

TITLE: AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY, WITHDRAWING THE SAME FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT, DISPENSING WITH A CITY ELECTION ON THE QUESTION OF ANNEXATION; FIXING A DAY FOR THE PUBLIC HEARING ON THE ANNEXATION AND WITHDRAWAL FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT; DIRECTING THAT NOTICES BE PUBLISHED AND DECLARING AN EMERGENCY. (FOR PROPERTY TO BE ANNEXED AND ZONED AS R-1(6) SINGLE FAMILY RESIDENTIAL LOCATED AT THE NORTHEAST CORNER OF 15TH AVENUE AND FISHER STREET)

WHEREAS, there has been submitted to the City of Albany a written proposal for annexation to the City by more than 50% of the landowners who also own more than 50% of the land in the contiguous territory described below which real property therein represents more than 50% of the assessed value of all real property in the contiguous territory to be annexed; and

WHEREAS, the City Charter does not expressly prohibit the City from dispensing with submitting the question of annexation of the registered voters of the City; and

WHEREAS, a public hearing should be held concerning the concurrent withdrawal of the contiguous territory described below from the Rural Fire Protection District; now, therefor,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Annexation Area

It appears to be in the best interest of the City of Albany that the following described contiguous territory be annexed:

(Description of Territory)

See attached for legal description

Section 2: Annexation Without Election

The City Council does hereby elect to dispense with submitting the question of annexation to an election by the registered voters of the City as authorized by ORS 222.120.

Section 3:

That the territory described in Section 1 is currently in a Rural Fire Protection District and the same should be withdrawn therefrom at the time that said territory is annexed to the City of Albany.

Section 4: Public Hearing

The public hearing on the question of annexation and on the question of withdrawal of said territory shall be held at the City Hall of Albany, Oregon, on the 9th day of August, 1978, at 7:15

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o'clock p.m., at which time the registered voters of the City may appear and be heard on the question of annexation and on the question of withdrawal of the territory from the Rural Fire Protection District.

Section 5: Notice of Hearing

The City Recorder shall give notice of the hearing by publication once each week for two (2) successive weeks prior to the day of said hearing in a newspaper of general circulation within the City. The City Recorder shall further cause notice of this hearing to be posted in four (4) public places within the City for a period of time.

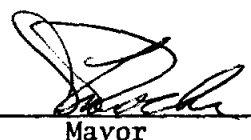
Section 6: Emergency Clause:

Inasmuch as the peace, health and safety of the persons who live or own property within the area to be annexed it is effective and an emergency is hereby declared to exist and this ordinance shall become in full force and effect immediately on its passage by the Council and approval by the Mayor.

Passed by the Council: July 26, 1978

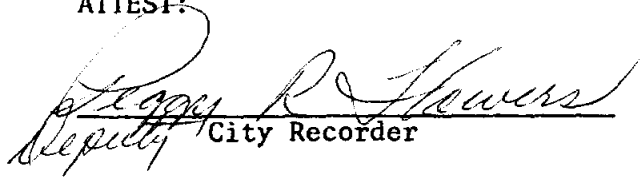
Approved by the Mayor: July 26, 1978

Effective Date: July 26, 1978



Mayor

ATTEST:



Deputy City Recorder

EXHIBIT "B "

Lot 5 Block 24, Hazelwood Addition to the City of Albany, Linn County, Oregon, and that portion of Fifteenth Street south of Lot 5 Block 24 but north of Lot 4 Block 23 Hazelwood Addition to the City of Albany, Linn County, Oregon bounded on the west by a line parallel to the west line of Lot 5 Block 24 Hazelwood Addition to the City of Albany, Linn County, Oregon and bounded on the east by a line parallel with the east line of Lot 5 Block 24 Hazelwood Addition to the City of Albany, Linn County, Oregon.