

ORDINANCE NO. 4985

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT MORE COMMONLY KNOWN AS 125 MARILYN STREET NE AND CONTAINING 0.28 ACRE MORE OR LESS (File No. AN-08-91).

WHEREAS, on December 18, 1991 the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3119 and described in Exhibit A, attached hereto; and

WHEREAS, on December 18, 1991 the Albany City Council adopted Resolution No. 3119 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 8, 1992 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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: January 8, 1992

Approved by the Mayor: January 9, 1992

Effective Date: February 7, 1992

*[Handwritten signature of Keith Rohrbough]*

Keith Rohrbough, Mayor

ATTEST:

*[Handwritten signature of Gary Holliday]*  
Gary Holliday, City Recorder

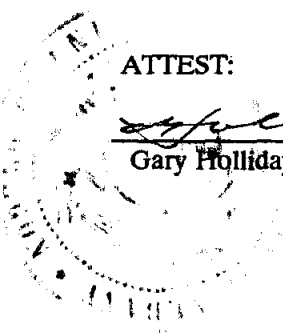
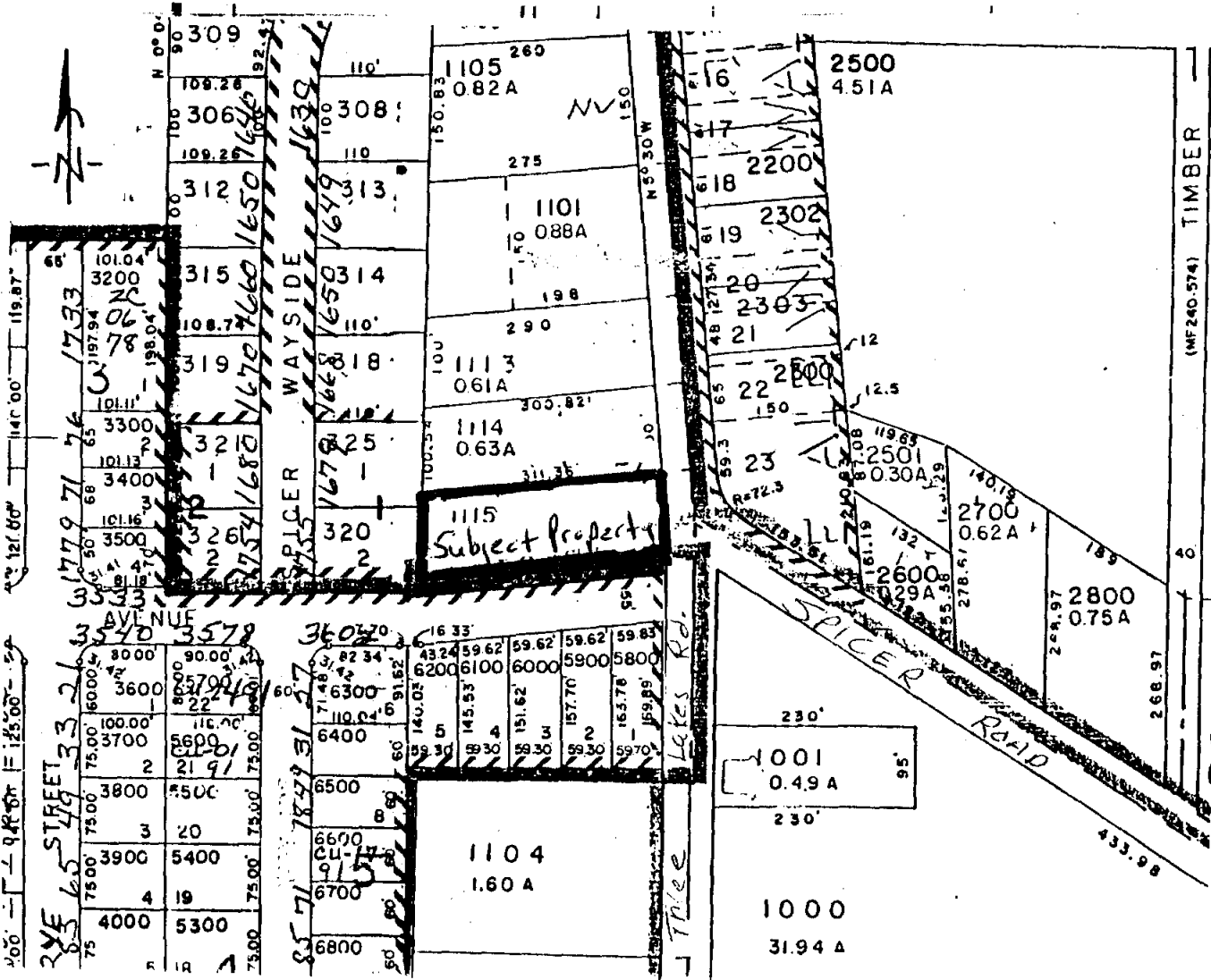


EXHIBIT A  
LEGAL DESCRIPTION  
CASE NO. AN-09-91

Beginning at the Southwest corner of that parcel conveyed to Myron L. Kauffman, et ux, and described in Deed recorded in Volume 115, Page 101, Linn County Microfilm 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 South 0° 06' West 201.08 feet from the Northwest corner of the Edward N. White Donation Land Claim No. 48, Township 11 South, Range 3 West of the Willamette Base and Meridian, Linn County, Oregon; thence North 84° 08' East along the South line of said parcel, 311.36 feet to the East line of that parcel conveyed to George Edward Mosher and Jay E. Mosher, and described in Deed recorded in Volume 74, Page 458, Linn County Microfilm Records; thence along the East line of said Mosher parcel, South 5° 55' East 66.63 feet and South 0° 04' 30" West 33.55 feet; thence South 84° 08' West parallel with the North line of said Mosher parcel, 318.40 feet to the East line of that parcel conveyed to L. A. Swander, et ux, by Deed recorded in Book 162, Page 255, said Deed Records; thence North 0° 06' East 100.54 feet to the point of beginning.



10

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STATE OF OREGON  
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records:

STEVE DRUCKENMILLER  
Linn County Clerk

By *[Signature]* Deputy  
City of ALBANY

Volume: MF 587 Page: 305