

THE CITY COUNCIL OF THE CITY OF NEWPORT,
COUNTY OF LINCOLN, STATE OF OREGON

In the Matter of:

DECLARING INTENT TO)
APPROVE THE WITHDRAWAL OF TERRITORY) ORDER NO.
FROM THE CITY OF NEWPORT) 2013-3
)

WHEREAS, ORS 222.460 provides that the legislative body of a city may order the withdrawal of territory from the city limits when it determines that it is in the public interest to take such action; and

WHEREAS, ORS 222.460 further sets out procedures for withdrawing territory, including information that must be contained in city resolutions and orders, requirements for public hearings, thresholds for when elections are required, and disposition of taxes and assessments; and

WHEREAS, the Newport Municipal Code 14.52.030(A)(6) identifies the withdrawal of territory from the city limits as a land use action and requires the City Council to hold a public hearing prior to taking such action; and

WHEREAS, on January 25, 2013, the city received a letter from Terry Lettenmaier requesting that the property that he and his wife, Laurie Weitkamp, purchased in July of 2011 be withdrawn from the City of Newport. The property is approximately 71.39 acres in size and is identified as Tax Lot 801, Section 5, T12S, R11W, W.M.; and

WHEREAS, the Lettenmaier property is a part of the Wolf Tree Destination Resort that was brought into the Newport Urban Growth Boundary in July of 1987 and annexed in September of 1988; and

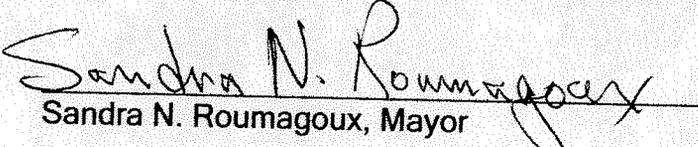
WHEREAS, the City Council adopted Resolution No. 3632, on June 3, 2013, initiating the withdrawal of the Lettenmaier property from the City of Newport, and setting a public hearing at 7:00 P.M., on July 1, 2013 to take public input on the issue of withdrawal of this property; and

WHEREAS, notice of the public hearing was provided consistent with State law and City Code.

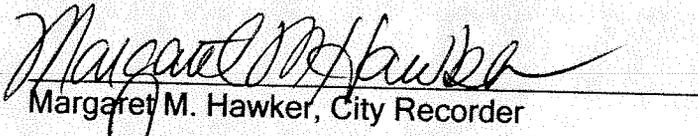
NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The City Council still favors the withdrawal of territory as originally described in Resolution No. 3632, attached hereto as Exhibit A.
2. A final hearing on the resolution to withdraw territory shall be held at 7:00 PM or soon thereafter on August 19, 2013 in the Newport City Hall Council Chambers.
3. ORS 222.460 requires the city provide electors registered in the territory proposed to be withdrawn an opportunity to request in writing that an election be held on the question of withdrawal of the affected territory. The City Council understands that Terry Lettenmaier and his wife, Laurie Weitkamp, are the only electors who own real property within the affected territory, and that they are not interested in having the question put to a citywide vote.
4. Assuming no election is to be held pursuant to ORS 222.460, the City Council will adopt an ordinance detaching the territory from the city at the close of the public hearing on August 19, 2013.

SO ORDERED this first day of July, 2013.


Sandra N. Roumagoux, Mayor

ATTEST:


Margaret M. Hawker, City Recorder