

ORDINANCE NO. 5001

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT MORE COMMONLY KNOWN AS THE INTERSECTION OF SANTA MARIA AVENUE AND MARILYN STREET NE AND CONTAINING 5.19 ACRES MORE OR LESS (File No. AN-01-92).

WHEREAS, on May 13, 1992 the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3163 and described in Exhibit A, attached hereto; and

WHEREAS, on May 13, 1992 the Albany City Council adopted Resolution No. 3163 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 May 27, 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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: May 27, 1992

Approved by the Mayor: Keith Rohrbough May 27, 1992

Effective Date: June 27, 1992

Keith Rohrbough
Keith Rohrbough, Mayor

ATTEST:

Gary Holliday
Gary Holliday, City Recorder

**EXHIBIT A
LEGAL DESCRIPTION
CASE NO. AN-01-92**

A tract of Land situated in County of Linn, State of Oregon,
described as follows:

Beginning at a 5/8 inch rod which bears East 1080.42 feet and South 775.7 feet from the Northwest corner of the Matthew C. Chambers Donation Land Claim No. 40, Township 10 South, Range 3 West of the Willamette Meridian; thence South 79 feet to a 5/8 inch iron rod; thence South 81°33' East 298.98 feet to a 5/8 inch rod; thence South 463.80 feet to a 5/8 inch iron rod on the North line of Santa Maria Avenue in Draper's Subdivision, if extended East; thence West 451.0 feet to a 5/8 inch iron rod on the North line of said Santa Maria Avenue and North 50 feet from the Northeast corner of Tract 24 in said Draper's Subdivision; thence North 586.7 feet to a 5/8 inch iron rod; thence East 155.30 feet to the place of beginning.

