

**BEFORE THE CITY COUNCIL FOR THE
CITY OF ADAIR VILLAGE, OREGON**

In the Matter of amending the)
 City of Adair Village)
 Zoning Map for)
 property inside the City's)
 Urban Growth Boundary,)
 and modifying Ordinance)
 No. 2019-05.)

ORDINANCE NO. 2021-01

WHEREAS, the subject parcel was purchased by the City of Adair Village from Benton County in 2018 and encompasses 5.04 acres; and

WHEREAS, the City of Adair Village brought the parcel into the City through annexation with a Zoning classification of C-1 (Commercial-Village Center) per Ordinance No. 2019-06; and

WHEREAS, Ordinance 2019-05 approved and adopted the City of Adair Village Comprehensive Plan, Comprehensive Plan Map and Zoning Map; and

WHEREAS, the City of Adair Village has proposed to amend the Zoning Map designation from C -1 (Commercial) to P (Public) for the parcel discribed in Exhibit A (Map) and Exhibit B (Legal Description); and

WHEREAS, The Federal Government, through the Department of Interior, conveyed the property to Benton County via Quitclaim Deed on July 9, 1973. A correction deed was filed as No. M-43218 that the property be conveyed as part of the federal surplus property with the covenant that it is to be used for park and recreational purposes; and

WHEREAS, the hopes of effectively removing the Parks and Recreation covenant from the subject property through the Federal Land Exchange Program and its requirements has been insurmountable; and

WHEREAS, The City's intent for this parcel is for future development of a City park as the zoning portrays; and

WHEREAS, the Adair Village Planning Commission and City Council held a joint public hearing on April 20, 2021 to take public comment. Planning Commision met afterwards, concurred with the findings in the staff report that the decision criteria has been met and recommended that the City Council approve the proposed map amendment; and

WHEREAS, the Adair Village City Council met directly after the Planning Commission meeting adjourned on April 20, 2021 to review and consider the proposed map amendment; and

WHEREAS, following their review, the City Council deliberated and found that the proposed changes met the required criteria and approved the proposed Zoning Map Amendment; now therefore,

THE CITY OF ADAIR VILLAGE ORDAINS AS FOLLOWS:

Section 1: The City of Adair Village Zoning Map, adopted through Ordinance 2019-05, shall be amended so that the parcel described and shown in Exhibit A (Map) & Exhibit B (Legal Description) attached, in the City of Adair Village, currently planned and zoned "C-1 (Commercial-Village Center)" respectively, will be zoned as "P-1 (Public)".

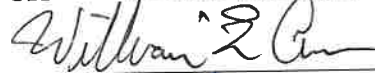
Section 2: The Planning Official shall make such changes to the City of Adair Village Zoning Map as are required to implement this amending ordinance.

Section 3: Severability. Should any section or portion of this Ordinance be held unlawful or unenforceable by any court of competent jurisdiction, such decision shall apply only to the specific section, or portion thereof, directly specified in the decision. All other sections or portions of this Ordinance shall remain in full force and effect.

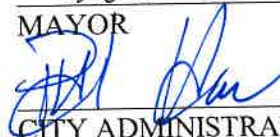
Section 4. Effective Date. Passed by the City Council and approved by the Mayor of the City of Adair Village this 4th day of May, 2021, the Adair Village Zoning map amendment shall become effective on June 4, 2021.

City of Adair Village, Oregon, May 4, 2021

CITY OF ADAIR VILLAGE



MAYOR



CITY ADMINISTRATOR

First Reading: May 4, 2021

Second Reading: May 4, 2021
By Title Only

EXHIBIT A

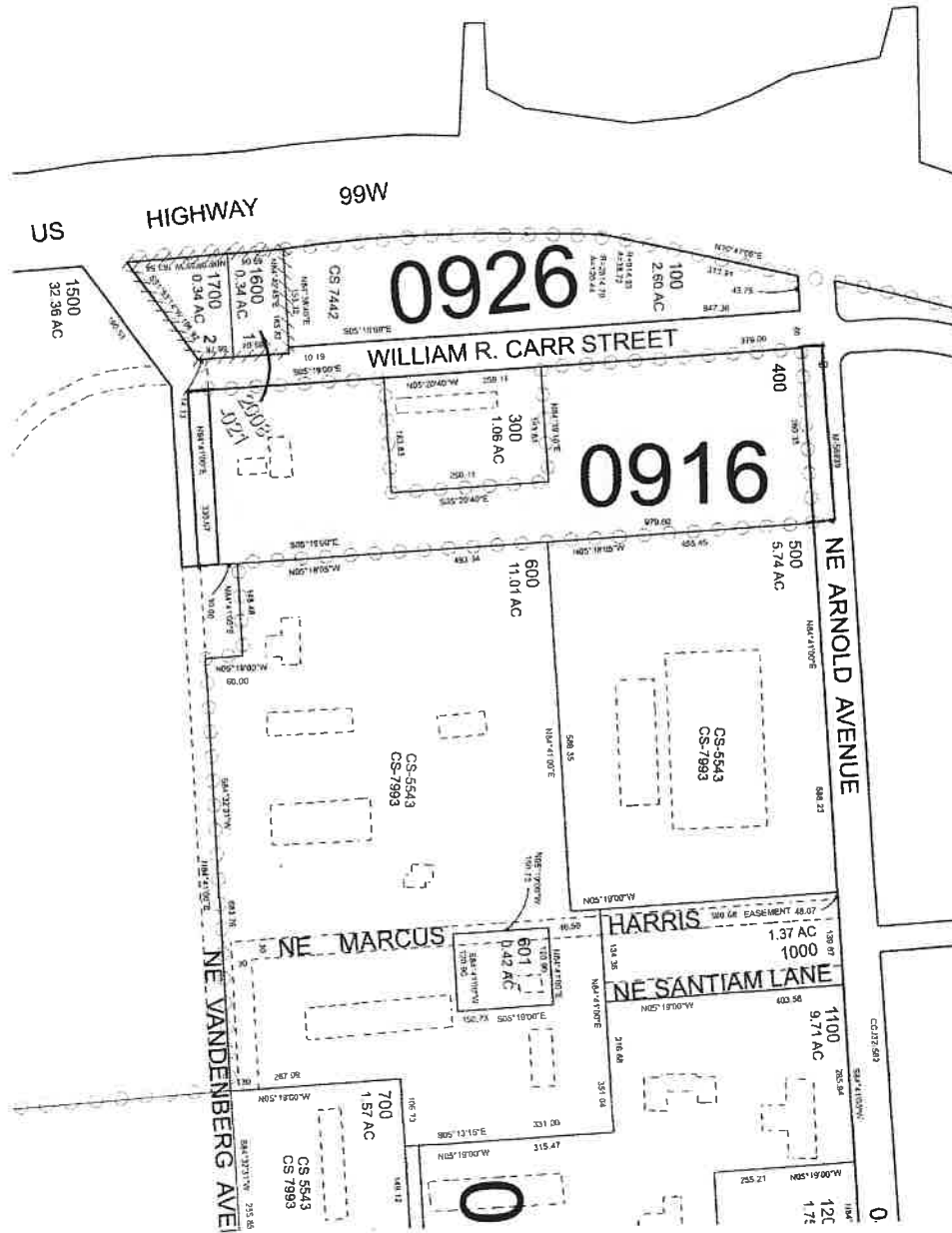


EXHIBIT B

Parcel 5, Camp Adair – Park
(Approximately 6.1 acres)

Beginning at a point 192.15 feet South and 434.90 feet N. $84^{\circ} 41'$ E. of the Southeast corner of the George Roberts D.L.C. No. 59, in Township 10 S., Range 4 W., of the Willamette Meridian, Benton County, Oregon, which point lies on the centerline of Florence Nightingale Avenue; thence N. $84^{\circ} 41'$ E., along the centerline of Florence Nightingale Avenue 340.35 feet; thence S. $5^{\circ} 19''$ E. 979.00 feet to a point which lies on the centerline of Vandenburg Avenue; thence S. $84^{\circ} 41'$ W. along the centerline of Vandenburg Avenue and its prolongation 330.07 feet to a point on the east line of the tract described as Parcel 1 in Deed Book 178, Page 67, of Benton County Deed Records; thence N. $5^{\circ} 21'$ W. along a line common with the boundary of said Parcel 1 recorded in Deed Book 178, page 67, Benton County Records 131.65 feet to the Northeast corner of said Parcel 1; thence S. $84^{\circ} 38' 40''$ W. along the north line of said Parcel 1 a distance of 10.19 feet; thence N. $5^{\circ} 19'$ W. 847.36 feet to the centerline of Florence Nightingale Avenue and the point of beginning.

A portion of the above tract is designated as a County Road and is described as follows:
Beginning at the Northwest corner of the above described tract -thence S. $5^{\circ} 19'$ E. 847.36 feet; thence N. $84^{\circ} 38' 40''$ E. 10.19 feet; thence S. $5^{\circ} 21'$ E. 131.65 feet; thence N. $84^{\circ} 41'$ E. 49.73 feet; thence N. $5^{\circ} 19'$ W. 979.00 feet to a point on the north line of the above described tract, which point also lies on the centerline of Florence Nightingale Avenue; thence S. $84^{\circ} 41'$ W. along the centerline of Florence Nightingale Avenue 60.00 feet to the point of beginning.
Excepting therefrom that tract of land described as Parcel 2 in Deed Book 178, page 67, of Benton County Deed Records.

EXCEPTING THEREFROM a tract of land describe as Parcel 2 in Deed Book 178, Page 67, of Benton County Deed Records.

TOGETHER WITH improvements located thereon (Except the electrical distribution system, water system, and sanitary sewer system) and utility lead in service and lateral serving each building.

TOGETHER WITH joint use with others to discharge storm drain water over the existing storm drain system and outfall.

RESERVING TO:

The United States of America and its assigns a perpetual easement for the electrical distribution system in, on, over, under, and across the above described property, said easement being a strip of land twenty (20) feet in width, then (10) feet on each side of the centerline of the existing electrical distribution system for the purpose of construction, operation, maintenance, repair or removal of said electrical distribution system and together with access thereto.

The United States of America and its assigns a perpetual easement for road purposes over the northerly thirty (30) feet and the southerly thirty (30) feet of the above described property.

SUBJECT TO:

Attachment H Ordinance No. 2021-01 - Amending Zoning Map.k 210504 Map

A perpetual easement to the City of Albany, Linn County, Oregon, by Quitclaim Deed dated May 5, 1972, and Amended Quitclaim Deed No. 2 dated January 4, 1973, said easements being strips of land twenty (20) feet in width, ten (10) feet on each side of the centerline of the existing water and sanitary sewer lines for the purpose of construction, operation, maintenance, repair or removal of said utility mains and for access thereto.

Joint use by other to discharge storm drain water over that portion of the existing storm drain system located within the above described property.

Existing easements for public roads and highways, public utilities, railroads and pipelines and to other easements of record.