

ORDINANCE NO. 5337

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED SOUTH OF KNOX BUTTE ROAD MORE COMMONLY KNOWN AS 4620 KNOX BUTTE ROAD SE AND CONTAINING 18,730 SQUARE FEET (0.43ACRE) MORE OR LESS (FILE AN- 07-97).

WHEREAS, on December 17, 1997, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3881 and described in Exhibit A, attached hereto; and

WHEREAS, on December 17, 1997, the Albany City Council adopted Resolution No. 3881 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 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:

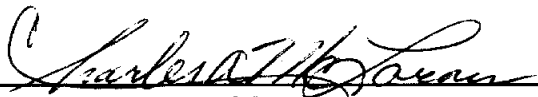
Section 1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

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:



City Recorder

**EXHIBIT A
LEGAL DESCRIPTION
FILE AN-07-97**

Part of the Matthew C. Chambers Donation Land Claim #40 in Township 11 South, Range 3 West, of the Willamette Meridian, described as follows:

Beginning at a 1/2-inch rod on the Southerly rights of way line of Market Road #7 at a point which is 643.58 feet East and 74.3 feet South of the Northwest corner of the South half of said Claim #40; thence South 87°02' West along the Southerly line of said road 36.05 feet; thence Westerly along the Southerly line of said road 64.35 feet to a 1/2" rod; thence South 08°02' East 214.55 feet; thence North 87°02' East 70.0 feet to a 1/2" rod; thence North 218 feet to the place of beginning.

Shove North

