

ORDINANCE NO. 5302

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED AT 1980 THREE LAKES ROAD SE (NEW ADDRESS) (LINN COUNTY ASSESSOR'S MAP NO. 11-3W-09D, TAX LOT 1104) AND CONTAINING A 1.6-ACRE PARCEL, MORE OR LESS. (FILE NO. AN-04-97)

WHEREAS, on April 23, 1997, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3776 and described in Exhibit A, attached hereto; and

WHEREAS, notices of a public hearing were published and posted in the manner and for the time prescribed by law and on August 13, 1997, 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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 Assessor of Linn County, Secretary of State of the State of Oregon, the State of Oregon Department of Revenue, and the Albany Rural Fire Protection District.

Passed by Council: August 13, 1997

Approved by the Council President: August 13, 1997

Effective Date: September 12, 1997



Council President

ATTEST:



City Recorder

LEGAL DESCRIPTION
File AN-04-97

Beginning at the southwest corner of that parcel conveyed to Dyer Land Development, Inc., and described in that deed recorded in Volume MF-188 Page 50, Linn County Records, which point is 1868.20 feet North 89° 54' East, 592.78 feet South 0° 06' East 650.15 feet South 6° 00' East 470.28 feet South 84° 08' West and 496.31 feet South 0° 17' 55" West of the northwest corner of the Edward N. White Donation Land Claim No. 48, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; thence along the lines of that parcel described in contract conveyed to Lester Bault and recorded in Volume MF-75 Page 920, Linn County Records, South 0° 17' 55" West 243.18 feet, East 316.84 feet and North 0° 17' East 242.20 feet to the Easterly extension of the South line of said Dyer parcel; thence North 89° 49' 25" West 316.77 feet to the point of beginning.

