

ORDINANCE NO. 5606

AN ORDINANCE WITHDRAWING TERRITORY FROM THE TANGENT RURAL FIRE PROTECTION DISTRICT LOCATED ON THE EAST SIDE OF PACIFIC BOULEVARD AND SOUTH OF ALLEN LANE (LINN COUNTY ASSESSOR'S MAP NOS. 11S-03W-30, TAX LOTS 604 AND 605) CONTAINING APPROXIMATELY 2.2 ACRES MORE OR LESS, AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on January 12, 2005, proclaimed the annexation of territory by adoption of Ordinance No. 5591 and described in Exhibit A attached hereto; and

WHEREAS, the Albany City Council set a date for a public hearing concerning the withdrawal of said territory from the ~~Albany~~ Tangent 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 January 12, 2005, 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Section 1: The following described real property to-wit (see attached Exhibit A) is hereby proclaimed to be withdrawn from the ~~Albany~~ Tangent Rural Fire Protection District.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~~ Tangent 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.

Passed by the Council: January 12, 2005

Approved by the Mayor: January 12, 2005

Effective Date: January 12, 2005

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**FILE AN-B5-04**

Beginning at a 1-inch iron rod on the East right-of-way line of State Highway 99 East, said iron rod being South 0° 31' 30" West 1427.77 feet and South 89° 37' East 38.49 feet from the Northwest corner of the Southwest quarter of Section 30 in Township 11 South, Range 3 West of the Willamette Meridian, in Linn County, Oregon; thence South 89° 37' East 319.48 feet to a 1-inch iron rod; thence South 0° 07' West 136.13 feet to a 1-inch iron rod; thence South 89° 37' East 60.0 feet, more or less, to the East right-of-way line of the Southern Pacific Railroad; thence Northerly along said railroad East right-of-way line North 0° 07' East 1034.87', more or less, to a point 531.3 feet South of the North line of the Southwest quarter of said Section 30; thence North 89° 37' West, parallel to said North line 372.5 feet to the East right-of-way line of said State Highway 99 East; thence South 0° 32' West 186.0 feet along said East right-of-way line to a 1/2-inch iron rod; thence South 89° 37' East 293.57 feet to the West right-of-way line of said Southern Pacific Railroad; thence South 0° 07' West 576.04 feet to a 1-inch iron rod; thence North 89° 37' West 298.29 feet, more or less, to a 1-inch iron rod on the East right-of-way line of said State Highway 99 East; thence South 0° 32' West 136.56 feet to the Point of Beginning.

ALBANY  
11S-03W-30

AN-B5-04

