

ORDINANCE NO. 5255

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED AT 2140 BROADWAY STREET SW (TAX LOT 5300, LINN COUNTY ASSESSOR'S MAP NO. 11-4W-13BA) AND CONTAINING APPROXIMATELY 39,639.6 SQUARE FEET (Planning Case File No. AN-05-96).

WHEREAS, on August 14, 1996, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3677 and described in Exhibit A, attached hereto; and

WHEREAS, on August 14, 1996, the Albany City Council adopted Resolution No. 3677 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 September 11, 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:

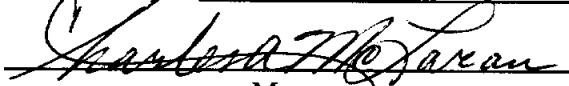
Section 1: The following described territory, Exhibit A, Legal Description, is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

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 Council: September 11, 1996

Approved by Mayor: September 11, 1996

Effective Date: October 11, 1996

  
Mayor

STATE OF OREGON }  
County of Linn } **SS**  
City of Albany }

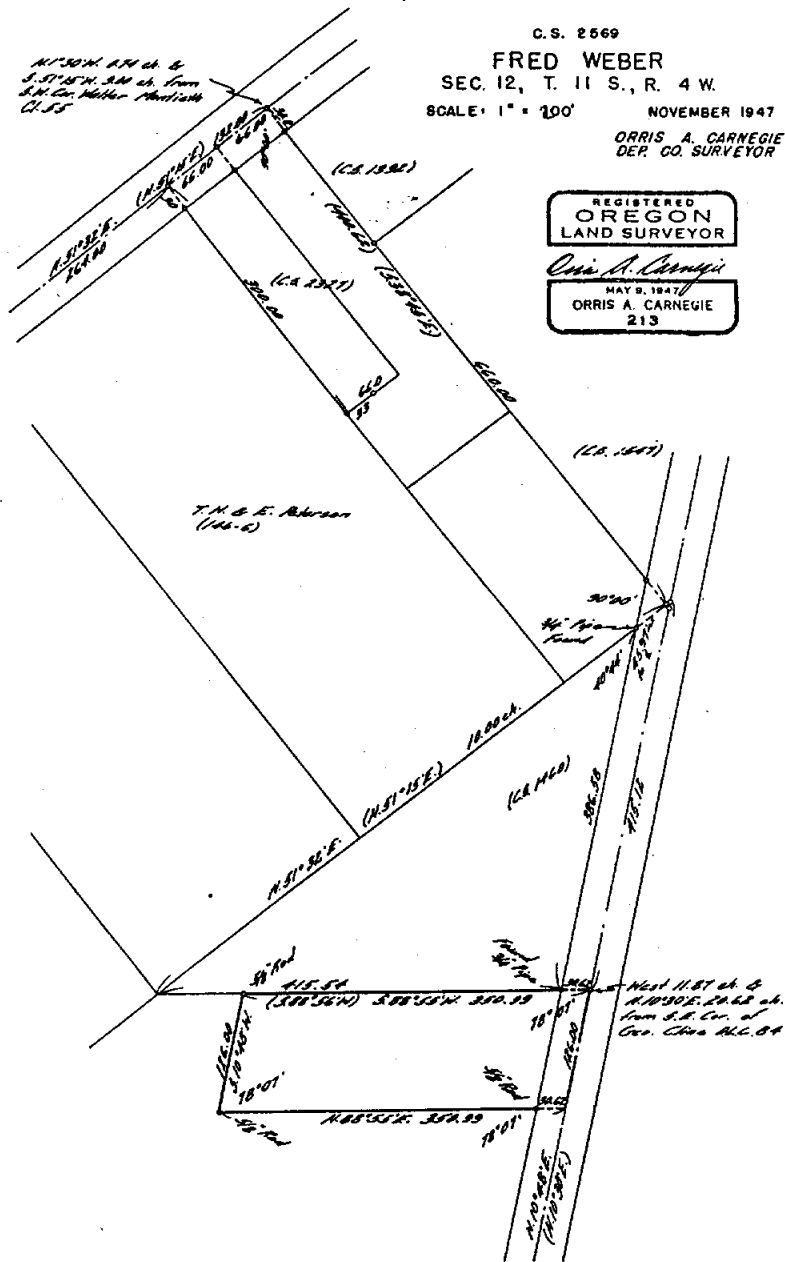
ATTEST:

  
\_\_\_\_\_  
City Recorder

I hereby certify that I have compared the (foregoing, within) with the original thereof, and that it is a correct copy therefrom and of the whole thereof.

Dated \_\_\_\_\_, 19\_\_\_\_

**EXHIBIT A  
LEGAL DESCRIPTION  
CASE NO. AN-05-96**



Beginning at a 3/4 inch pipe located on the westerly right-of-way line of Broadway Street that is WEST 11.87 chains, North 10°30' East 20.62 chains, and South 88°55' West 30.62 feet from the southeast corner of the George Cline Donation Land Claim No. 84 in Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon; thence South 88°55' West 320.37 feet to a 5/8 inch rod; thence South 10°48' West 126.00 feet to a 5/8 inch rod; thence North 88°55' East 320.37 feet to a 5/8 inch rod on the said westerly right-of-way line; thence continuing North 88°55' East 61.24 feet to a point on the easterly right-of-way line of said Broadway Street; thence North 10°48' East, along said easterly right-of-way line, 126.00 feet to a point that is North 88°55' East from the Point of Beginning; thence South 88°55' West 61.24 feet to the Point of Beginning. Containing 1.08 acres of land, more or less. The Basis of Bearings of the above described Tract is C.S. No. 2569 as filed and indexed in the office of the Linn County Surveyor.