

City of Wheeler

Chapter 10

ANNEXATIONS

ORDINANCE NO. 76-3

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY
OF WHEELER OF AREA CONTIGUOUS TO ITS BOUNDARIES AND
PROVIDING NOTICE OF HEARING ON PETITION

THE CITY OF WHEELER ORDAINS AS FOLLOWS

Section 1. Dispensing with election and fixing date for public hearing. The City having received petitions from 100% of the owners of property in Block 8 City of Wheeler for annexation of this property to the City of Wheeler, the City Council hereby elects to dispense with submitting the question of such annexation to the registered voters of the City and hereby fixes Tuesday, January 18, 1977, at the hour of 8:00 p.m. in the City Hall of the City of Wheeler, Tillamook County, Oregon, as the time and place at which a public hearing shall be held before the City Council and at which time the registered voters of the City may appear and be heard on the question of the proposed annexation.

Section 2. Notice of Hearing. Notice of the hearing provided in this Ordinance shall be published one a week for two successive weeks prior to January 18, 1977 in a newspaper of general circulation in the City of Wheeler, and the City Recorder shall cause notice of this hearing to be posted in 4 public and conspicuous places in the City of Wheeler for two successive weeks prior to January 18, 1977.

Section 3. Description of area to be incorporated within the City limits of Wheeler. The legal description of the territory contiguous to the City of Wheeler and which is proposed to be annexed to the City without an election and in accordance with the procedures outlined and provided for in ORS 222.120 and 222.170 is as follows:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 all in
Block 8, City of Wheeler.

PASSED by the City Council and approved by the mayor this 21st day of December, 1976.

ATTEST:

Virgil L. Staben
Virgil L. Staben

Zella C. Schwartzhauer
Zella C. Schwartzhauer, Recorder

RESOLUTION NO. 77-1

WHEREAS at a hearing called for January 18, 1977, at the Council Chambers, the City Council considered the matter of the annexation of certain contiguous parcels of land to the City of Wheeler, and

WHEREAS no objections to the proposed annexation were made at that time, and

WHEREAS the City feels that it would be in the best interest of the City of Wheeler to annex this property, NOW THEREFORE

IT IS RESOLVED that the following described real property is hereby annexed to and made a part of the corporate city limits of the City of Wheeler, Tillamook County, Oregon:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
11, and 12, Block 8, City of Wheeler

DATED this 18th day of January, 1977.

ATTEST:

Gregory L. Stokes
Mayor

Margaret M. Adams
Recorder

222644

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RESOLUTION NO. 77-13

WHEREAS at a hearing called for March 31, 1977, at the Council Chambers, the City Council considered the matter of the annexation of certain contiguous parcels of land to the City of Wheeler, and

WHEREAS no objections to the proposed annexation were made at that time, and

WHEREAS the City feels that it would be in the best interest of the City of Wheeler to annex this property, NOW THEREFORE

IT IS RESOLVED that the following described real property is hereby annexed to and made a part of the corporate city limits of the City of Wheeler, Tillamook County, Oregon:

See Exhibit A Attached

DATED this 31st day of March, 1977.



Virgil L. Staben
Virgil L. Staben Mayor

Margaret W. Adams
Margaret W. Adams Recorder

Parcel I.

Beginning at the Initial Point of Rowe's Addition to Wheeler, according to the duly recorded plat thereof and running thence N 21°37' E 430.8 feet; thence S 68°32' E 487.21 feet to the E boundary line of the old County Road; thence along the E boundary line of said Road N 36°04' E 41.1 feet; thence N 18°14' E 147 feet to an iron pipe; thence N 78°21' E 128.8 feet to the true point of beginning of the 50 x 100 foot tract reserved by Howard E. Staben and Karel A. Staben, his wife in that certain deed executed by them as grantors to E. G. Cole and Mabel W. Cole, as grantees, and recorded in Book 104, at page 161, deed records of Tillamook County, Oregon, and which points is marked by a 2" x 2" white post; thence S 0°49' E 50 feet to a 2" x 2" white post; thence N 89°11' E 100 feet to a 2" x 2" white post; thence N 0°49' W 50 feet to an 1 1/2" iron pipe; thence S 89°11' W 100 feet to the true point of beginning.

ALSO all the right, title and interest in and to a roadway leading from the above described tract to the old County Road, described as follows:

Beginning at the NW corner of the above described tract and running thence S 0°49' E along the easterly line of said tract 20.9 feet to an iron pipe; thence S 78°21' W 136.67 feet to an iron pipe in the easterly boundary line of the old County Road and the westerly line of the E. G. Cole and Mabel W. Cole tract; thence along the easterly boundary line of said road N 18°14' E 23.07 feet; thence N 78°21' E 128.8 feet to the point of beginning.

Parcel II

Beginning at a point on the Southeastern County Road right of way that is N 21°37' E 430.8 feet and S 68°23' E 487.2 feet and N 36°04' E 20.7 feet of the Initial Point of Rowe's Addition to Wheeler which is S 55°31' W 1791.2 feet of the quarter corner between Sec. 2, T2N, R10W of the Willamette Meridian and Sec. 35, T3N, R10W of the Willamette Meridian, Tillamook County, Oregon; thence N 36°04' E 20.7 feet along said right of way; thence N 18°14' E 280.0 feet; thence S 68°23' E 791.2 feet to the N-S quarter section line said Sec. 2; thence S 1°15 1/2' W 319.56 feet along said quarter section line; thence N 68°23' W 891.0 feet to the point of beginning, EXCEPTING that tract described in the Quit Claim Deed from Mabel W. Cole to Howard E. Staben recorded August 29, 1952 in Book 135, at page 78, deed records, Tillamook County, Oregon.

Parcel III

Beginning at a point on the Rasterly Southern Pacific Railroad right of way N 21°37' E 430.8 feet of the Initial Point of Rowe's Addition to Wheeler

ORDINANCE NO. 78-1

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY OF WHEELER OF AREA CONTIGUOUS TO ITS BOUNDARIES AND PROVIDING NOTICE OF HEARING ON PETITION

The City of Wheeler Ordains as follows:

Section 1. Dispensing with election and fixing date for public hearing. The City having received petitions from 100% of the owners of property in the hereinafter described real property and area for annexation to the City of Wheeler, the City Council hereby elects to dispense with submitting the question of such annexation to the registered voters of the City and hereby fixes Tuesday, Feb. 21, 1978, at the hour of 8:00 p.m. in the City Hall of the City of Wheeler, Tillamook County, Oregon, as the time and place at which a public hearing shall be held before the City Council and at which time the registered voters of the City may appear and be heard on the question of the proposed annexation.

Section 2. Notice of Hearing. Notice of the hearing provided in this Ordinance shall be published once a week for two successive weeks prior to February 21, 1978, in a newspaper of general circulation in the City of Wheeler, and the City Recorder shall cause notice of this hearing to be posted in 4 public and conspicuous places in the City for two successive weeks prior to February 21, 1978.

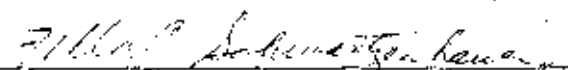
Section 3. Description of area to be incorporated within City limits of Wheeler. The legal description of the territory contiguous to the City of Wheeler and which is proposed to be annexed to the City without an election and in accordance with the procedures outlined and provided for in ORS 222.120 and 222.170 is as follows:

See Exhibit A attached

PASSED by the City Council and approved by the Mayor this 17th day of January, 1978.


Virgil L. Staben Mayor

ATTEST:


Zella C. Schwartzmayer
Recorder

PARCEL I

Tract 4: A strip of land 60 feet in width to be graded from curb to curb 30 feet on each side of center line; walk way for pedestrians to be permitted only on each side and contiguous to center line, the beginning point of said strip of land is N 0°46' E 400 ft. and N 89°18' E 573.39 ft. from the 1/4 section corner common to Sections 3 and 10 in T2N, R10W, W.M.; thence N 19°10' W 979.3 ft. to a 4 degree curve left, angle 9°02', the long chord of which bears N 23°41' W 232.50 feet; thence N 28° 12' W 137 ft., more or less, to the southerly right of way line of the Oregon Coast Highway, which point is N 0°46' E 1649.97 ft. and S 63°47' E 108.0 ft. from the 1/4 section corner common to Sections 3 and 10, T2N, R10W, W.M., all being in Section 3 and containing 1.66 acres.

This strip of land is dedeed for the perpetual use of street purposes to serve all adjacent property, and to be known as "Dichter Drive".

Tract 5: Commencing at a point which is N 0° 46' E 400 ft. and N 89°18' E 603.39 ft. from the 1/4 section corner common to Sections 3 and 10, T2N, R10W, W.M., for the point of beginning; thence along the Easterly right of way line of Dichter Drive N 19°10' W 979.58 ft.; thence on a 1462.69 ft. radius curve to the left, the long chord of which bears N 23°41' W 228.18 ft.; thence N 28° 12' W 94 ft. to the southerly right of way line of the Oregon Coast Highway; thence following said right of way line S 63°47' E 55.0 ft.; thence N 26°13' E 40.0 ft.; thence S 63°47' E 83.8 ft.; thence on a 603.69 foot radius curve to left 158.0 ft., more or less, to where said right of way line crosses a small creek; thence following said creek to a point N 86°35' W 134.0 ft. from the NW corner of Lot 15, of Block 3, Wheeler Heights; thence following said creek to a point N 86° 35' W 134.0 ft. from the SW corner of said Lot 15; thence S 86°35' E 134.0 ft. to the SW corner of said Lot 15; thence following the western boundary of Wheeler Heights S 1°09' W 80.31 feet; thence S 3°25' E 75 feet; thence S 11°33' E 120.0 feet to the SW corner of Lot 11, Block 3, Wheeler Heights; thence S 29°47' W 112.6 feet; thence S 42°15' E 123.6 feet following a small creek; thence S 86° 35' E 86.0 feet to the SW corner of Lot 1, Block 3, Wheeler Heights and also the NW corner of a tract known as the "Federal Housing Tract"; thence following the western boundary of said tract S 3°25' W 471.0 feet to the SW corner thereof; thence S 89° 18' W 95.03 ft. to the place of beginning, containing 5.72 acres, more or less, all being in Sec. 3, T2N, R10W, W.M.

Tract 6: A tract of land described as: Beginning at the SW corner of Lot 1, Block 3, Wheeler Heights; thence S 3°25' W 471.0 feet; thence N 89°18' E 290.75 ft; thence N 3°25' E 400.3 feet; thence W 86°35' W 50.0 feet; thence N 3°25' E 50.0 feet; thence N 86°35' W 240.0 feet to the place of beginning, containing 3.01 acres, more or less, and located in the Government Lot 4, Section 3, T2N, R10W, W.M., Tillamook County, Oregon.

PARCEL II

Part of Sec. 3, T2N, R10W, W.M., more particularly described as follows: Beginning at the SE corner of Lot 1, Block 49, WHEELER; thence SWly along the N line of Second Street in Wheeler to the most SWly corner of Lot 2, Block 56, Wheeler; thence Nly to the most Wly corner of said Lot 2, Block 56, Wheeler; thence in a Wly direction to the NE corner of Lot 2, Block 5, Wheeler Heights; thence S 3°25' W along the Ely line of Wheeler Heights to the SE corner thereof; thence N 86°35' W 120 feet to the SW corner of Lot 4, Block 5, Wheeler Heights; thence S 3°25' W to the N line of the S 400 feet of the SW 1/4 of the SE 1/4 of

RESOLUTION NO. 78-1

WHEREAS at a hearing called for Tuesday, February 21, 1978, at the Council Chambers, the City Council considered the matter of the annexation of certain contiguous parcels of land to the City of Wheeler, and

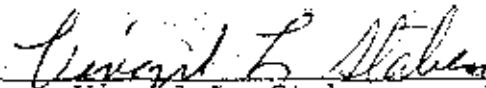
WHEREAS no objections to the proposed annexation were made at that time, and

WHEREAS the City feels that it would be in the best interest of the City of Wheeler to annex this property, NOW THEREFORE

IT IS RESOLVED that the following described real property is hereby annexed to and made a part of the corporate city limits of the City of Wheeler, Tillamook County, Oregon:

See Exhibit A attached.

DATED this 21st day of February, 1978.


Virgil L. Staben Mayor

ATTEST:

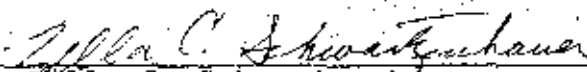

Zella C. Schwartzbauer
Recorder

EXHIBIT A

PARCEL I

Tract 4: A strip of land 60 feet in width to be graded from curb to curb 30 feet on each side of center line; walk way for pedestrians to be permitted only on each side and contiguous to center line, the beginning point of said strip of land is N 0°46' E 400 ft. and N 89°18' E 573.39 ft. from the 1/4 section corner common to Sections 3 and 10 in T2N, R10W, W.M.; thence N 19°10' W 979.3 ft. to a 4 degree curve left, angle 9°02', the long chord of which bears N 23°43' W 222.50 feet; thence N 28° 12' W 137 ft., more or less, to the Southerly right of way line of the Oregon Coast Highway, which point is N 0°46' E 1649.97 ft. and S 63°47' E 108.0 ft. from the 1/4 section corner common to Sections 3 and 10, T2N, R10W, W.M., all being in Section 3 and containing 1.66 acres.

This strip of land is deeded for the perpetual use of street purposes to serve all adjacent property, and to be known as "Dichter Drive".

Tract 5: Commencing at a point which is N 0° 46' E 400 ft. and N 89°18' E 603.39 ft. from the 1/4 section corner common to Sections 3 and 10, T2N, R10W, W.M., for the point of beginning; thence along the Easterly right of way line of Dichter Drive N 19°10' W 979.58 ft.; thence on a 1462.69 ft. radius curve to the left, the long chord of which bears N 23°41' W 228.18 ft.; thence N 28° 12' W 94 ft. to the Southerly right of way line of the Oregon Coast Highway; thence following said right of way line S 63°47' E 55.0 ft.; thence N 26°13' E 40.0 ft.; thence S 63°47' E 83.8 ft.; thence on a 603.69 foot radius curve to left 158.0 ft., more or less, to where said right of way line crosses a small creek; thence following said creek to a point N 86°35' W 134.0 ft. from the NW corner of Lot 15, of Block 3, Wheeler Heights; thence following said creek to a point N 86° 35' W 134.0 ft. from the SW corner of said Lot 15; thence S 86°35' E 134.0 ft. to the SW corner of said Lot 15; thence following the Western boundary of Wheeler Heights S 1°09' W 80.31 feet; thence S 3°25' E 75 feet; thence S 11°33' E 120.0 feet to the SW corner of Lot 11, Block 3, Wheeler Heights; thence S 29°47' W 112.6 feet; thence S 42°15' E 123.6 feet following a small creek; thence S 86° 35' E 86.0 feet to the SW corner of Lot 1, Block 3, Wheeler Heights and also the NW corner of a tract known as the "Federal Housing Tract"; thence following the Western boundary of said tract S 3°25' W 471.0 feet to the SW corner thereof; thence S 89° 18' W 95.03 ft. to the place of beginning, containing 5.72 acres, more or less, all being in Sec. 3, T2N, R10W, W.M.

Tract 6: A tract of land described as: Beginning at the SW corner of Lot 1, Block 3, Wheeler Heights; thence S 3°25' W 471.0 feet; thence N 89°18' E 290.75 ft; thence N 3°25' E 400.3 feet; thence N 86°35' W 50.0 feet; thence N 3°25' E 50.0 feet; thence N 86°35' W 240.0 feet to the place of beginning, containing 3.01 acres, more or less, and located in the Government Lot 4, Section 3, T2N, R10W, W.M., Tillamook County, Oregon.

PARCEL II

Part of Sec. 3, T2N, R10W, W.M., more particularly described as follows: Beginning at the SE corner of Lot 1, Block 49, WHEELER; thence SWly along the N line of Second Street in Wheeler to the most Sly corner of Lot 2, Block 56, Wheeler; thence Nly to the most Wly corner of said Lot 2, Block 56, Wheeler; thence in a Wly direction to the NE corner of Lot 2, Block 5, Wheeler Heights; thence S 3°25' W along the Ely line of Wheeler Heights to the SE corner thereof; thence N 86°35' W 120 feet to the SW corner of Lot 4, Block 5, Wheeler Heights; thence S 3°25' W to the N line of the S 400 feet of the SW 1/4 of the SE 1/4 of

said Section 3; thence Wly along said N line to the Wly line of Dichter Drive; thence NWly along said Wly line of Dichter Drive to the Sly right of way line of Highway #101; thence Wly along said Sly right of way line of Highway #101 to the E half of Government Lot 5 of said Section 3; thence Sly along said W line to the S line of said Government Lot 5 of said Section 3; thence Ely along said S line of said Government Lot 5 to the NE corner of the SE 1/4 of the SW 1/4 of said Section 3; thence Sly to the 1/4 corner common to Section 3 and 10, T2N, R10W, W.M.; thence Ely along the Section line common to said Sections 3 and 10 to the SE corner of said Section 3; thence N 1°19' E along the Section line common to sections 2 and 3, T2N, R10W, W.M., to the Sly boundary of Block 52; thence S 55°30' W along the Sly boundary of Wheeler to the NEly line of Catman Street in Wheeler; thence N 34°30' W to the SEly line of Third Street in Wheeler; thence N 55°30' E to the SWly line of Gamble Street in Wheeler; thence N 34°30' W to the point of beginning.

PARCEL III

Lots 7 and 8, Block 9, Wheeler.

PARCEL IV

Lots 3, 4 and 10, Block 16, Wheeler.

PARCEL V.

All those portions of Maple, Gregory, Alder, Rector, Pine, and Cedar Streets which are abutted by land previously annexed to the City of Wheeler.

RESOLUTION NO. 80-7

WHEREAS, at a hearing call for April 15, 1980, at the Council Chambers, the City Council considered the matter of annexation of certain contiguous parcels of land to the City of Wheeler, and

WHEREAS, no objections to the proposed annexation were made at that time, and

WHEREAS, the City feels that it would be in the best interest of the City of Wheeler to annex this property, NOW THEREFORE,

IT IS RESOLVED, that the following described real property is hereby annexed to and made a part of the corporate limits of the City of Wheeler, Tillamook County, Oregon:

Parcel I. Lots 5 & 6, Block 15, City of Wheeler.

Parcel II. Lots 7, 8, 9, 10, 11, and 12, Block 15, City of Wheeler.

Parcel III. All those portions of Hemlock, Spruce, Cedar, Hall, Starr,

Akin, Davis, Gamble, Bryant, Fourth, and Fifth Streets, that are contiguous to land previously annexed to the City.

Passed by the Common Council and approved by the Mayor this 15th day of April, 1980, by the following vote:

Ayes 5
Nays 0
Abstentions 0

ATTEST:



Mayor



City Recorder

ORDINANCE NO. 80-2

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY OF WHEELER OF AREAS CONTIGUOUS TO ITS BOUNDARIES AND PROVIDING NOTICE OF HEARING ON PETITION:

The CITY OF WHEELER Ordains as follows:

Section 1. Dispensing with election and fixing date for public hearing;

The City having received petitions from 100% of the owners of property in the hereinafter described real property and areas for annexation to the City of Wheeler, the Common Council hereby elects to dispense with submitting the question of such annexation to the registered voters of the City and hereby fixes Tuesday, April 15, 1980, at the hour of 7:00 p.m. in the City Hall of the City of Wheeler, Tillamook County, Oregon, as the time and place at which a public hearing shall be held before the Common Council and at which time the registered voters of the City may appear and be heard on the question of the proposed annexation.

Section 2. Notice of hearing; Notice of hearing provided in this Ordinance shall be published once a week for two successive weeks prior to April 15, 1980, in a newspaper of general circulation in the City of Wheeler, and the City Recorder shall cause notice of this hearing to be posted in 4 public and conspicuous places in the City for two successive weeks prior to April 15, 1980.

Section 3. Description of areas to be incorporated within City limits of Wheeler;

The legal description of the territory contiguous to the City of Wheeler and which is proposed to be annexed to the City without an election and in accordance with the procedures outlined and provided for in ORS 222.120 and ORS 222.170 is as follows:

Parcel I. Lots 5 & 6 Block 15, City of Wheeler.

Parcel II. Lots 7, 8, 9, 10, 11, and 12 Block 15, City of Wheeler.

Parcel III. All those portions of Hemlock, Spruce, Cedar, Hall, Starr, Akin, Davis, Gamble, Bryant, Fourth, and Fifth Streets, that are contiguous to land previously annexed to the City of Wheeler.

Passed by the Common Council and approved by the Mayor this 18th day of March, 1980, by the following vote;

Ayes 4

Nays 0

Abstentions 1

ATTEST:

Virgil L. Staben
City Recorder

Paul Steele
Mayor

RESOLUTION No. 80-8

WHEREAS, at a public hearing called for Tuesday, August 19, 1980, at the Wheeler City Hall, the City Council considered the matter of annexation of certain contiguous parcels of land to the City of Wheeler, and

WHEREAS, no objections to the proposed annexation were made at that time, and

WHEREAS, the City Council has considered findings, that were prepared by Mr. Dick Pearson, Director of the Clatsop-Tillamook Intergovernmental Council, after the August 19, 1980 hearing, and deals with the application of Statewide Goals to the annexation, and

See Exhibit A attached.

WHEREAS, the City Council feels that it would be in the best interest of the City of Wheeler to annex this property, NOW THEREFORE,

IT IS RESOLVED, that the following described real property is hereby annexed to and made a part of the corporate limits of the City of Wheeler, Tillamook County, Oregon, and

See Exhibit B attached.

IT IS FURTHER RESOLVED, that owners of Paradise Cove shall retain ownership and the responsibility of maintenance of the present two (2) inch waterline that now serves the annexed area, this to remain in affect until the extension of a new watermain through the Paradise Pallisades Development has been completed and Paradise Cove has been connected to it, and

IT IS FURTHER RESOLVED, that the present road from Highway 101, that passes through Paradise Cove to the waterfront area shall remain a private road, owned and maintained by the owners of Paradise Cove.

Passed this 2nd day of September, 1980 by the Common Council of the City of Wheeler.

Votes: Ayes 3, Nays 0, Abstentions 0.

ATTEST:

Virginia L. Staben
City Recorder

Paul Steele

Mayor

ORDINANCE No. 80-7

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY OF WHEELER OF AREAS CONTIGUOUS TO ITS BOUNDARIES AND PROVIDING NOTICE OF HEARING ON PETITION:

THE CITY OF WHEELER ORDAINS AS FOLLOWS:

Section 1. Dispensing with election and fixing date for public hearing;

The City having received petitions from 100% of the owners of property in the hereinafter described real property and areas for annexation to the City of Wheeler, the Common Council hereby elects to dispense with submitting the question of such annexation to the registered voters of the City and hereby fixes Tuesday, August 19, 1980, at the hour of 7:00 P.M. in the City Hall of the City of Wheeler, Tillamook County, Oregon, as the time and place at which a public hearing shall be held before the Common Council and at which time the registered voters of the City may appear and be heard on the question of the proposed annexation.

Section 2. Notice of Hearing;

Notice of hearing provided in this Ordinance shall be published once a week for two successive weeks prior to August 19, 1980, in a newspaper of general circulation in the City of Wheeler, and the City Recorder shall cause notice of this hearing to be posted in 4 public and conspicuous places in the City for two successive weeks prior to August August 19, 1980.

Section 3. Description of area to be incorporated within City limits of Wheeler;

The legal description of the territory contiguous to the City of Wheeler and which is proposed to be annexed to the City without an election and in accordance with the procedures outlined and provided for in ORS 222.120 and ORS 222.170 is as follows:

Parcel I - 4.85 acres, in Government Lot 6, Tax Lot 500, Tax Map 2N-10-3.

Parcel II - 1.85 acres, in Government Lot 6, Tax Lot 500, Tax Map 2K-10-3.

(See attached map and description)

Passed by the Common Council and approved by the Mayor this 15th day of July, 1980, by the following vote:

Ayes 4

Nays 0

Abstentions 0

ATTEST:



Mayor, Paul Steele



Recorder, Virgil L. Staben

ORDINANCE NO. 82- 6

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY OF WHEELER OF AREAS CONTIGUOUS TO ITS BOUNDARIES AND PROVIDING NOTICE OF HEARING ON PETITION:

The City of Wheeler Ordains as follows:

Section 1. - Dispensing with election and fixing date for public hearing:

The City having received petitions from 100% of the owners of property in the hereinafter described real property for annexation to the City of Wheeler, the Common Council hereby elects to dispense with submitting the question of such annexation to the registered voters of the City and hereby fixes Nov. 30, 1982 at the hour of 7:00 pm in the City Hall of Wheeler, Tillamook County, Oregon, as the time and place at which a public hearing shall be held before the Common Council and at which time the registered voters of the City may appear and be heard on the question of the proposed annexation.

Section 2. - Notice of hearing:

Notice of hearing provided in this Ordinance shall be published once a week for two (2) successive weeks prior to Nov. 30, 1982, in a newspaper of general circulation in the City of Wheeler, and the City Recorder shall cause notice of the hearing to be posted in four (4) public and conspicuous places in the City for two (2) successive weeks prior to Nov. 30, 1982.

Section 3. - Description of areas to be incorporated within City limits of Wheeler:

The description of the territory contiguous to the City of Wheeler and which is proposed to be annexed to the City without an election and in accordance with the procedures outlined and provided for in ORS 222.120 and ORS 222.170 is as follows:

Parcel I. - The remainder of Tax Lot 100 located in Section 3, Township 2N, Range 10 W. between the westerly City limits of the City of Wheeler (N39° 30' W.), the easterly boundary of Tax Lot 200 (S1° 19' 30" W.), the northerly boundary of the Southern Pacific Railroad right-of-way, and the mean low water mark of the Nehalem River.

Parcel II. - Tax Lot 200 located in Section 3, Township 2N, Range 10W., a parcel of land 75 feet by 150 feet..

Passed by the Common Council and approved by the Mayor this 16th day of November, 1982, by the following vote;

Ayes 4
Nayes 0
Abstentions 0

ATTEST:

Virgil L. Staben
Virgil L. Staben City Recorder

George Reding
George Reding Council President

ORDINANCE NO. 88-1

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE
CITY OF WHEELER AN AREA CONTIGUOUS TO ITS BOUNDARIES

THE CITY OF WHEELER ORDAINS AS FOLLOWS:

Section 1. The City of Wheeler held a public hearing on April 4, 1988 at the Wheeler City Hall for consideration of the matter of annexing certain contiguous property to the City of Wheeler.

Section 2. One hundred percent (100%) of the property owners within the proposed annexation area have consented in writing to this annexation.

Section 3. The City of Wheeler hereby declares the following described property annexed to the City of Wheeler pursuant to ORS 222.120(4)(b) and ORS 222.125:

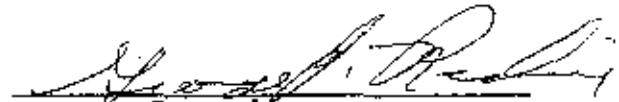
Tract I: Commencing at a point 880.3 feet West and 213.5 feet South of the Northwest corner of Block 60 in WHEELER; thence West along U.S. Highway No. 101, a distance of 300 feet; thence North 6°04' East, 305 feet; thence South 83°56' East, 150 feet; thence South 6°04' West, 20 feet; thence South 83°56' East 140 feet; thence South 4°04' West, 265.2 feet to the point of beginning.

Tract II: Beginning at a point 770.3 feet West and 213.5 feet South of the Northwest corner of Block 60, WHEELER, which point is also the point of intersection of the Northerly line of U.S. Highway No. 101, and the Westerly line of a County Road; thence North 4°11' East 251.4 feet along the Westerly line of said County Road; thence North 83°56' West 100 feet; thence South 4°04' West 265.2 feet to the Northerly line of U.S. Highway No. 101; thence Easterly along the Northerly line of said highway 100 feet to the point of beginning located in Lot 4, Section 3, Township 2 North, Range 10 West of the Willamette Meridian in Tillamook County, Oregon LESS any portion thereof lying in the highway. AND EXEPTING that tract conveyed by J. W. McCaughey and Orpha McCaughey to the Port of Nehalem by deed recorded September 7, 1951, in Book 129 at page 540, Deed Records.


Tract III: Beginning at a point 770.3 feet W and 213.5 feet S of the NW corner of Block 60 WHEELER, which point is also the point of intersection of northerly line of U.S. Highway 101, and the Westerly line of a County road; thence 400 feet along the Northerly line of U.S. Highway 101, thence S 6°04' W 75 feet to the Southerly boundary of U.S. Highway 101, also the Northerly boundary of Wheeler City limits, Easterly 400 feet along the Southerly boundary of U.S. Highway 101, thence N 4°11' E 75 feet to the point of beginning.

Section 4. Pursuant to ORS 222.040(a) this annexation shall be effective May 18, 1988.

Passed by the Common Council and approved by the Mayor
this 4th day of April, 1988, by the following vote,
Ayes 3
Nays 0
Abstentions 0


George J. Reding, Mayor

ATTEST:


Virgil L. Staben, Recorder

City of Wheeler

ORDINANCE NO. 90-1

AN ORDINANCE ANNEXING PROPERTIES LOCATED WITHIN THE CITY OF WHEELER CITY LIMITS AND DISPENSING WITH THE CITY ELECTION ON THE QUESTION OF ANNEXATION.

WHEREAS the Wheeler City Council initiated annexation of all properties located within the Wheeler city limits by way of Resolution 90-6, and

WHEREAS the City Council has elected to dispense with submitting the question of the annexation of the real property described below to the registered voters of Wheeler by Resolution 90-6 and determined in lieu thereof to hold a public hearing before the City Council on May 22, 1990, at which time the registered voters of said City could appear to be heard on the question of said annexation, and

WHEREAS the Council has caused notice of the hearing to be published once prior to the date of said hearing in a newspaper in general circulation in Tillamook County, Oregon, and further caused notice of said hearing to be posted in four public places within the City of Wheeler for a like period, and

WHEREAS a public hearing was held before the City of Wheeler Common Council on May 22, 1990 on the question of the annexation of the territory to the City of Wheeler, Oregon, and

WHEREAS there were no objections or remonstrances presented against the annexation,

NOW, THEREFORE, the City of Wheeler ordains as follows:

1. The following described real property in Tillamook County, State of Oregon, is annexed to the City of Wheeler:

2N10-2BD

Tax lot - 01901 Lot 9 - Blk 65 Rowe's Addition.

Eleanor Newberg, 11335 Evergreen Way, Nehalem, OR 97131.

Tax lot - 01902 - Lot 8 - Blk 65 - Rowe's Addition

Robert Wayne Williams, 1835 Bancroft Dr., Santa Rosa, CA 95401.

Tax lot - 01903 - Lot 7 - Blk 65 - Rowe's Addition.

Stephen C. Thomas - 1838 Bancroft Dr., Santa Rosa, CA 95401.

H. M. Thomas, 1838 Bancroft Dr., Santa Rosa, CA 95401.

2N10-3

Tax lot 0300.
C. Ernest Iseri.

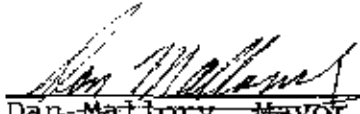
Tax lot - 600-1000-1300.
Ellen I. Kahrs, P.O. Box 211, Wheeler, OR 97147.

Tax lot - 1390.
Port of Tillamook Bay

2. The City Recorder shall file certified copies of this Ordinance and map with the Tillamook County Clerk, the Tillamook County Assessor, and the Oregon Department of Revenue, and certified copies of this Ordinance and map with the Secretary of State of Oregon within 10 (ten) days from the effective date of this Ordinance.

3. The land owners shall pay for any public improvements incurred in accordance with the ordinances and policies of the City of Wheeler.

PASSED and ADOPTED by the City Council this 22nd day of May 1990 and APPROVED by the Mayor this 22nd day of May 1990.



Dan Maffory, Mayor

ATTEST:



Virginia L. Staben, City Recorder

CITY OF WHEELER

ORDINANCE NO. 90-5

AN ORDINANCE AMENDING ORDINANCE 90-1 BY CORRECTING
LEGAL DESCRIPTIONS AND DECLARING AN EMERGENCY

WHEREAS the Wheeler City Council initiated annexation of all properties located within the Wheeler City limits by way of Resolution of 90-6, and

WHEREAS the City Council elected to dispense with submitting the question of the annexation of the real property described below to the registered voters of Wheeler by Resolution 90-6 and determined in lieu thereof to hold a public hearing before the City Council on May 15, 1990, at which time the registered voters of said City could appear to be heard on the question of said annexation, and

WHEREAS the Council caused notice of the hearing to be published once prior to the date of said hearing in a newspaper in general circulation in Tillamook County, Oregon, and further caused notice of said hearing to be posted in four public places within the City of Wheeler for a like period, and

WHEREAS a public hearing was held before the City of Wheeler Common Council on May 15, 1990 on the question of the annexation of the territory to the City of Wheeler, Oregon, and

WHEREAS there were no objections or remonstrances presented against the annexation, and

WHEREAS the Wheeler City Council adopted Wheeler City Ordinance 90-1 on May 22, 1990, and

WHEREAS the Oregon Department of Revenue notified the City of Wheeler that for unplatted tracts of land, the full legal description needed to be included in the ordinance, and

WHEREAS the legal description can be corrected, by modification of the ordinance without again initiating the proceedings,

NOW, THEREFORE, the Wheeler City Council ordains as follows:

1) The following described real property located in Tillamook County, State of Oregon is annexed to the City of Wheeler:

- a) Lot 9, Block 65 Rowe's Addition. (2N10-2BD TL
01902)
Eleanor Newberg
11335 Evergreen Way
Nehalem, OR 97131

01902) b) Lot 8, Block 65 Rowe's Addition. (2N10-2BD TL

Robert Wayne Williams
1835 Bancroft Dr.
Santa Rosa, CA 95401

01903) c) Lot 7, Block 65 Rowe's Addition. (2N10-2BD TL

Stephen C. and H. M. Thomas
1838 Bancroft Dr.
Santa Rosa, CA 95401

d) 2 North 10-3 Tax Lot 300:

That portion of the following described tract which lies in Section 3, Township 2 North, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon. Beginning at the point of intersection of North boundary line of the Oregon Coast Highway with the line between Lots 5 and 6 in Section 3, Township 2 North, Range 10 West of the Willamette Meridian, in Tillamook County, Oregon; thence northerly along said Lot line to the North boundary of the Southern Pacific Railway right of way; thence easterly along said right of way 600 feet; thence North to the ordinary low water mark of Nehalem Bay; thence westerly following said low water mark to its intersection with the northerly extension of the line between Lots 1 and 2, Section 4 of said Township and Range; thence southerly along said Lot line to the North boundary of the Southern Pacific Railway right of way; thence easterly along said right of way 250 feet; thence southerly and parallel to the line between said Lots 1 and 2 to the North boundary of Oregon Coast Highway; thence easterly along the North line of said highway to the point of beginning.

Excepting therefrom that portion of said premises lying in the Southern Pacific Railway right of way. ALSO EXCEPTING that tract conveyed to Louise Vonder Ahe by deed record December 23, 1947, in Book 110, page 319, Deed Records.

EXCEPTING further Beginning at a point on the Northerly right of way line of U.S. Highway 101 where said right of way line intersects the East line of Government Lot 6 in Section 3, Township 2 North, Range 10 West of the Willamette Meridian; thence North 0° 31' 43" East along said Government Lot line 298.65 feet, more or less to a point where said Government Lot line intersects the Southerly right of way line of the Southern Pacific Railroad right of way; thence North 83° 56' 37" West along the Southerly right of way line of the Southern Pacific Railroad right of way 546.32 feet; thence South 45° 18' 23" West 372.75 feet, more or less, to said Northerly right of way line of U.S. Highway 101, thence Easterly along said Northerly right of way line to the point of beginning.

ALSO EXCEPTING beginning at a point on the Northerly right of way line of the Southern Pacific Railroad right of way where said right of way line intersects the East line of Government Lot 6 in Section 3, Township 2 North, Range 10 West of the Willamette Meridian; thence North 83° 56' 37" West along the Southerly right of way line of the Southern Pacific Railroad right of way 546.32 feet; thence South 45° 18' 23" West 372.75 feet, more or less, to said Northerly right of way line of U.S. Highway 101, thence Easterly along said Northerly right of way line to the point of beginning.

ALSO EXCEPTING beginning at a point on the Northerly right of way line of the Southern Pacific Railroad right of way where said right of way line intersects the East line of Government Lot 6 in Section 3, Township 2 North, Range 10 West of the Willamette Meridian; thence North 83° 56' 37" West along said Northerly right of way line of the Southern Pacific Railroad right of way 540.52 feet; thence North 6° 03' 23" East 30 feet, more or less, to the ordinary low water mark of the Nehalem Bay; thence Easterly along said ordinary low water mark to said East line of Government Lot 6; thence South 0° 31' 45" West along said Government Lot line 30 feet, more or less, to the point of beginning; excepting rights of the public in fishing, navigation and commerce and right of the State of Oregon and the United States of America in portions of these premises constituting tidelands.

e) 2N10-3 Tax Lot 600.

TRACT I

All that portion of Lots 3, 4, and 5, Section 3, Township 2 North, Range 10 West of the Willamette Meridian, lying North of the Southern Pacific Company Railroad right of way, EXCEPTING THEREFROM the West 600 feet of said Lot 5.

TRACT II

Beginning at a point on the Northerly right-of-way line of U.S. Highway No. 101 where said right-of-way line intersects the East line of Government Lot 6, in Section 3, Township 2 North, Range 10 West of the Willamette Meridian in Tillamook County; thence North 0° 31' 45" East along said Government lot line 298.65 feet more or less to a point where said Government lot line intersects the Southerly right-of-way line of the Southern Pacific Railroad right-of-way; thence Easterly along said right of way line 1600 feet more or less to the Northwest corner of the tract of land sold to J. W. McCaughey, recorded in Book 91 at page 419, Deed Records; thence South on said McCaughey Westerly property line 270 feet, more or less, to the Northerly right-of-way line of the Oregon Coast Highway; thence following said highway right-of-way in a Westerly direction to the place of beginning.

f) 2N10-3 Tax Lot 1300.

Beginning at a point 730.3 feet West and 213.5 feet South of the Northwest corner of Block 60, WHEELER, which point is also the point of intersection of the Northerly line of U.S. Highway No. 101 and the Easterly line of the County Road, thence North 4° 11' East 236.4 feet to the South line of that tract conveyed to Southern Pacific Railroad by deed recorded in Book 35 at page 269, Deed Records; thence North 35 feet; thence Easterly along the South line of Southern Pacific Right-of-Way, 450 feet, more or less, to the West line of that tract conveyed to Willie G. Dubois by deed recorded in Book 43 at page 607, Deed Records; thence South 8° 30' East to the North line of the U.S. Highway No. 101; thence Westerly along said Highway to the point of beginning.

g) 2N10-3 Tax Lot 1000.

Beginning at a point on the Northerly right of way line of U. S. Highway No. 101, 880.3 feet West and 213.5 feet South of the Northwest corner of Block 60, Wheeler, Tillamook County, State of Oregon, thence Westerly along the Northerly right of way line of said Highway 300 feet to the true point of beginning of the herein described tract; thence North 6° 04' East 305 feet to the Southerly right of way line of the Southern Pacific Railroad; thence North 83° 56' West along the Southerly right of way line of said Railroad 210 feet to the Northeast corner of the last described tract (being Parcel No. 4 of Tract XV) in deed from the Prouty Lumber and Box Company to Theo. Dichter and wife, recorded February 13, 1954, in Book 141, Page 436, Deed Records; thence South 6° 04' West 255.8 feet to the Northerly right of way line of said U. S. Highway No. 101; thence Easterly along said Highway right of way line to the true point of beginning.

h) 2N10-3 Tax Lot 1390.

BEGINNING at the Northeast corner of Block 60 of the townsite of Wheeler, Tillamook County, Oregon; thence North on the East line of said block, extended 129.7 feet to a point in the centerline of Southern Pacific Company's main track of Tillamook Branch; thence South 74° 43' West, on said centerline 212.7 feet to a point of curve; thence continuing on said centerline on a 5° tapered curve to the right, 556 feet, through an angle of 21° 48'; thence on said centerline North 83° 29' West; 88.4 feet; thence South 6° 31' West, 30 feet to a point in Southern Pacific Company's southerly right of way line, which point is the actual point of beginning of the following described parcel of land:

Thence South 6° 31' West, 35 feet; thence South 83° 29' East, 88.4 feet to a point of curve; thence easterly on a

curve to the left, parallel to the centerline of Southern Pacific Company's main track as now constructed, and 65 feet distant southerly therefrom, a distance of 229.1 feet to a point; thence northerly at right angles to centerline of maintrack as now constructed, 35 feet to a point in Southern Pacific Company's southerly right of way line; thence westerly on said right of way line, 312.5 feet more or less, to the point of beginning, containing 11025 square feet, more or less, all in Section 3, Township 2 North Range 10 West, Willamette Meridian, Tillamook County, Oregon.

2. The City Recorder shall file certified copies of this Ordinance and map with the Tillamook County Clerk, the Tillamook County Assessor, and the Oregon Department of Revenue, and certified copies of this Ordinance and map with the Secretary of State of Oregon within 10 (ten) days from the passage date of this Ordinance.

3. The land owners shall pay for any public improvements incurred in accordance with the ordinances and policies of the City of Wheeler.

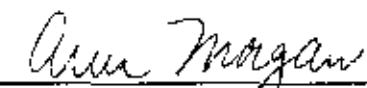
4. An emergency is declared necessary to correct any confusion which exists due to the annexation being completed on May 22, 1990, but the administrative procedures being delayed due to the lack of metes and bounds descriptions. This ordinance shall become immediately upon passage.

PASSED and ADOPTED by the City Council this 16th day of October, 1990 and APPROVED by the Mayor this 16th day of October, 1990.



Dan Mallory, Mayor

ATTEST:



Ann Morgan, City Recorder Pro-Tem

CITY OF WHEELER, OREGON

ORDINANCE NO. 90-8

AN ORDINANCE ANNEXING PROPERTIES LOCATED BETWEEN THE CITY OF WHEELER CITY LIMITS AND NEHALEM BAY AND DISPENSING WITH THE CITY ELECTION ON THE QUESTION OF ANNEXATION AND REPEALING ORDINANCES 90-1, 90-5 AND RESOLUTION 90-6, AND DECLARING AN EMERGENCY.

WHEREAS the Wheeler City Council initiated annexation of all properties located between the Wheeler City limits and Nehalem Bay not already annexed by way of Resolution No. 90-25, and

WHEREAS the Wheeler City Council has on two prior occasions attempted annexation of these same properties in Ordinances 90-1, 90-5 and Resolutions 90-6, and

WHEREAS Ordinances 90-1, 90-5, and Resolution 90-6 had errors in legal description, map, and omission of certain properties which created confusion with County and State agencies, and

WHEREAS the necessary corrections or modifications can not be made without again initiating annexation proceedings, and

WHEREAS the City Council elected to dispense with submitting the question of the annexation of the real property described below to the registered voters of Wheeler by Resolution 90-25 and determined in lieu thereof to hold a public hearing before the City Council on January 15, 1991 at which time the registered voters in said city and any other interested person could appear to be heard on the question of said annexation, and

WHEREAS the Council has caused notice of the hearing to be published once each week for two successive weeks prior to the date of said hearing in a newspaper in general circulation in Tillamook

County, Oregon, and further caused notice of said hearing to be posted in favored public places within the City of Wheeler for a like period, and

WHEREAS a public hearing was held before the City of Wheeler Common Council on January 15, 1991 on the question of the annexation of the territory to the City of Wheeler, Oregon, and

WHEREAS there were no objections or remonstrances presented against the annexation,

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

1. The following described real property in Tillamook County, State of Oregon, is annexed to the City of Wheeler:

2N10-2BD

Tax lot - 01901 Lot 9 - Blk 65 Rowe's Addition,
Eleanor Newberg, 11335 Evergreen Way, Nehalem, OR 97131.

Tax lot - 01902 - Lot 8 - Blk 65 - Rowe's Addition,
Robert Wayne Williams, 1835 Bancroft Dr., Santa Rosa, CA
95401.

Tax lot - 01903 - Lot 7 - Blk 65 - Rowe's Addition,
Stephen C. Thomas - 1939 Bancroft Dr., Santa Rosa, CA
95401

H. M. Thomas, 1838 Bancroft Dr., Santa Rosa, CA 95401.

2N10-3

All that portion of Government Lots 3,4,5, and 6, Section 3, Township 2 North, Range 10 West of the Willamette Meridian, lying North of the Northerly half of Highway 101 North right-of-way line, to the line of low water in Nehalem Bay, excepting therefrom those tracts already in the city re Tax Lots 500, 1100, 1101, and 1200.

2. The City Recorder shall file certified copies of this Ordinance and map with the Tillamook County Clerk, the Tillamook County Assessor, and the Oregon Department of Revenue, and certified copies of this Ordinance and map with the Secretary of State of Oregon within 10 (ten) days from the passage date of this Ordinance.
3. The land owners shall pay for any public improvements incurred in accordance with the ordinances and policies of the City of Wheeler.

4. REPEAL

Ordinances 90.1, 90.5, and Resolution 90.6 providing annexing properties located within the City of Wheeler City Limits, are hereby repealed effective upon the effective date of this Ordinance.

5. An emergency is declared necessary to correct any confusion which exists due to the annexation being first attempted on May 22, 1990, but the administrative procedures being delayed due to confusion and the lack of proper legal descriptions and appropriate maps, this ordinance shall become immediately effective upon passage.

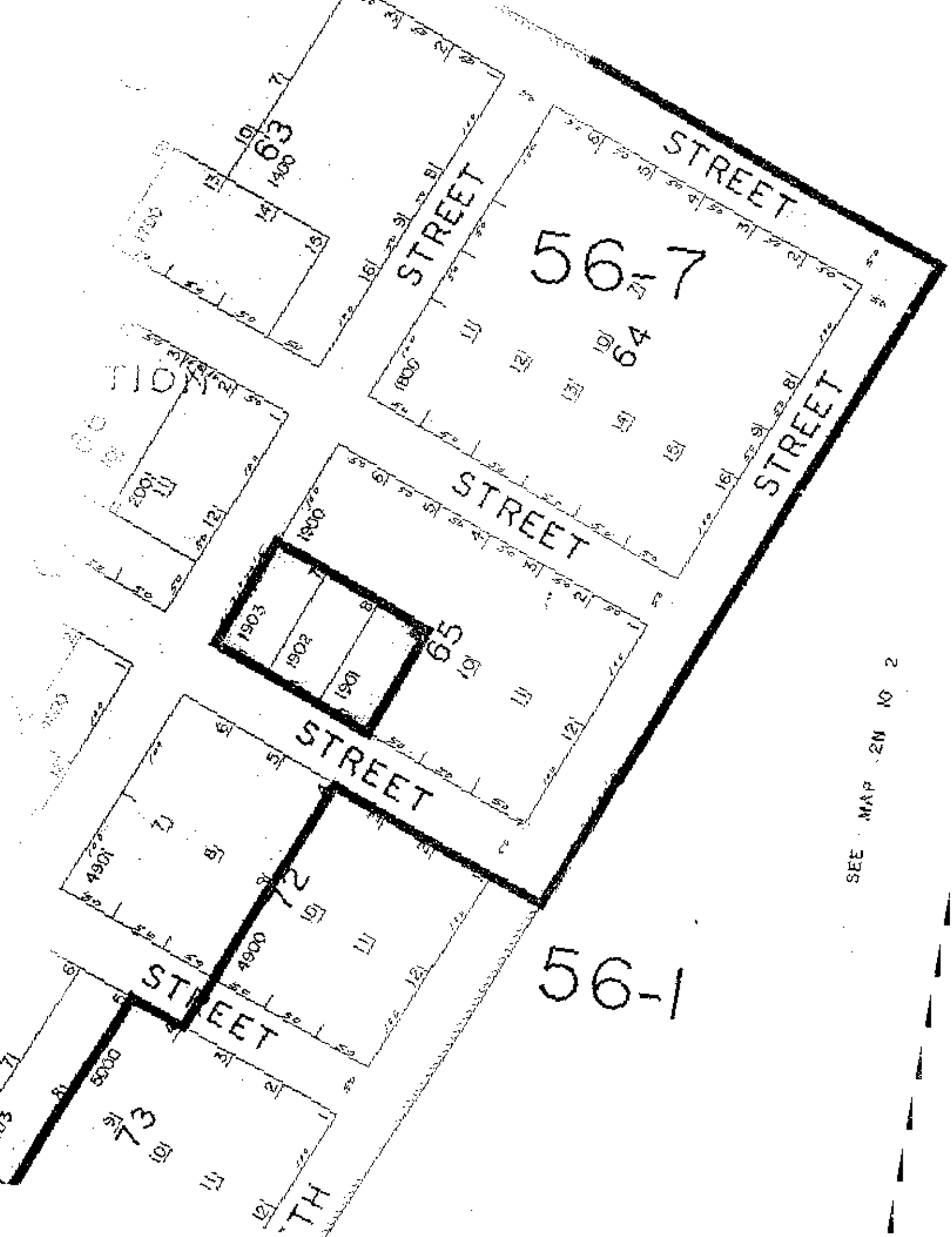
Passed and adopted by the City Council this 15th day of January, 1991, and Approved by the Mayor this 15th day of January, 1991.

Robert Turner

Robert Turner, Mayor

ATTEST:

Darrell R. Olson
Darrell R. Olson, City Recorder



SEE MAP 2N 10 2

56-23

100 ft

Lot 1

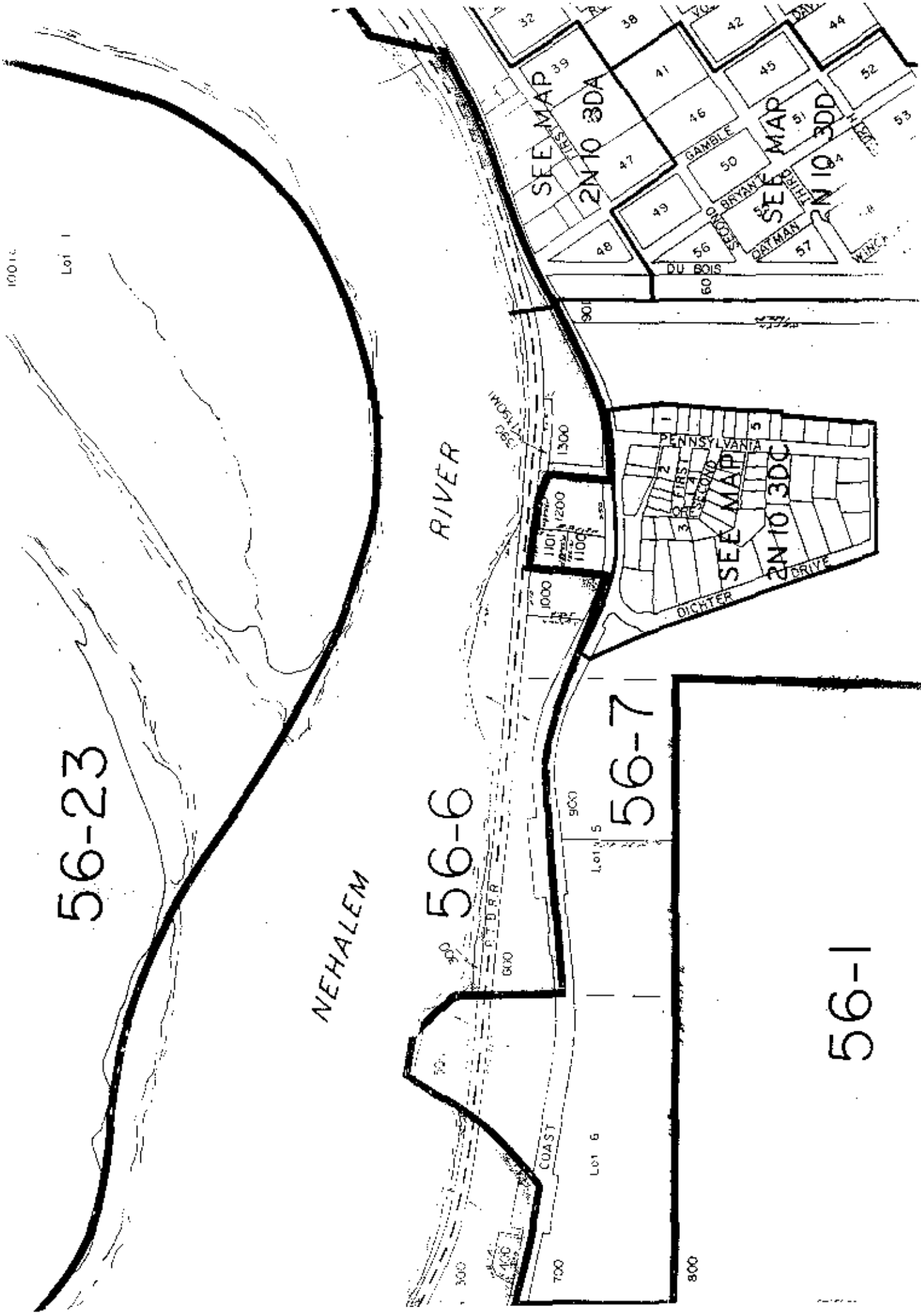
NEHALEM

56-6

56-7

56-1

RIVER



CITY OF WHEELER, OREGON

ORDINANCE 91-1

AN ORDINANCE ANNEXING PROPERTIES LOCATED BETWEEN THE CITY OF WHEELER CITY LIMITS AND NEHALEM BAY AND DISPENSING WITH THE CITY ELECTION ON THE QUESTION OF ANNEXATION AND REPEALING ORDINANCE NO. 82-12, AND DECLARING AN EMERGENCY.

WHEREAS the Wheeler City Council initiated annexation of all properties located between the Wheeler City limits and Nehalem Bay not already annexed by way of Ordinance No. 90-8, and

WHEREAS the Wheeler City Council has on one prior occasion attempted annexation of these same properties in Ordinance No. 82-12, and

WHEREAS Ordinance No. 82-12 had legal errors in legal descriptions which created confusion with County and State agencies, and

WHEREAS the necessary corrections or modifications cannot be made without again initiating annexation proceedings, and

WHEREAS the City Council elected to dispense with submitting the question of the annexation of the real property described below to the registered voters of Wheeler by Resolution No. 91-1 and determined in lieu thereof to hold a public hearing before the City Council on February 19, 1991, at which time the registered voters in said City and any other interested person could appear to be heard on the question of said annexation, and

WHEREAS the Council has caused notice of the hearing to be published once each week for two successive weeks prior to the date of said hearing in a newspaper of general circulation in Tillamook County, Oregon, and further caused notice of said hearing to be posted in favored public places within the City of Wheeler for a like period, and

WHEREAS a public hearing was held before the City of Wheeler City Council on February 19, 1991, on the question of the annexation of the territory to the City of Wheeler, Oregon, and

WHEREAS there were no objections or remonstrances presented against the annexation,

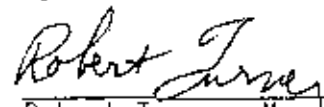
NOW, THEREFORE THE CITY OF WHEELER ORDAINS AS FOLLOWS:

1. The following described real property in Tillamook County, State of Oregon, is annexed to the City of Wheeler:


Commencing at the initial point of the Town of Wheeler, as the same is platted and recorded, said point being 1881.5 feet North and 848.9 feet West of the Southwest corner of Section 2 in Township 2 North of Range 10 West, Willamette Meridian, and running thence North 34°30' West 21.09 feet to the southerly right of way line of the Pacific Railway & Navigation Company; thence following along said right of way, North 74°14' East 107.62 feet, thence along a curve to the left of 16,400 feet radius for 50.09 feet; thence along a curve to the left of 8215.2 feet radius for 50.18 feet; thence along a curve to the left of 5486.8 feet radius for 50.27 feet; thence along a curve to the left of 1940.1 feet radius for 384.85 feet; thence along a curve to the left of 6905.5 feet radius for 365.58 feet to the POINT OF BEGINNING; thence South 1°19'30" West 24.39 feet to a point on a curve whose tangent at this point bears North 57°51' East; thence along a curve to the left of 6925.5 feet radius for 322 feet; thence North 1°19'30" East 24.62 feet to a point on a curve whose tangent at this point bears North 55°03'30" East; thence along a curve to the left of 6905.5 feet radius for 40.89 feet; thence North 34°30' West to line of low water in Nehalem Bay; thence in a southwesterly direction, along said line of low water to a point which is North 1°19'30" East from the point of beginning; thence South 1°19'30" West to the point of beginning.

2. The City Recorder shall file certified copies of this Ordinance and map with the Tillamook County Clerk, the Tillamook County Assessor, the Oregon Department of Revenue, and the Secretary of State of Oregon within 10 (ten) days from the passage of this Ordinance.
3. The land owners shall pay for any public improvements incurred in accordance with the ordinances and policies of the City of Wheeler.
4. REPEAL
Ordinance No. 82-12 providing annexing properties located within the City of Wheeler City limits, is hereby repealed effective upon the effective date of this Ordinance.
5. An emergency is declared necessary to correct any confusion which exists due to the annexation being first attempted on November 30, 1982, but the administrative procedures being delayed due to confusion and the lack of proper legal description, this Ordinance shall become effective immediately upon passage.

Passed and adopted by the City Council this 19th day of February, 1991,
and approved by the Mayor this 20th day of February, 1991.


Robert Turner, Mayor

ATTEST:

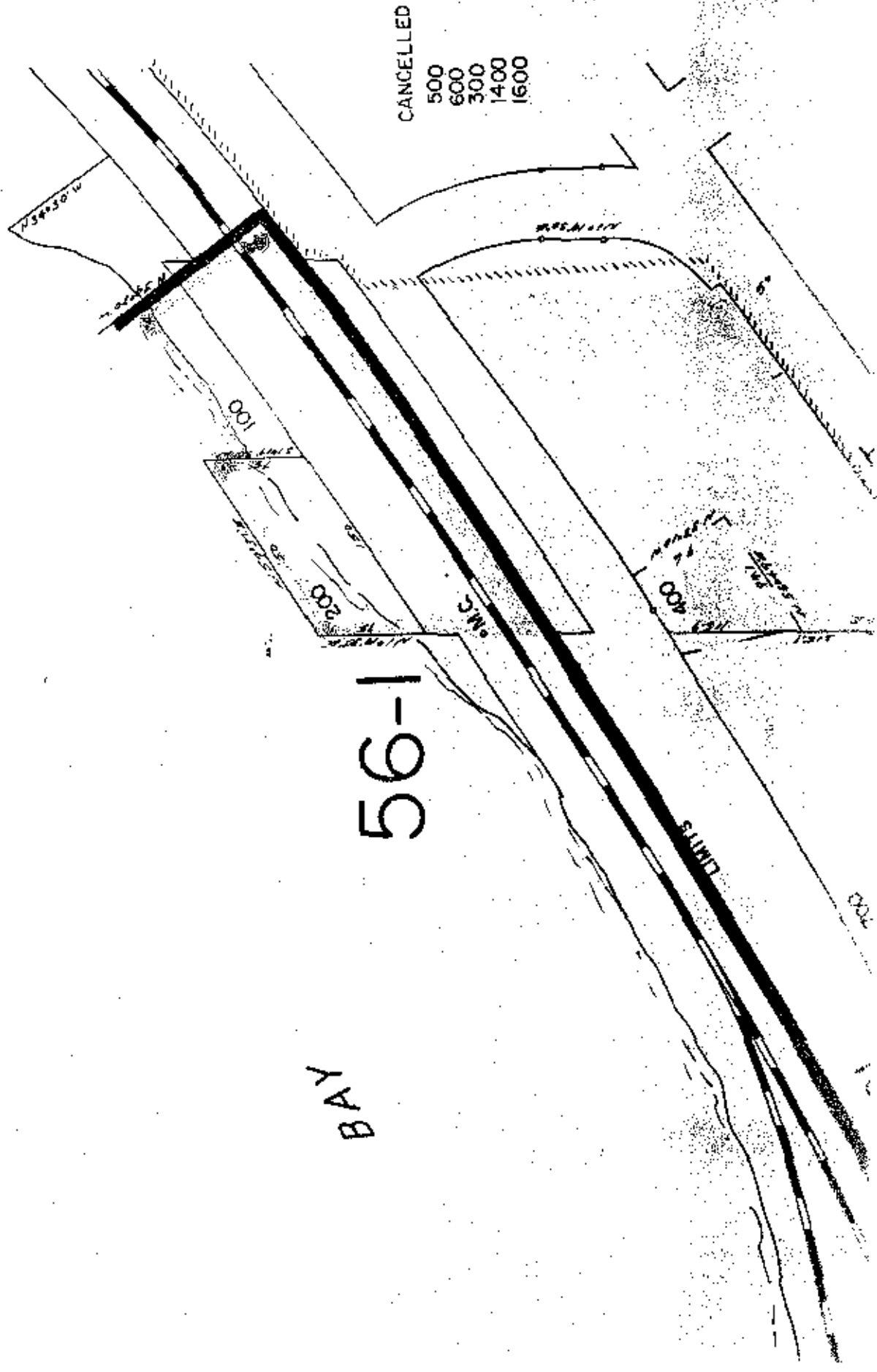

Barrell R. Olson, City Recorder

SE 1/4 SEC. 3 T. 2 N. R. 10 W. W.M.
TILLAMOOK COUNTY

1"=100'

2N 10 3DA
WHEELER
Oct 1990

This map was prepared for
ASSESSMENT PURPOSE ONLY.



CITY OF WHEELER

ORDINANCE NO. 91-3

AN ORDINANCE ANNEXING PROPERTIES, CONTIGUOUS TERRITORY TO THE WHEELER CITY LIMITS.

WHEREAS, the owner, David J. Froode, of land contiguous to the Wheeler City limits has requested his property be annexed into the City of Wheeler, and

WHEREAS, ORS 222.125 allows the legislative body of a city to not call or hold an electin in the City or in any contiguous territory proposed to be annexed or hold the hearing otherwise required when all owners of land in the territory consent in writing to the annexation of the land in the territory, and

WHEREAS, ORS 222.125 further provides "Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the City, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation",

NOW, THEREFORE THE CITY OF WHEELER ORDAINS AS FOLLOWS:

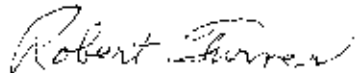
The following described real property in Tillamook County, State of Oregon, is annexed to the City of Wheeler:

2N10-2BD


Tax lot 5000, lots 1,2,3,4,9,10,11 and 12 - Block 73,
Rowe's Addition.

David J. Froode, 5415 SW 167th, Aloha Oregon 97007

Passed and adopted by the City Council this 21st day of May, 1991,
and approved by the Mayor this 21st day of May, 1991.


Robert Turner, Mayor

ATTEST:


Darrell R. Olson, City Recorder

CITY OF WHEELER
RESOLUTION NO. 94-14

WHEREAS, Philip Kavan, President of Kokopelli Construction Company, on behalf of Kokopelli Construction Company, sole owner of a parcel of vacant land designated on the Tillamook County tax rolls as 2N10 2BA, tax lot 1000, has submitted a notarized request for annexation to the City of Wheeler of the approximately 25% of the parcel that is outside the city limits, per ORS 222.125, and

WHEREAS, the entire parcel is located within the City's Urban Growth Boundary, and

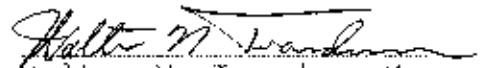
WHEREAS, The City Council of the City of Wheeler can see no reason not to annex said property, and

WHEREAS, ORS 222.125 allows a city to annex property without a public hearing or an election when the owner has met the requirements of ORS 222.125,


NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Wheeler proclaims the real property described in attached Exhibit "A" to be annexed to the City of Wheeler, effective immediately upon adoption of this Resolution, and

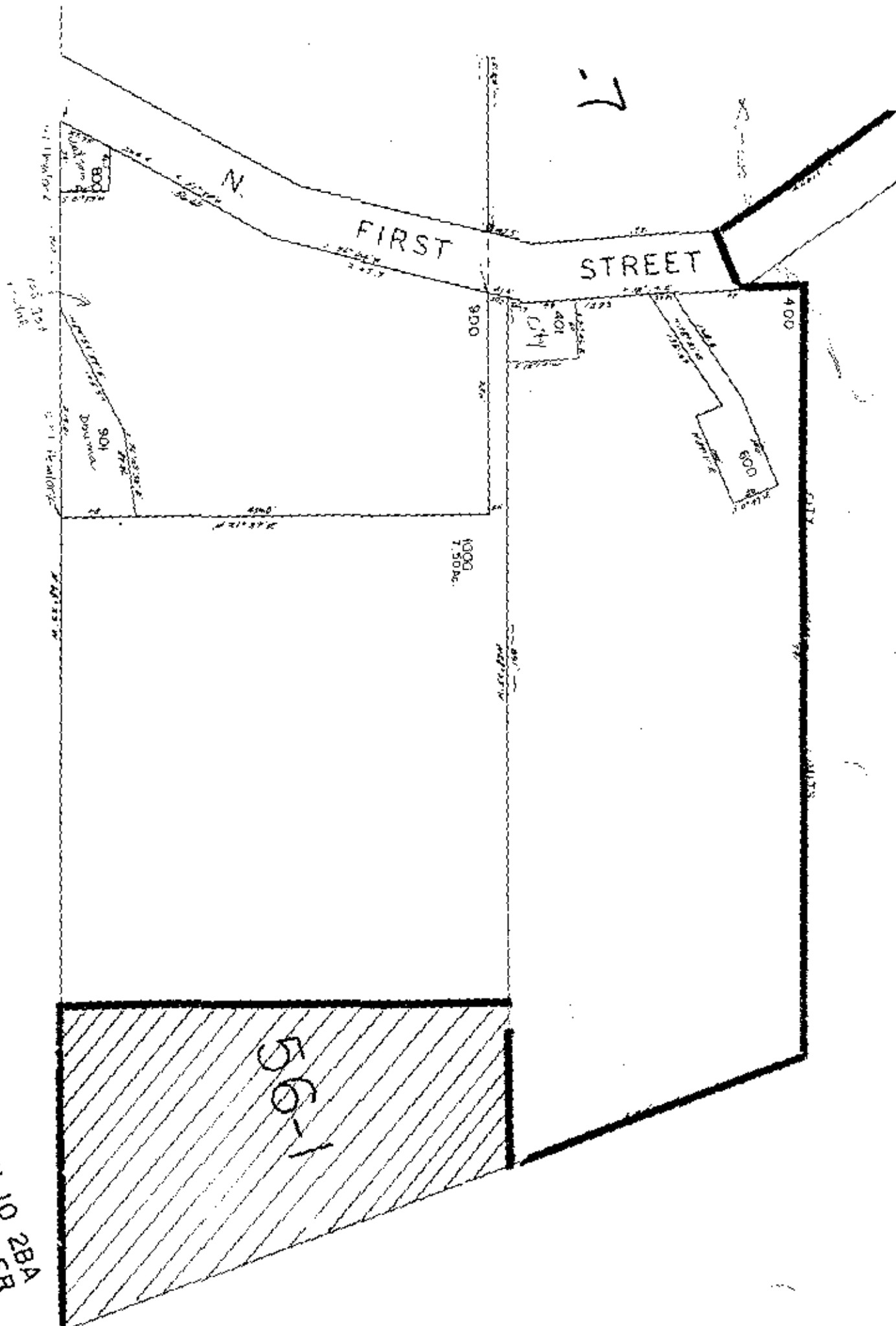
BE IT FURTHER RESOLVED, that the City Recorder shall file certified copies of this Resolution with the Tillamook County Clerk, the Tillamook County Assessor, the Oregon Department of Revenue, and the Secretary of State of Oregon within 10 (ten) days after the adoption of this Resolution.

PASSED by the City Council this 19th day of July, 1994
by the following vote: 4 ayes, 0 nays, 1 abstentions.


Walter N. Trandum, Mayor

ATTEST:


Eugene L. Cox, City Recorder



7

N.

FIRST

STREET

900

400

401
City

800

1000
7.50Ac.

CITY

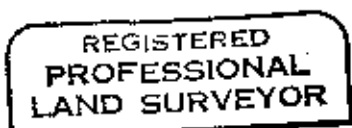
50-1

28A
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WHEELER

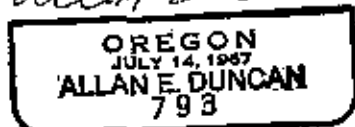
EXHIBIT "A"

Commencing at the northwest corner of Block 64, ROWE'S ADDITION TO WHEELER, in Section 2, Township 2 North, Range 10 West of the Wilamette Meridian, Tillamook County, Oregon; thence North 21°37' East, along the northerly extension of the easterly line of Fourth Street, 450.8 feet to the city limits as defined by Resolution 77-13; thence South 68°23' East, 200 feet, more or less, to the north-south centerline of said Section 2; thence south along said north-south centerline, 480 feet, more or less, to the easterly extension of the north line of Hemlock Street; thence North 68°23' West, along said north line, 30 feet, more or less, to the true point of beginning."

I, Allan E. Duncan, hereby certify that this description is contiguous to the incorporated City of Wheeler. This description was prepared July 19, 1994.



Allan E. Duncan



RENEWAL DATE
12-31-95

CITY OF WHEELER
RESOLUTION NO. 94-19
ANNEXATION CORRECTION

WHEREAS, Resolution No. 94-14, adopted at the July 19, 1994, City Council meeting had an incorrect property description which was disapproved by the Oregon Department of Revenue making Resolution No. 94-14 invalid, and

WHEREAS, Philip Kavan, President of Kokopelli Construction Company, on behalf of Kokopelli Construction Company, sole owner of a parcel of vacant land designated on the Tillamook County tax rolls as 2N10 2BA, tax lot 1000, has submitted a notarized request for annexation to the City of Wheeler of the approximately 25% of the parcel that is outside the city limits, per ORS 222.125, and

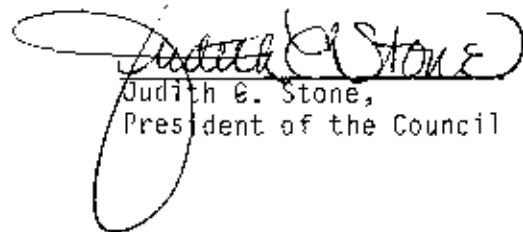
WHEREAS, the entire parcel is located within the City's Urban Growth Boundary, and

WHEREAS, the City Council of the City of Wheeler can see no reason not to annex said property, and

WHEREAS, ORS 222.125 allows a city to annex property without a public hearing or an election when the owner has met the requirements of ORS 222.125,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Wheeler proclaims the real property described in attached Exhibit "A" to be annexed to the City of Wheeler, effective from the date of filing with the Secretary of State the annexation records provided in ORS 222.177.

PASSED by the City Council this 16th day of August, 1994 by the following vote: 3 ayes, 0 nays, 0 abstentions.


Judith E. Stone,
President of the Council

ATTEST:

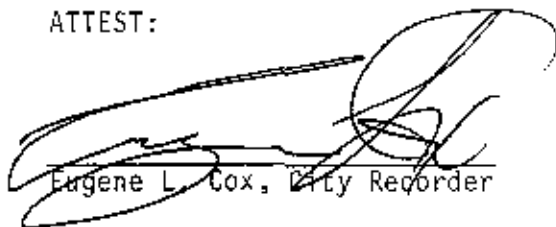

Eugene L. Cox, City Recorder

EXHIBIT "A"

Commencing at the northwest corner of Block 64, ROWE'S ADDITION TO WHEELER, in Section 2, Township 2 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon; thence North 21°37' East 50 feet to the northerly sideline of Hemlock Street and the POINT OF BEGINNING;

thence North 21°37' East, along the northerly extension of the east line of Fourth Street, 450.8 feet to the City limits as defined by Resolution 77-17; thence South 68°23' East 200 feet, more or less, to the north-south centerline of said Section 2; thence south along said north-south centerline, 480 feet, more or less, to the easterly extension of the north line of Hemlock Street; thence, North 68°23' West, along said north line, 330 feet, more or less, to the point of beginning."

I, Allan E. Duncan, hereby certify that this description is contiguous to the incorporated City of Wheeler. This description was prepared August 9, 1994.

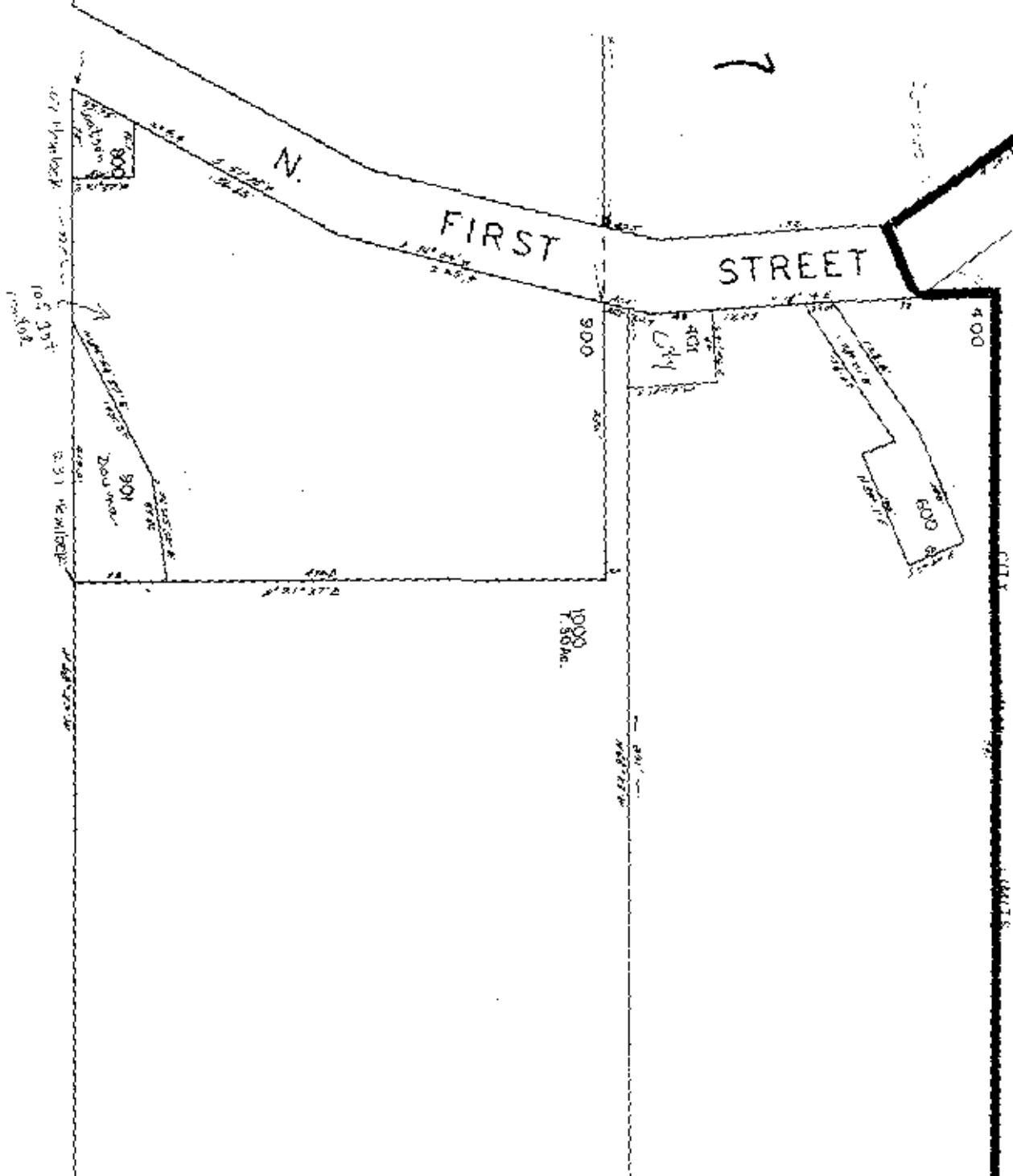
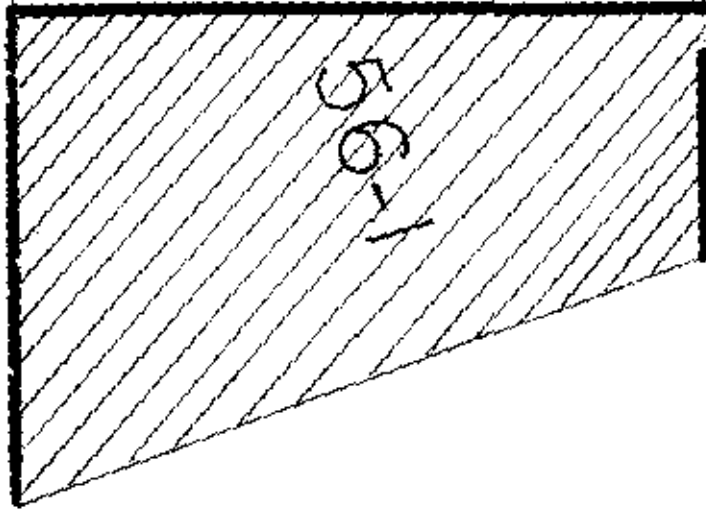


Allan E. Duncan



Renewal date
12-31-95

2N 10 ZBA
WHEELER



CITY OF WHEELER, OREGON
Ordinance No 2006-04

AN ORDINANCE TO ANNEX WITH CONDITIONS PROPERTY DESCRIBED AS LOTS 5-12 OF BLOCK 36 AND LOTS 1-12 OF BLOCK 44 OF THE WHEELER SUBDIVISION PLAT LOCATED IN THE WHEELER URBAN GROWTH BOUNDARY TO THE CITY OF WHEELER, OREGON CITY LIMITS

WHEREAS, Margus Saas on behalf of the recorded property owner Tony Express, Inc. has applied for annexation of Lots 5-12, Block 36 and Lots 1-12, Block 44 from the City of Wheeler, Oregon Urban Growth Boundary to the City of Wheeler, Oregon City Limits; and

WHEREAS, the City of Wheeler has determined that such annexation is appropriate;

THE CITY OF WHEELER ORDAINS as follows:

1. ORS 222.120 allows the legislative body of a city to annex contiguous territory without an election in the City where not expressly required to do so by city charter; and
2. The City of Wheeler has provided notice to adjacent property owners, The Tillamook County Department of Community Development, and the public consistent with ORS 222.120; and
3. The City of Wheeler Planning Commission recommends approval of the annexation request with conditions necessary to protect the health, safety, welfare, and other properties in the City of Wheeler, Oregon; and
4. The Tillamook County Department of Community Development has no objections to the approval of the annexation request; and
5. The conditions of approval shall apply to any development of Lots 5-12, Block 36 and Lots 1-12, Block 44; and
6. The Conditions of Approval for development of these blocks shall require the developer to extend all utilities and roadways consistent with city standards and the Tillamook County Fire Defense Board Residential Development Road Access Guidelines; and
7. Extension of utilities and roadways and the development of dwellings require the developer to submit site and task specific geologic and engineering reports for all proposed development of the annexed territory; and
8. To protect the health, safety, welfare, and other properties in the City of Wheeler, Oregon the Developer shall be financially responsible for the City to retain an appropriately qualified geologist and engineer to review all site and task specific geologic and engineering reports for all proposed development of the annexed territory;

THEREFORE, The City of Wheeler, Oregon City Council hereby annexes with conditions, Lots 5-12 of Block 36 and Lots 1-12 Block 44, Wheeler Plat to the City of Wheeler, Oregon, City Limits.

PASSED AND ADOPTED by the City Council this 18th day of April, 2006, by the following vote:

CITY COUNCIL
WHEELER, OREGON

Aye Nay

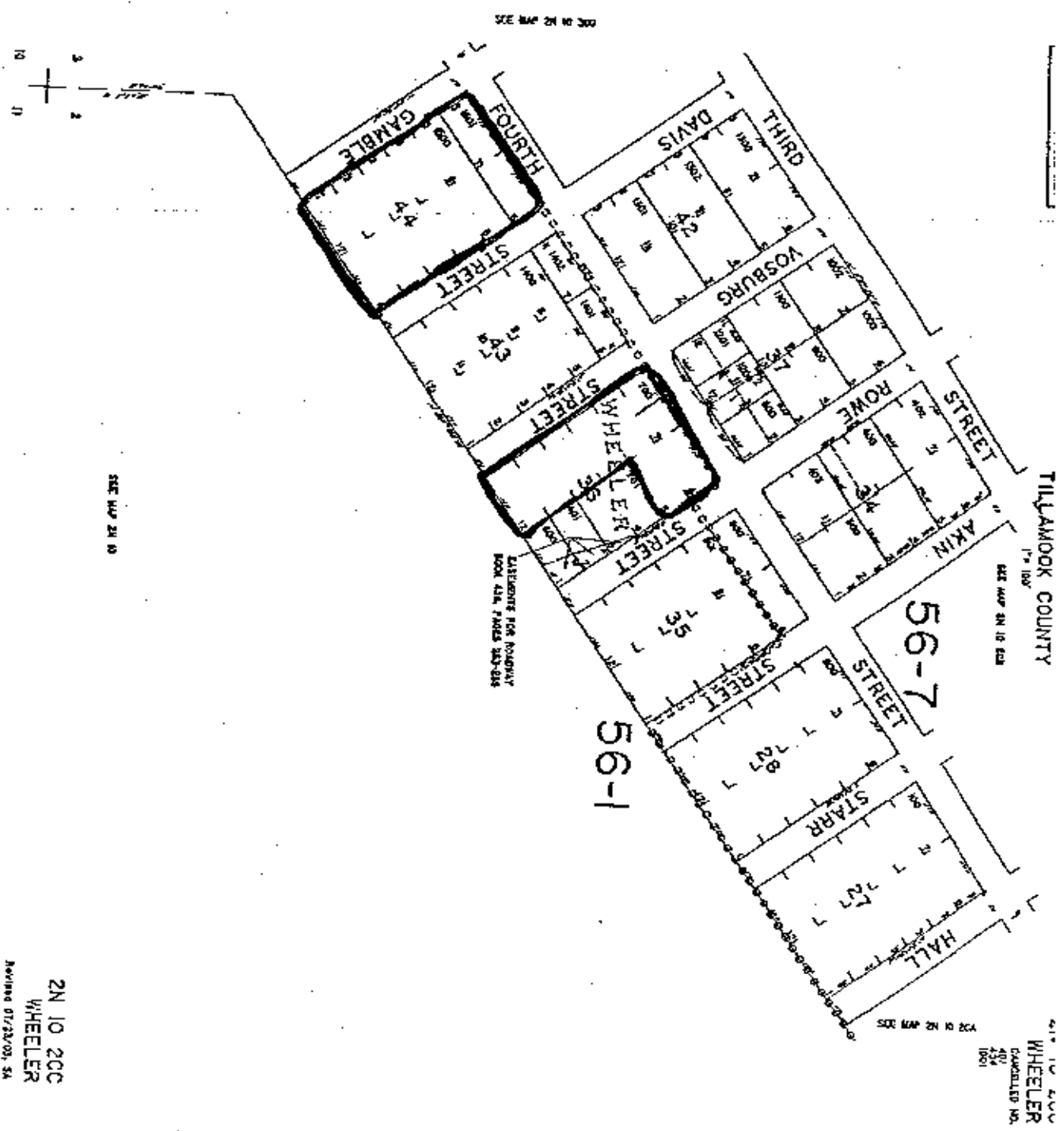
Absent/Abstain

<u>Juana Del Handy</u> Juana Del Handy, Councilor	X	1
<u>Virgil L. Staben</u> Virgil L. Staben, Councilor		X, 1
<u>Paul Russo</u> Paul Russo, Councilor	Y	1
<u>James W. Neilson</u> James W. Neilson, Councilor	X	1
<u>Curt Lorenz</u> Curt Lorenz, Councilor	9	1

ATTEST:

Doug W. Hooper
Doug W. Hooper, City Manager

¹ Ordinance # 2006-04, Annexation



2N 10 200
 WHEELER
 DATED 07/22/01 SA

SEE MAP 2N 10

EASEMENTS FOR HIGHWAY
 BOOK 458 PAGE 247-248

2N 10 200
 WHEELER
 CANCELLED NO.
 497
 1981