

ORDINANCE NO. 4959

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED WEST OF THREE LAKES ROAD SE AND SOUTH OF SPICER ROAD SE MORE COMMONLY KNOWN AS 2122, 2280, 2290 and 2320 THREE LAKES ROAD SE (Tax Lot 701, 11-3W-16) AND CONTAINING APPROXIMATELY 3.67 ACRES MORE OR LESS (FILE NO. AN-03-91 & AN-01-83).

WHEREAS, on May 22, 1991 the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3061 and described in Exhibit A, attached hereto; and

WHEREAS, on May 22, 1991 the Albany City Council adopted Resolution No. 3061 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 12, 1991 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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: June 12, 1991

Approved by the Mayor: June 13, 1991

Effective Date: July 12, 1991

Mayor

ATTEST:



City Recorder

EXHIBIT A
LEGAL DESCRIPTION
CASE NO. AN-03-91

Book 314 Page 495, the Northerly 505.6 feet of the property described below:

Beginning at a 5/8 inch iron rod in the center of the County Road on the East line of that parcel described in Deed recorded in Book 198 Page 536, Linn County Deed Records; said rod being West along the South line of the Edward N. White Donation Land Claim No. 48, Township 11 South, Range 3 West of the Willamette Meridian, 908.75 feet and North 0° 17' East along the center of the said County Road 1404.23 feet from the Southeast corner of the Westerly one-half of said claim; thence North 0° 17' East along the center of said County Road 1063.62 feet; thence South 89° 22' West 335.81 feet; thence South 0° 27' West 1064.67 feet to a 5/8 inch iron rod; thence North 89° 22' East 338.89 feet to the Point of Beginning.

