

ORDINANCE NO. 4871

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT (FILE NO. AN-02-89).

WHEREAS, on June 14, 1989, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 2868 and described in Exhibit A, attached hereto; and

WHEREAS, on June 14, 1989, the Albany City Council adopted Resolution No. 2868 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 June 28, 1989, 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:

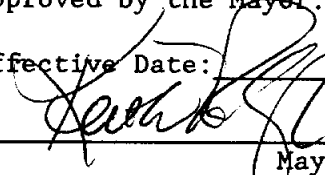
Section 1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

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, and the State of Oregon Department of Revenue.

Passed by the Council: June 28, 1989

Approved by the Mayor: June 29, 1989

Effective Date: July 28, 1989



Mayor

ATTEST:



City Recorder

EXHIBIT 'A'

Sullens Property Inside Albany Urban Growth Boundary

Beginning at 3/4 inch pipe on the Easterly right of way line of the relocated Pacific Highway, said pipe being South 1° 56' East 1115.72 feet and South 89° 50' West 934.73 feet from the Northeast corner of the Milton Houston Donation Land Claim No. 43, in Township 10 South, Range 3 West of the Willamette Meridian, Linn County, Oregon; running thence North 89° 50' East 400.29 feet to a 1/2 inch rod; thence North 604.11 feet to a 1/2 inch iron pipe; thence West 320.16 feet to a 3/4 inch pipe on the Easterly right of way line of said highway; thence South 7° 32 1/2' West 610.55 feet to the place of beginning.

EXCEPT that property conveyed to the State of Oregon, State Highway Commission, by deed recorded October 8, 1956, in Deed Book 251, Page 162 and by deed recorded September 19, 1957, in Deed Book 256, Page 75, Linn County Deed Records.

EXCEPT that portion of the aboved described parcel being more particularly described as follows:

Beginning at the Northeast corner of that parcel conveyed to Jerry W. Sullens, et. ux, by deed recorded in Volume MF 382 Page 141 Linn County Deed Records, which point is 514.11 feet West and 512.89 feet South 1° 56' East of the Northwest corner of the Milton Houston D.L.C. No. 43 in Township 10 South, Range 3 West, West B & M, Linn County, Oregon; thence South along the East line of said Sullens parcel 154.96 feet to a 1/2" iron rod; thence North 78° 21' West 82.75 feet to a 5/8" iron rod; thence North 76° 00' West 82.60 feet to the East line of U.S. Highway 99E as described in deed conveyed to the State of Oregon and recorded in Book 256 Page 75 Linn County Deed Records; thence North 7° 32' 30" East along the East line of said Highway 113.00 feet to the North line of said Sullens parcel; thence East 289.90 feet to the point of beginning. x Containing 0.97 Acres more or less.

