

ORDINANCE NO. 28

AN ORDINANCE DECLARING THE ANNEXATION OF CERTAIN CONTIGUOUS TERRITORY TO THE CITY OF LAKESIDE, COOS COUNTY, OREGON.

THE CITY OF LAKESIDE ORDAINS AS FOLLOWS:

Section 1. The council of the City of Lakeside hereby finds that on the 3rd day of March, 1978, it enacted Ordinance No. 27 entitled "AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF LAKESIDE, COOS COUNTY, OREGON TO ANNEX CONTIGUOUS TERRITORY AND ELECTING TO DISPENSE WITH THE SUBMISSION OF SUCH ANNEXATION TO THE LEGAL VOTERS OF THE CITY: AND CALLING AND MAKING PROVISIONS FOR A PUBLIC HEARING UPON SAID ANNEXATION."; that notice of said hearing was duly published and posted as required by law; that prior to said hearing 100% of the land owners who own 100% of the land representing 100% of the assessed value within the contiguous territory proposed to be annexed consented in writing to said annexation and filed said consent with the City Recorder of the City of Lakeside.

Section 2. The council of the City of Lakeside hereby declares and proclaims the annexation to the City of Lakeside all of the following described contiguous territory in the County of Coos and State of Oregon, to-wit:

A tract of land in SW 1/4 NW 1/4, Section 17, Township 23 South, Range 12 West of the Willamette Meridian described as follows:

Beginning at a 3/4" iron pipe which is the C.S. 1/4 corner of Section 17, T 23 S, R 12 W, W.M.; thence N 23 degrees 07' 36" W a distance of 346.29 feet; thence N 09 degrees 15' E a distance of 95.00 feet to a 3/4" iron pipe; thence S 60 degrees 30' E a distance of 154.48 feet to a 3/4" iron pipe; thence S 2 degrees 15' W a distance of 350.00 feet to the point of beginning, said parcel containing 0.75 acres.

Section 3. The Council having found that in order to protect the health and safety of the inhabitants of the City and in order to protect the orderly development of an area adjacent

to the City by annexing the same an emergency is declared to exist so that this ordinance shall become effective immediately upon its passage by the Council and signing by the Mayor.

The foregoing ordinance was duly passed by the City Council of the City of Lakeside on this 24 day of March, 1978.

AYE: 5

NAY: 0

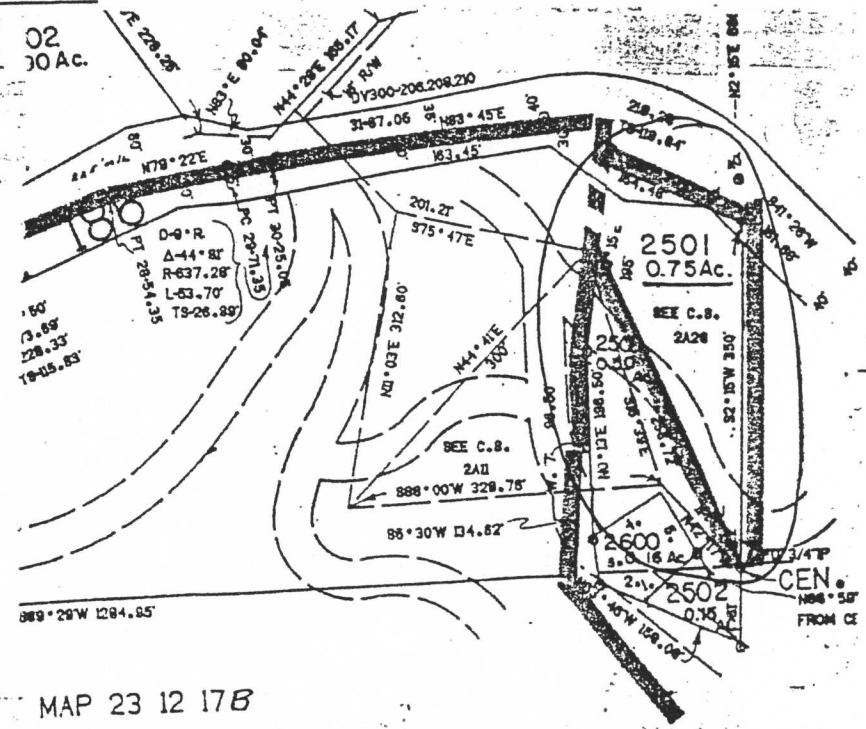
ABSENT: Clayton Osan - Jack Bibby

ABSTENTION: _____

Jack Osan
Mayor

ATTEST:
Kathleen A. Brown
City Recorder

VICINITY MAP



MAP 23 12 17B

Law Offices of
HAYNER, WARING & STEBBINS
745 CALIFORNIA STREET
NORTH BEND, OREGON 97459

MICHAEL R. STEBBINS
MARVIN B. WARING
JONATHAN W. HAYNER

January 19, 1978

TELEPHONE
756-2066

- Lakeside City Council
Lakeside, OR
97449

RE: Annexation to the City of Lakeside

Dear Gentlemen:

Our office represents Mr. and Mrs. Robert O. Emerson in their attempts to construct a home on their property located on North Lake Road and more specifically shown on the attached map.

The construction of the Emerson's home has been halted by order of the Coos County Planning Commission due to a zoning problem. There seems to be only one avenue for the Emerson's to pursue in order to complete their home; that is annexation by the City of Lakeside. The purpose of this letter and our presence is to request that you consider annexing the Emerson's property, with their consent, to the City of Lakeside.

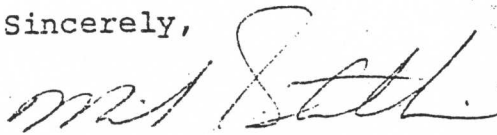
The Emerson's began construction on their property after obtaining the necessary documents and approvals from the Coos County Planning Commission, the Department of Commerce, and the Department of Environmental Quality. The problem arose because at the time these documents were issued, all concerned believed that the Emerson's property was within the city limits of Lakeside. However, the county discovered that the property was just outside the city limits and subject to county zoning ordinances, with which the construction did not comply. It was at that time that Mr. Emerson was ordered to stop construction on his single family dwelling unit. So, as you can see, the Emerson's only recourse is to place themselves within the city limits of Lakeside. This can be done through the statutory process set out in ORS 222.120. Briefly, the procedure requires that the city council pass an ordinance declaring their intention to annex, that notice of a public hearing regarding the

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annexation be published and that subsequent public hearings be held on the annexation, followed by an ordinance declaring the actual annexation to the city. This is obviously a very time consuming process, especially in light of the fact that your charter does not permit you to take immediate action on an ordinance. We would therefore request that the council consider calling a special meeting to begin the annexation process, if you decide that you are in fact going to annex the Emerson's property.

If there is anything we can do to assist in this process, please do not hesitate to notify us. Thank you for your consideration.

Sincerely,



Mike Stebbins

MRS:dde

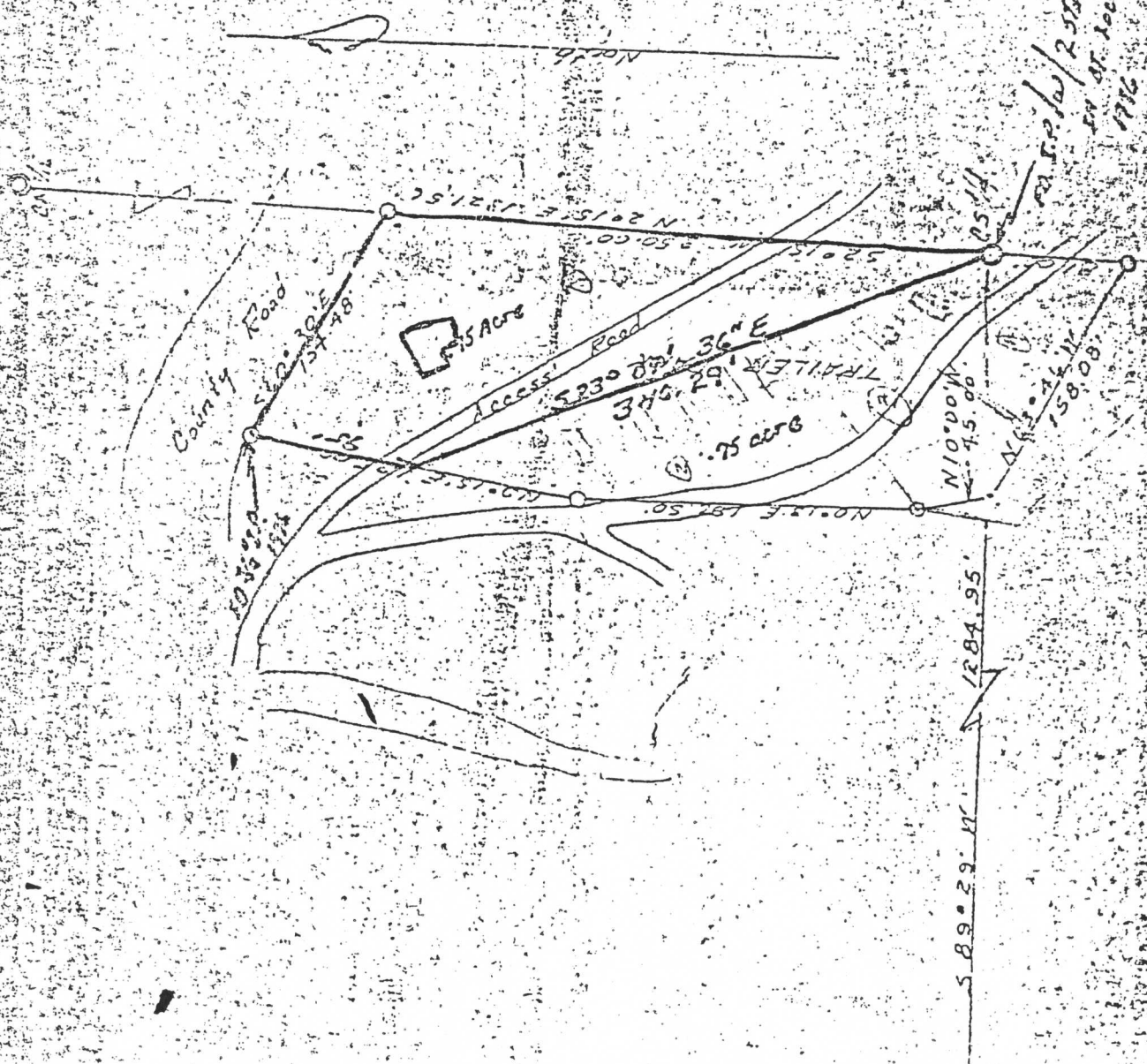
cc: Mr. Robert Emerson

SURVEY OF A PORTION OF
THE NW 1/4 OF SECTION 17,
T. 23 S., R. 12 W., W. M.,
COOS COUNTY, OREGON

for
R. J. HILLSTROM

Corners round: \bigcirc
Corners set: \bigcirc 3/4" pipe
Scale 1" = 100'
Sept 27, 1967

2024 11 27 11:00
GDE
MAY 10, 1957
WARNER D. HOOTMAN



Revised 8/27/68
at location
1966