

ORDINANCE NO. 4892

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT (FILE NO. AN-05-89).

WHEREAS, on November 29, 1989, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 2912 and described in Exhibit A, attached hereto; and

WHEREAS, on November 29, 1989, the Albany City Council adopted Resolution No. 2912 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 December 27, 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:

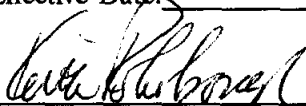
Section 1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

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: December 27, 1989

Approved by the Mayor: December 28, 1989

Effective Date: January 27, 1990



Mayor

ATTEST:

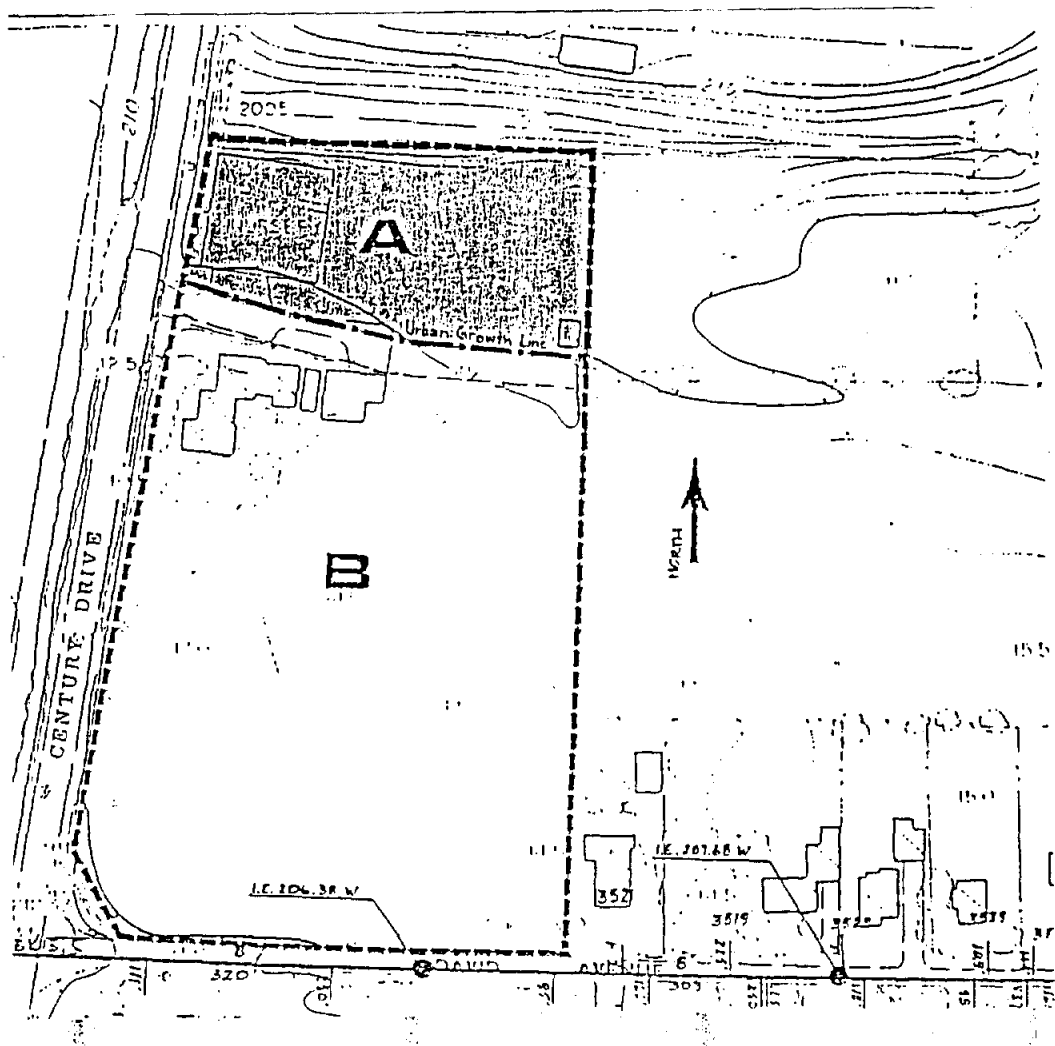


City Recorder

EXHIBIT "A"
PARCEL A

Sullens Property Outside Albany Urban Growth Boundary

Beginning at a 1/2 inch iron pipe as shown on Linn County Survey No. 2308 on file at the Linn County Surveyor's Office, said point being the Northeast corner of that parcel conveyed to Jerry W. Sullens, et. ux, by deed recorded in MF 382, Page 141, Linn County Deed Records, said point also being 512.89 feet South 1° 56' East and 514.11 feet WEST of the Northwest corner of the Milton Houston Donation Land Claim No. 43 in Township 10 South, Range 3 West, Willamette Meridian, Linn County, Oregon; thence SOUTH on the East line of said Sullens parcel 154.96 feet to a 1/2 inch iron pipe as shown on said survey; thence North 87° 30' West 144.51 feet to a 1/2 inch iron rod; thence North 78° 21' West 82.75 feet to a 5/8 inch iron rod; thence North 76° 00' West 81.76 feet to the East right of way line of U. S. Highway 99E as described in deed conveyed to the State of Oregon, State Highway Commission, recorded September 19, 1957, in Deed Book 256, Page 75, Linn County Deed Records; thence North 7° 32' 30'' East on the East right of way line of said highway 113.15 feet to the North line of said Sullens parcel; thence EAST 289.90 feet to the point of beginning. Containing 0.97 Acres more or less.



CITY OF ALBANY
NOTICE OF PUBLIC HEARING
AFFECTING THIS AREA

HEARING DATE: December 27, 1989

TIME: 7:15 p.m.

LOCATION: Council Chambers, City Hall II, 250 Broadalbin SW

HEARING BODY: City Council

FILE NO. AN-05-89

SUBJECT PROPERTY: 1650 Century Drive NE (Map 11-3W-33D; Portion of Tax Lot 900)

PETITIONERS: City of Albany

PURPOSE OF HEARING: To provide an opportunity for citizens to express views to the City Council about the withdrawal of .97 acres of the above property from the Albany Rural Fire Protection District.

Any person wishing to speak either for or against the proposed removal from the rural fire district may do so in person or by authorized representative.

The Planning Department has additional information on file regarding this request. Interested or concerned persons should immediately contact the City of Albany Planning Department, 250 Broadalbin Street SW, Albany, OR 97321 for information about the proposed removal of property from the Albany Rural Fire Protection District before the date of the public hearing. This allows you an opportunity to become better informed prior to the hearing and allows staff an opportunity to incorporate unresolved concerns in the staff report which is presented at the public hearing. Please feel free to call 967-4300, Ext. 362 for assistance or visit the Planning Department. Also, signed, written comments may be filed with the Planning Department prior to the time of the Hearing. **NOTICE:** Oregon State law requires that written or oral comments specify which application criteria apply to the submitted testimony. Failure to raise an issue in person or by letter precludes appeal and failure to specify to which criterion the comment is directed precludes appeal based on that criteria (ORS 197.762).

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER. The recipient of this notice is hereby responsible to promptly forward a copy of this notice to every person with a documented interest, including a renter or lessee.

Dated this 30th day of November, 1989.

