

ORDINANCE NO. 5455

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED AT 1650 QUEEN AVENUE SW (LINN COUNTY ASSESSOR'S MAP NO. 11S-04W-13BA, TAX LOT 3600) CONTAINING APPROXIMATELY 0.17 ACRES MORE OR LESS, AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on May 24, 2000, proclaimed the annexation of territory by adoption of Ordinance No. 5453 and described in Exhibits A and B, attached hereto; and

WHEREAS, on May 24, 2000, the Albany City Council set a date for a public hearing concerning the withdrawal of said territory from the Albany Rural Fire Protection District (ARFD); and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and on June 14, 2000, 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 ARFD 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 real property to-wit (see attached legal description, Exhibit A, and map, Exhibit B) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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, State of Oregon Department of Revenue, and the Albany Rural Fire Protection District.

Section 3: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance will be in full force and effect immediately upon passage by the council and approval by the Mayor.

Passed by Council: June 14, 2000

Approved by Mayor: June 14, 2000

Effective Date: June 14, 2000



Mayor

ATTEST:



City Recorder

EXHIBIT A

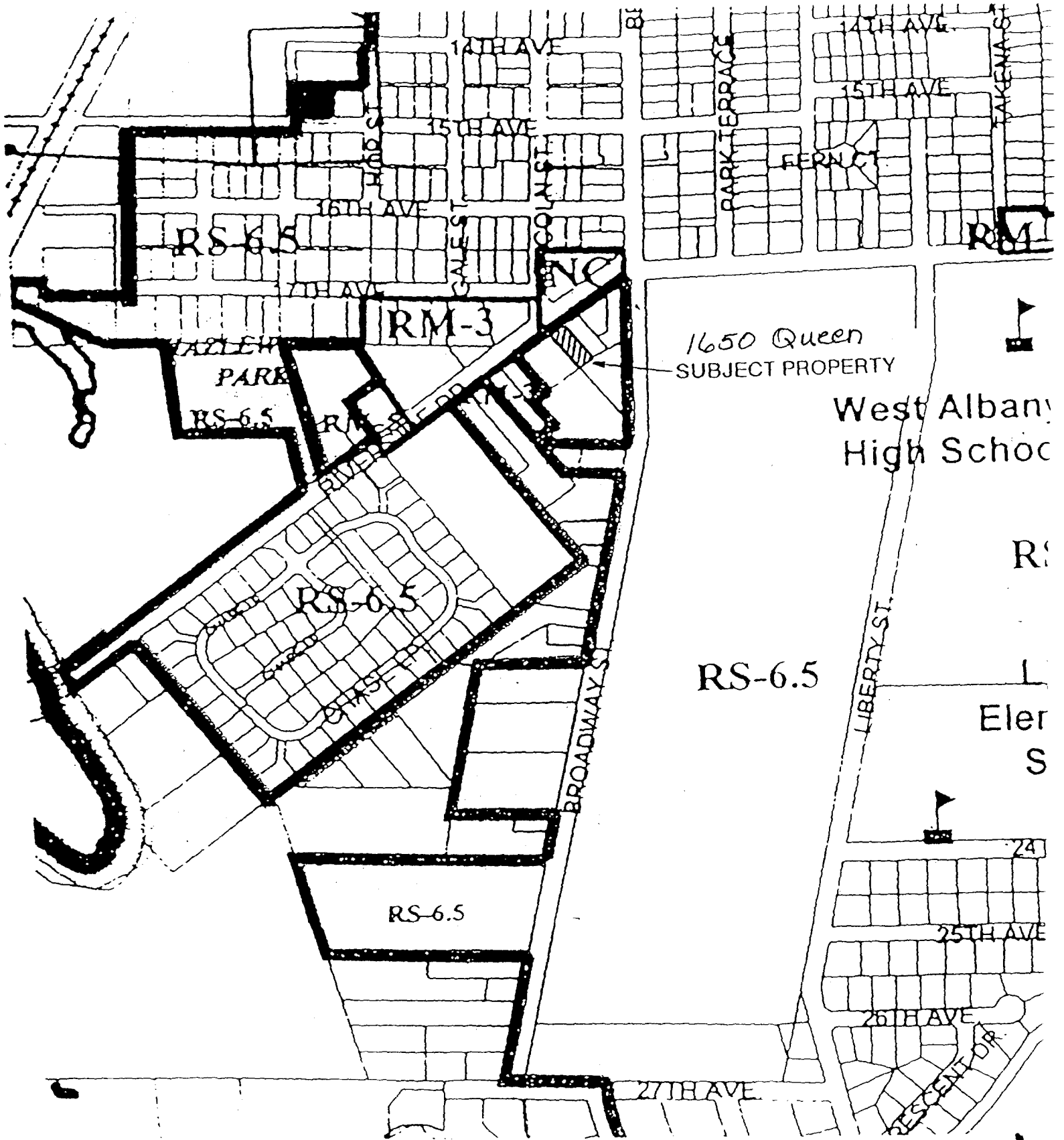
1650 Queen Avenue, Albany, Oregon.

"PARCEL I: A tract of land situated in the County of Linn, State of Oregon, described as follows: Beginning at an ½ inch iron pipe on the Southeasterly right of way line of the Albany-Corvallis State Secondary Highway No. 210, said point being North 1° 30' West 48.84 feet; thence South 51° 15' West 350.46 feet and South 38° 45' East 30.00 feet from the Southwest corner of the Walter Monteith Donation Land Claim No. 55 in Township 11 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence South 38° 45' East 140.15 feet to a ½ inch iron rod; thence North 58° 45' East 50.43 feet to a 5/8 inch iron rod; thence North 38° 45' West 146.73 feet to a ½ inch iron rod on the above right of way line; thence South 51° 15' West 50.00 feet to the place of beginning.

TOGETHER WITH an easement for roadway purposes as described in instrument recorded August 11, 1970, Book 351, page 686, Linn County Deed Records.

PARCEL II: A tract of land situated in the County of Linn, State of Oregon, described as follows: A portion of that Ficq Tract described by deed recorded in Book 152, page 156 of the Linn County Deed Records on August 6, 1940 that is more particularly described as follows: Beginning at the Northwesterly corner of said Ficq Tract, which point is South 0° 32' East 198.9 feet and South 59° 02' West 201.0 feet from the southwest corner of the Walter Monteith Donation Land Claim No. 55 in Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon; thence North 59° 02' East, along the North line of said Ficq Tract, 50.43 feet to a 5/8 inch rod; thence South 38° 28' East 1.45 feet to a 5/8 inch rod; thence South 54° 12' 15" West 50.05 feet to a 5/8 inch rod on the West line of said Ficq Tract; thence North 38° 28' West 5.70 feet to the point of beginning."

EXHIBIT B
ZONING MAP
FILE AN-03-99



1650 Queen
SUBJECT PROPERTY

West Albany
High School

RS-6.5

RS-6.5

RS-0.5

RM-3

RS-6.5

RS-6.5