

ORDINANCE NO. 4930

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT (FILE NO. AN-03-90).

WHEREAS, on September 26, 1990 the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 2986 and described in Exhibit A, attached hereto; and

WHEREAS, on September 26, 1990 the Albany City Council adopted Resolution No. 2986 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 October 10, 1990 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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 the Council: October 10, 1990

Approved by the Mayor: October 11, 1990

Effective Date: November 9, 1990



Mayor

ATTEST:



City Recorder

EXHIBIT A
LEGAL DESCRIPTION
CASE NO. AN-03-90

Beginning at the southwest corner of the Walter Monteith Donation Land Claim Number 55, in the SW 1/4 of Section 12, Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence on the centerline of Broadway Street, North 01° 30' 00" West 48.84 feet; thence on the centerline of Riverside Drive, South 51° 15' 00" West 594.00 feet; thence leaving said centerline, South 38° 45' 00" East 393.86 feet, more or less, to the southwest corner of that parcel of land described in a memorandum of land sale contract to Roland Carpenter and Karen Carpenter, husband and wife, as recorded in Volume MF 467, Page 321, Linn County Microfilm Deed Records, said point also being the TRUE POINT OF BEGINNING; thence on the south line of said parcel of land, South 88° 37' 00" East 180.27 feet, more or less, to the westerly right-of-way of Broadway Street; thence continuing South 88° 37' 00" East 60.78 feet, more or less, to the easterly right-of-way line of said Broadway Street; thence on the easterly right-of-way line of Broadway Street, North 10° 33' 00" East 78.00 feet; thence leaving said easterly right-of-way line of Broadway Street, North 88° 37' 00" West 60.78 feet, more or less, to the westerly right-of-way line of Broadway Street, said point being the northeast corner of that parcel of land described in Volume MF 467, Page 321, Linn County Microfilm Deed Records; thence on the northerly property line of said parcel of land, North 88° 37' 00" West 257.61 feet, more or less, to the northwest corner of said parcel of land; thence on the westerly property line of said parcel, South 38° 45' 00" East 100.72 feet, more or less, to the True Point of Beginning.

Containing 0.4945 acres, more or less.

