is outside the city limits but is contiguous to the city limits of the City of Toledo; and

**WHEREAS**, Tax Lots 2303 and 2304 on Lincoln County Assessor's Map 11-10-5 are identified as Low Density Residential on the Toledo Comprehensive Land Use Plan Map and Zoning Map; and

**WHEREAS**, on January 14, 2022, the property owner of Tax Lots 2303 and 2304 on Lincoln County Assessor's Map 11-10-5 initiated a request for a Comprehensive Land Use Plan Map amendment for the two properties to be designated Medium Density Residential; and

**WHEREAS**, on January 14, 2022, in addition to the annexation and Comprehensive Land Use Plan and Zoning Map request, the property owner of Assessor's 11-10-5 Tax Lots 2303 and 2304 also filed a request to rezone the 30.45 acres of property from County R-1 to City General Residential (R-G); and

**WHEREAS**, the Planning Commission held a public hearing on March 9, 2022, on the proposed annexation, rezone, and comprehensive plan map amendment (local file #AX-1-22/RZ-2-22/PA-1-22) to consider and make a recommendation on the proposed annexation, rezone, and comprehensive plan map amendment to the City Council; and

**WHEREAS**, the City Council held a public hearing on April 6, 2022, to consider and take action on the annexation, rezone and comprehensive plan map amendment 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 April 6, 2022, 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 following described property located in Toledo, Oregon which is identified as the parcel designation as Lincoln County Assessor's Map # 11-10-5 Tax Lots 2303 and 2304, and as described below is annexed to the City of Toledo, Oregon:

A tract of land lying in the Southwest quarter of Section 5, Township 11 South, Range 10 West of the Willamette Meridian in Lincoln County, Oregon, More particularly described as:

Beginning at the Southwest corner of the East half of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of said Section 5, being South 89°50'35" East, 338.37 feet from the Southwest corner of Section 5, thence North 3°11'44" West, along the East half of the Southwest Quarter of the Southwest Quarter of the Southwest Quarter of said Section 5, 333.92 feet to US Highway 20; thence following the Southeastern boundary of said Highway 20, along a 1573.20 foot radius curve to the left the long chord of which bears North 76°24'34" East, 362.91 feet; thence North 83°02'54" East, 592.27 feet; thence North 48°29'35" East, 152.24 feet; thence North 31°10'10" East, 217.97 feet; thence North 81°35'00" East, 95.00 feet; thence North 5°39'30" East, 205.72 feet; thence North 8°25'00" West, 72.23 feet; thence leaving said Highway 20, North 66°10'00" East, 239.03 feet; thence South 41°51'00" East, 696.40 feet; thence South 90°00'00" East, 170.57 feet; thence South 0°00'20" West, 652.18 feet to the boundary agreement line, thence North 89°59'48" West, 707.87 feet to Arcadia Drive.; thence North 89°52'03" West, 190.14 feet to the South line of Section 5 and the Western right of way of Arcadia Drive; thence North 89°50'35" West, 1208.37 feet to the point of beginning.

Section 2. The property identified as Lincoln County Assessor's Map # 11-10-5 Tax Lots 2303 and 2304, as described above, are designated as Low Density Residential on the Comprehensive Land Use Plan Map.

Section 3. The property identified as Lincoln County Assessor's Map # 11-10-5 Tax Lots 2303 and 2304 (approximately 30.45 acres), are rezoned from the County R-1 designation to the Toledo Comprehensive Land Use Plan and Zoning Map designation of General Residential.

Section 4. The described property in Section 1 is withdrawn from the Toledo Rural Fire Protection District (East Lincoln County Fire & Rescue) and the Lincoln County Library District.

Section 5. This Ordinance is effective 30 days upon passage by the Toledo City Council.

