## ORDINANCE NO. 5337

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED SOUTH OF KNOX BUTTE ROAD MORE COMMONLY KNOWN AS 4620 KNOX BUTTE ROAD SE AND CONTAINING 18,730 SQUARE FEET (0.43ACRE) MORE OR LESS (FILE AN- 07-97).

WHEREAS, on December 17, 1997, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3881 and described in Exhibit A, attached hereto; and

WHEREAS, on December 17, 1997, the Albany City Council adopted Resolution No. 3881 setting a date for a public hearing concerning the withdrawal of said territory from the Albany Rural Fire Protection District; and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and on January 28, 1998, 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:

<u>Section 1:</u> The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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: January 28, 1998

Approved by Mayor: \_\_\_January 28, 1998

Effective Date: February 27, 1998

( Sarles A Mayor)

ATTEST:

F:\DATA\WPDATA\COMMDEV\PLANNING\CURRENT\97AN07SC.PH, Rev. 12/5/97

## EXHIBIT A LEGAL DESCRIPTION FILE AN-07-97

Part of the Matthew C. Chambers Donation Land Claim #40 in Township 11 South, Range 3 West, of the Willamette Meridian, described as follows:

Beginning at a 1/2-inch rod on the Southerly rights of way line of Market Road #7 at a point which is 643.58 feet East amd 74.3 feet South of the Northwest corner of the South half of said Claim #40; thence South 87°02' West along the Southerly line of said road 36.05 feet; thence Westerly along the Southerly line of said road 64.35 feet to a 1/2" rod; thence South 08°02' East 214.55 feet; thence North 87°02' East 70.0 feet to a 1/2" rod; thence North 218 feet to the place of beginning.

5700 244.47 2200 901 **31100** 2.54A 5600 11 11 15 4300 2100 5500 SP-41-94 AN-08:91 16 240.86 5400 \*\*\*\*\*\*\* UUUIT 10.00 127.56 4400 vp.56A 2000 0.87A 1800 0.73A 1901 0.40A :: SR CUBO 91 897 19 234,44 7001 1.96A 4700 (0.25A 4600 900 0.57A 1700 4500 160g 5200 0.83A 0.14A 18≂ 1900 0.47A 4800 5100 0.40A 4639 47291 273.44 126.44 121.00 NW COR S 1/2 DUC 40 75.44 10603 8500 0.46A 111.11 111.11 8300 1.00A 7200 11.11 100.04 8400 1.00A 8200 1.00A 8100 A08.0 8000 1.20A 0.53A 7900 4565 7800 0.54A 4730 = 1630 4710 4720 7300 4640 14630 7700 √1.76A £4610, ct 244.44 740Ò 4580 10604 0.40A 147.44 44.44 Ξ. ope 114.68 31.61 7600 0.71A 144.41 7500 321.10 0.81A 4540 121.11 120.00 8600 8700 I 121.44 9500 8900 9000 18800 9200 9100 9400 9300 46156 46057 8 45259 10 N-FELICIA AVI 10400 10200 10300 10100 10001 10000 990Q 9800 9700 9600 4650 4710 4640 4619