

ORDINANCE NO. 5336

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED AT 1840 QUEEN AVENUE SW (LINN COUNTY ASSESSOR'S MAP NO. 11-3W-13BA, TAX LOT 3000) CONTAINING APPROXIMATELY 3.68 ACRES (FILE AN-06-97).

WHEREAS, on December 3, 1997, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3880 and described in Exhibit A, attached hereto; and

WHEREAS, on December 3, 1997, the Albany City Council adopted Resolution No. 3880 setting a date for a public hearing concerning the withdrawal of said territory from the Albany Rural Fire Protection District; and

WHEREAS, notices of a public hearing were published and posted in the manner and for the time prescribed by law and on January 28, 1998, 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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 Council: January 28, 1998

Approved by Mayor: January 28, 1998

Effective Date: February 27, 1998



Mayor

ATTEST:

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City Recorder

LEGAL DESCRIPTION

File AN-06-97

recorded April 13, 1937 in Vol. 146, page 6, Book of Deeds, Linn County Records, Linn County, Oregon, as follows:

"The East half of the following described premises, Beginning at a point which is North 1°30' West 74 links distant and South 51°15' West 11 chains distant from the Southwest corner of the D.L.C. of Walter Monteith and wife, Not. No. 1798, Claim No. 55 in Township 11 South of Range 4 West of the Willamette Meridian, Oregon, and running thence South 51°15' West along the center of the Albany and Corvallis road a distance of eight (8) chains, thence South 38°45' East a distance of ten (10) chains, thence North 51°15' East a distance of eight (8) chains, thence North 38°45' West ten (10) chains to the place of beginning, containing eight (8) acres more or less, situated in Linn County, Oregon.

"With the exceptions of one half rod, which runs parallel with the West line of the above described land is not agreed to be conveyed by the party of the first part to the parties of the second part, under this agreement."

8-1

8-2

8-1

8-2

8-1

Subject Property

EXISTING CITY LIMITS

EXISTING CITY LIMITS

Hazelwood Park

1000 L68A

2.68 A

4200 4.79 A

3700 1.23 A PARCEL 1
 AN-06-92
 3700 1.58 A PARCEL 2
 AN-03-92
 C.S. 20551
 PARCEL 2
 3900 0.78 A
 AN-03-89

INITIAL PT.

AN-06-97

A (R)

