

ORDINANCE NO. 5225

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED SOUTH OF DOGWOOD AVENUE SE AND WEST OF GOLD FISH FARM ROAD SE (A PORTION OF TAX LOTS 306 AND 312 AND TAX LOT 307, LINN COUNTY ASSESSOR'S MAP NO. 11-3W-04D) AND CONTAINING 2.02 ACRES MORE OR LESS (File No. AN-02-95).

WHEREAS, on December 13, 1995, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3577 and described in Exhibit A, attached hereto; and

WHEREAS, on December 13, 1995, the Albany City Council adopted Resolution No. 3577 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 10, 1996, 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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.

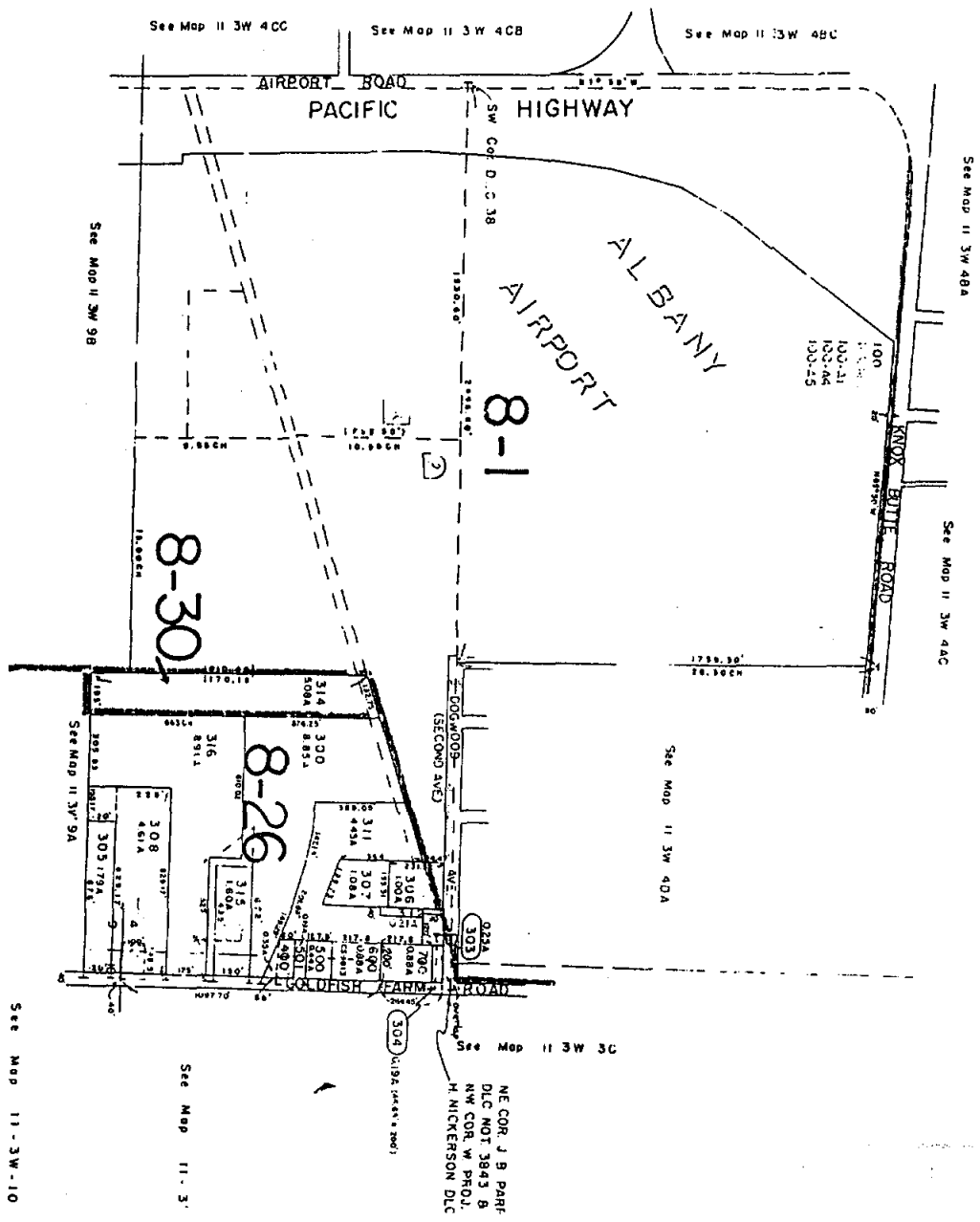
Passed by the Council: January 10, 1996
Approved by the Council President: January 10, 1996
Effective Date: February 9, 1996

Charles H. Loran
Mayor

ATTEST:

[Signature]
City Recorder

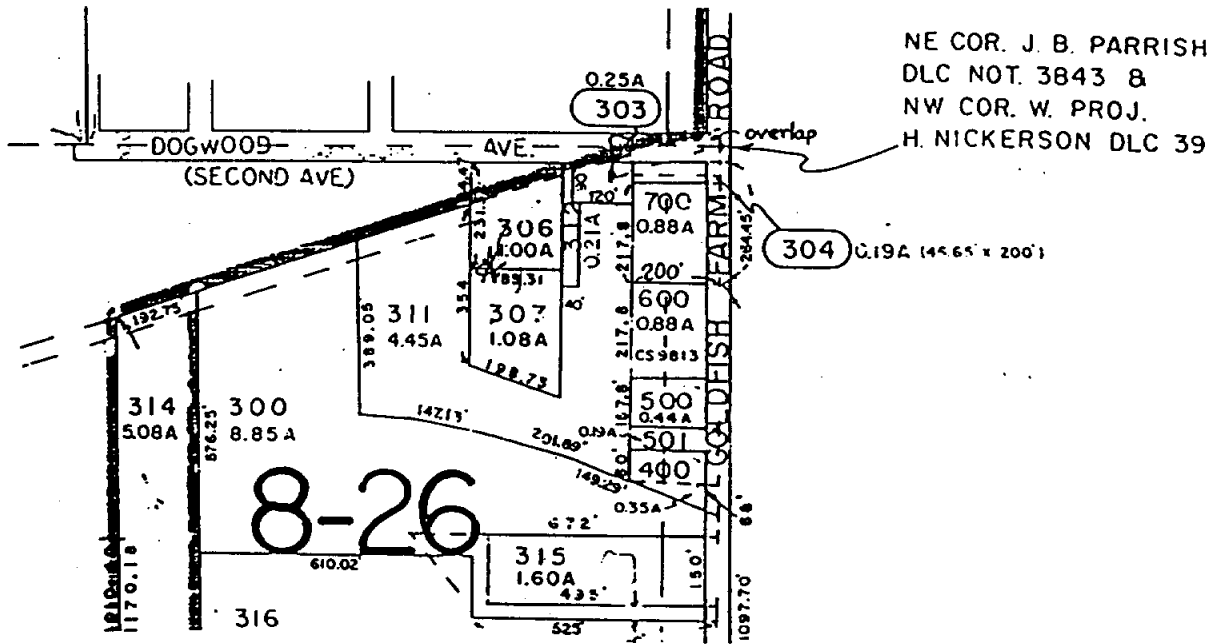
1" = 400'



11-3W-4D

S.W. COR. PLIC 39

**EXHIBIT A
LEGAL DESCRIPTION
CASE NO. AN-02-95**



A tract of Land situated in the County of Linn, State of Oregon, described as follows: Beginning at a 1/2 inch iron rod South 89°56.5' West, 340.0 feet from a point on the East line of and South 30.0 feet from the Northeast corner of the Jesse B. Parrish Donation Land Claim Not. No. 3843 in Section 4 of Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; thence South 89°56.5' West along the South line of said East 2nd Avenue 188.31 feet to a 1/2 inch iron rod; thence South 0°03.5' East 94.47 feet to a 1/2 inch iron rod; thence South 354.00 feet to a 1/2 inch iron rod; thence South 71°16.5' East 198.73 feet to a 1/2 inch iron rod due South of the place of beginning; thence North 241.14 feet to a 5/8 inch rod; thence East 40 feet to a 5/8 inch iron rod; thence North 181.36 feet to a 1/2 inch iron rod; thence South 89°56'30" West 20 feet; thence North 90.00 feet; thence South 89°56'30" West 20.00 feet to the point of beginning.