

ORDINANCE NO. 4794

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE DISTRICT (FILE NO. AN-02-87).

WHEREAS, on October 14, 1987 the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 2721 and described in Exhibit A, attached hereto; and

WHEREAS, on October 14, 1987 the Albany City Council adopted Resolution No. 2721 setting a date for a public hearing concerning the withdrawal of said territory from the Albany Rural Fire District; and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and on October 28th, 1987 the Albany City Council did hold a public hearing during which time interested persons were given an opportunity to be heard on this matter; and

WHEREAS, the City Council following said public hearing determined that the withdrawal of territory from the District is in the best interests of the citizens of Albany.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire District.

Section 2: The City Recorder shall, within 10 days of the effective date of this ordinance, file a copy of the ordinance with the County Clerk and County Assessor of Linn County.

Passed by the Council: October 28, 1987

Approved by the Mayor: \_\_\_\_\_

October 29, 1987

Effective Date: November 27, 1987

\_\_\_\_\_  
Mayor

ATTEST:

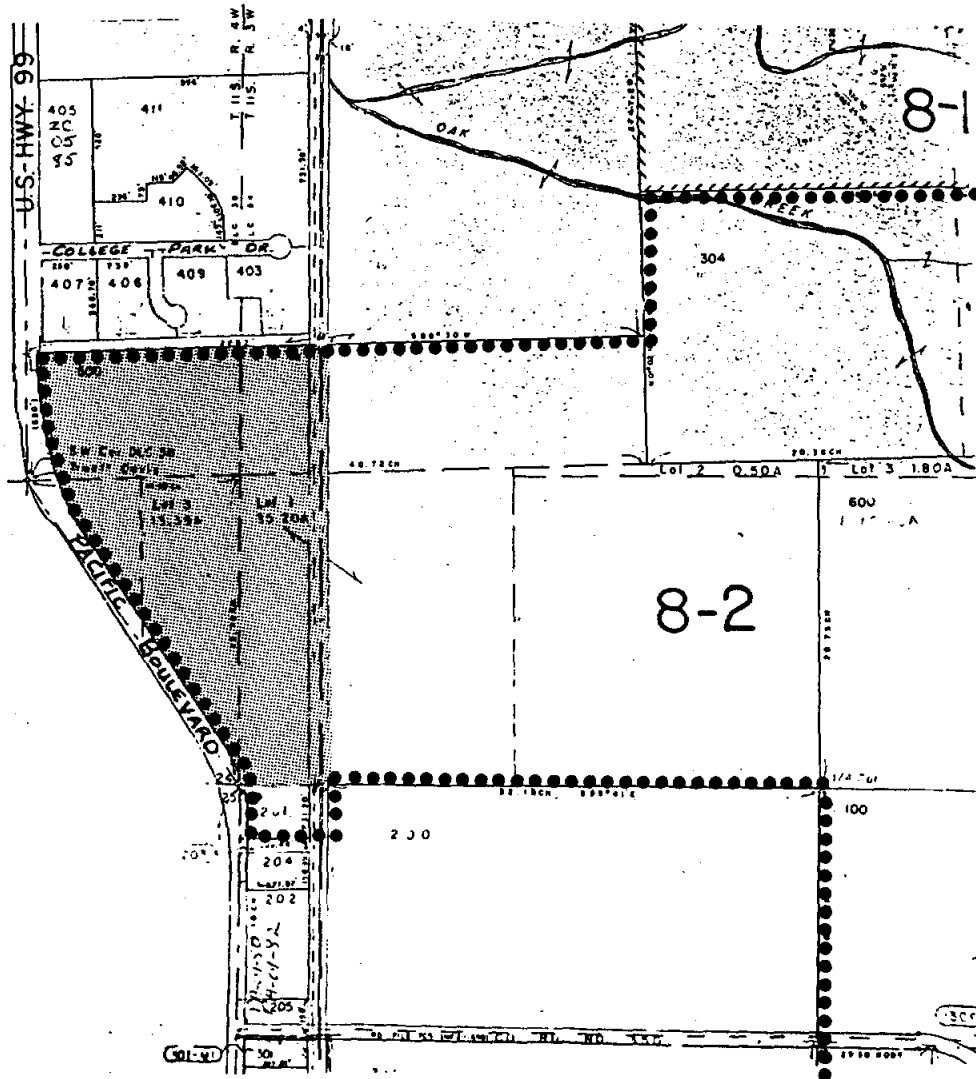
*J. Jolley*  
City Recorder

EXHIBIT 'A'

LEGAL DESCRIPTION FOR ANNEXATION

TO

THE CITY OF ALBANY, OREGON



Beginning at a point on the Easterly right of way line of U.S. Highway 99 East, said point also being on the South line of, and S 89°41'38" E 12.05 feet from the Southwest corner of, Section 19, T11S, R3W, W.M., Linn County, Oregon. Thence along said South line of Section 19, S 89°41'38" E 375.95 feet to a point on the Easterly right of way line of the Southern Pacific Railroad; thence along said Easterly railroad right of way line, N 0°09'26" E 1866.06 feet to a 3/4" bolt at the Southwest corner of that tract of land described in Linn County Deed Records, Volume 143, Page 456; thence along the South line of, and South line extended of, that tract of land described in Linn County Deed Records, Volume 328, Page 146, S 89°08'26" W 1274.63 feet to a 1/2" iron rod on the Easterly right of way line of U.S. Highway 99 East; thence along said Easterly right of way line, S 2°47'05" E 90.77 feet to a 1/2" iron rod as recorded on Highway 99 East right of way plat; thence along said Easterly right of way line on a curve to the left, the long chord of which bears S 18°00'59" E 839.15 feet to a 3/4" iron rod as recorded on Highway 99 East right of way plat; thence along said Easterly right of way line S 35°32'55" E 648.54 feet to a 5/8" iron rod as recorded on Highway 99 East right of way plat; thence along said Easterly right of way line on a curve noted as "ALBANY CITY LIMITS", the long chord of which bears S 30°29'41" E 497.40 feet to the point of beginning. Containing 39.36 acres, more or less, including the Southern Pacific Railroad right of way.

Note: The bearing source for this description is County Survey 17827. with Highway 99 plat bearings and County Survey 16480 bearings adjusted to match C.S. 17827. This description is to the Highway right of way line as noted "ALBANY CITY LIMITS" per the highway plat and areas of slope easements are included in the description.