

ORDINANCE NO. 5532

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED AT THE SOUTH END OF FESCUE STREET (LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-16, TAX LOTS 601, 602, 700, & 704) CONTAINING APPROXIMATELY 68 ACRES MORE OR LESS, AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on June 26, 2002, proclaimed the annexation of territory by adoption of Ordinance No. 5529 and described in Exhibits A and B, attached hereto; and

WHEREAS, the Albany City Council set a date for a public hearing concerning the withdrawal of said territory from the Albany Rural Fire Protection District (ARFD); and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and on July 24, 2002, 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 ARFD 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 real property to-wit (see attached legal description, Exhibit A, and map, Exhibit B) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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, State of Oregon Department of Revenue, and the Albany Rural Fire Protection District.

Section 3: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance will be in full force and effect immediately upon passage by the council and approval by the Mayor.

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

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 July 29 2002
Dety Langwell, City Clerk

ATTEST:

Ken Thompson
City Recorder

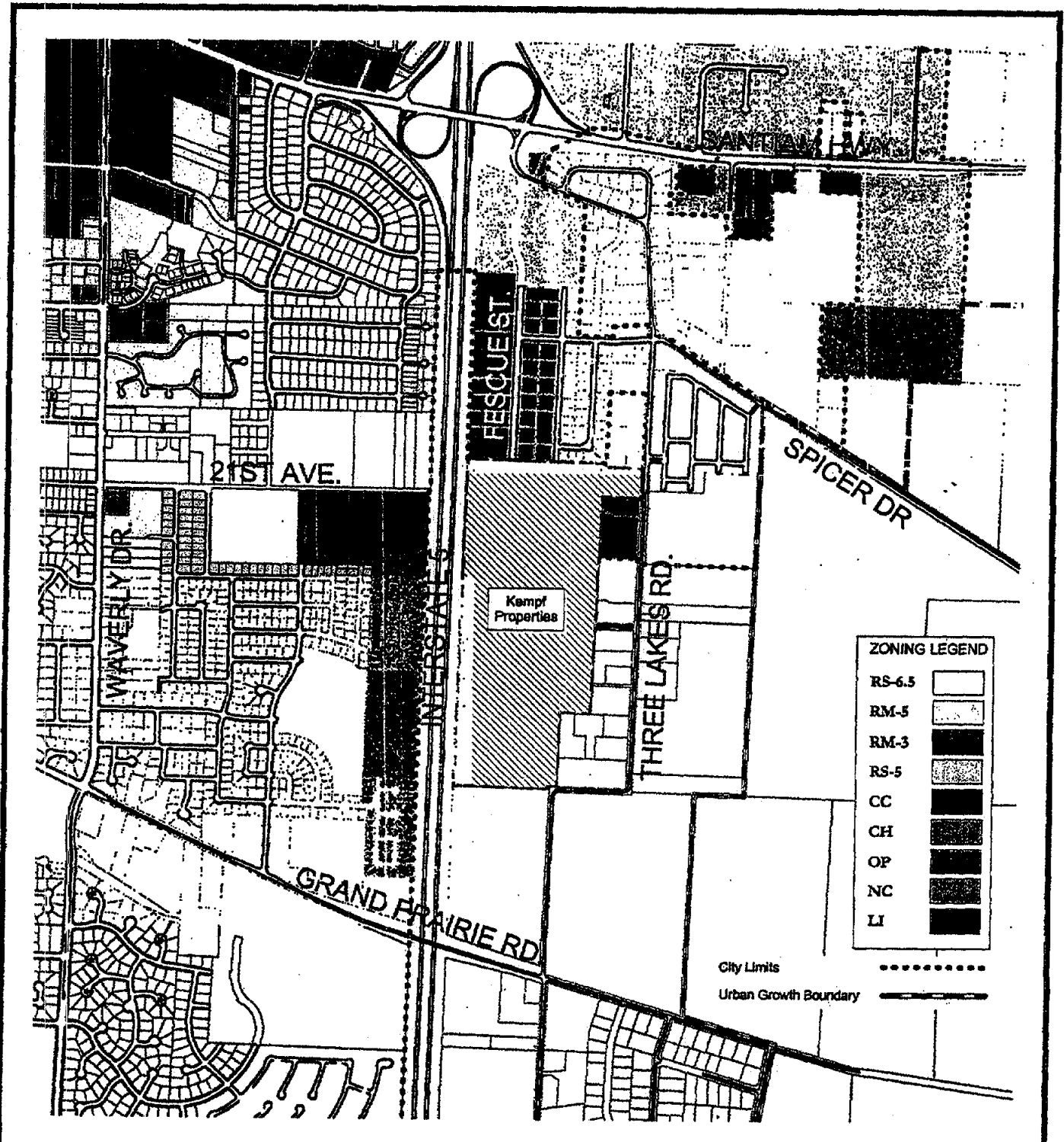
Passed by Council: July 24, 2002

Approved by Mayor: JULY 24, 2002

Effective Date: July 24, 2002

Charles M. Loran
Mayor

*Please return to the City of Albany Recorder Office
PO Box 490, Albany OR 97321*



Kempf Annexation (AN-01-01)



Staff Report - Attachment B

500 0 500 Feet

Planning

mikal c:\mike\kemp zoning map.apr

Feb 1, 2002

The City of Albany's information systems, drawings, and other documents have been prepared and made available using software standards for quality control, documentation, and distribution. All the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, occasionally this information proves to be incorrect, and that its accuracy is not warranted. Prior to making any property purchase or other investment based in part or in full upon the information provided, it is specifically advised that you independently verify the information obtained within our records.



RESOLUTION EXHIBIT A
LEGAL DESCRIPTION
FILE AN-01-01

Beginning at a point on the South line of and South 89° 59' 30" West, 1,496.51 feet from the Southeast corner of the West half of the Edward H. White DLC No. 48 in Township 11 South, Range 3 West, Section 16 of the Willamette Meridian in Linn County, Oregon; thence North 0° 24' East, 638.87 feet to a ¼" iron pipe; thence North 89° 59' 30" East, parallel to the South line of said DLC, a distance of 245.47 feet; thence North 0° 17' East, 245.12 feet to a ½" iron rod marking the Northwest corner of that certain parcel of land conveyed by Deed to Kenneth R. Ditzler, recorded in Linn County, Oregon Microfilm Records, Volume 106, Page 45; thence leaving said parcel, North 0° 31' 20" East, 486.56 feet to a ½" iron rod; said iron rod being South 0° 31' 20" West, 30.00 feet from the Southwest corner of that certain tract of land conveyed by Deed to Carl Haima, as recorded in Book 314, Page 495, Linn County, Oregon Deed Records; thence North 89° 22' East, 339.01 feet to the centerline of the County Road; thence along the said centerline, North 0° 17' East, 30.00 feet to a ¾" iron rod marking the Southeast corner of said Carl Haima parcel; thence along the South line of said Carl Haima parcel, South 89° 22" West, 338.89 feet to a ¾" iron rod marking the Southwest corner of said Carl Haima parcel; thence North 0° 27' East, 1,064.67 feet to a ¾" iron rod; thence North 89° 22' East, 336.10 feet to a ¾" iron rod in the center of the County Road; thence along the centerline of said County Road, North 0° 17' East, 244.75 feet more or less to the Northeast corner of that certain tract of land conveyed by Deed to Earl W. Kennel, et ux, as recorded in Book 198, Page 536, in Linn County, Oregon Deed Records; thence along the North line of said tract, West, 1,475.90 feet more of less, to the Easterly right-of-way of Interstate Highway No. 5; thence along the said Easterly right-of-way, Southerly, 2,712.60 feet to a ¾" iron pipe on the South line of said DLC No. 48; thence along the south line of said DLC No. 48, North 89° 59' 30" East, 871.57 feet to the Point of Beginning, all in Linn County, Oregon.

Containing 68.84 Acres.

STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By JK, Deputy

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R/S
S/D
A/H
O

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