



ORDINANCE NO. 5956

AN ORDINANCE WITHDRAWING TERRITORY IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-20 AS TAX LOT 606 FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT

WHEREAS, on October 22, 2020, the Albany Community Development Department received an application for annexation with concurrent zoning map amendment for a 35.32-acre unaddressed parcel located immediately north of 3795 Lochner Road SE (Planning Files AN-03-20 and ZC-04-20); and

WHEREAS, annexation of the subject property results in withdrawal of the territory from the Albany Rural Fire Protection District (ARFPD); and

WHEREAS, notices of a public hearing concerning the withdrawal of the subject property from the ARFPD were published in the manner prescribed by Oregon Revised Statutes (ORS) 222.524 on March 10, 2021, and March 17, 2021; and

WHEREAS, on March 24, 2021, the Albany City Council held a public hearing during which time interested persons were given an opportunity to be heard on this matter; and

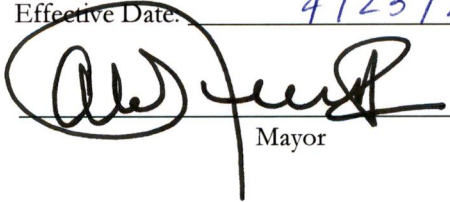
WHEREAS, the City Council, following said public hearing, determined that the withdrawal of territory from the ARFPD is in the best interests of the citizens of Albany.


NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The territory shown in Exhibit A, described in Exhibit B, and shown on Partition Plat 2020-70 in Exhibit C of this ordinance is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

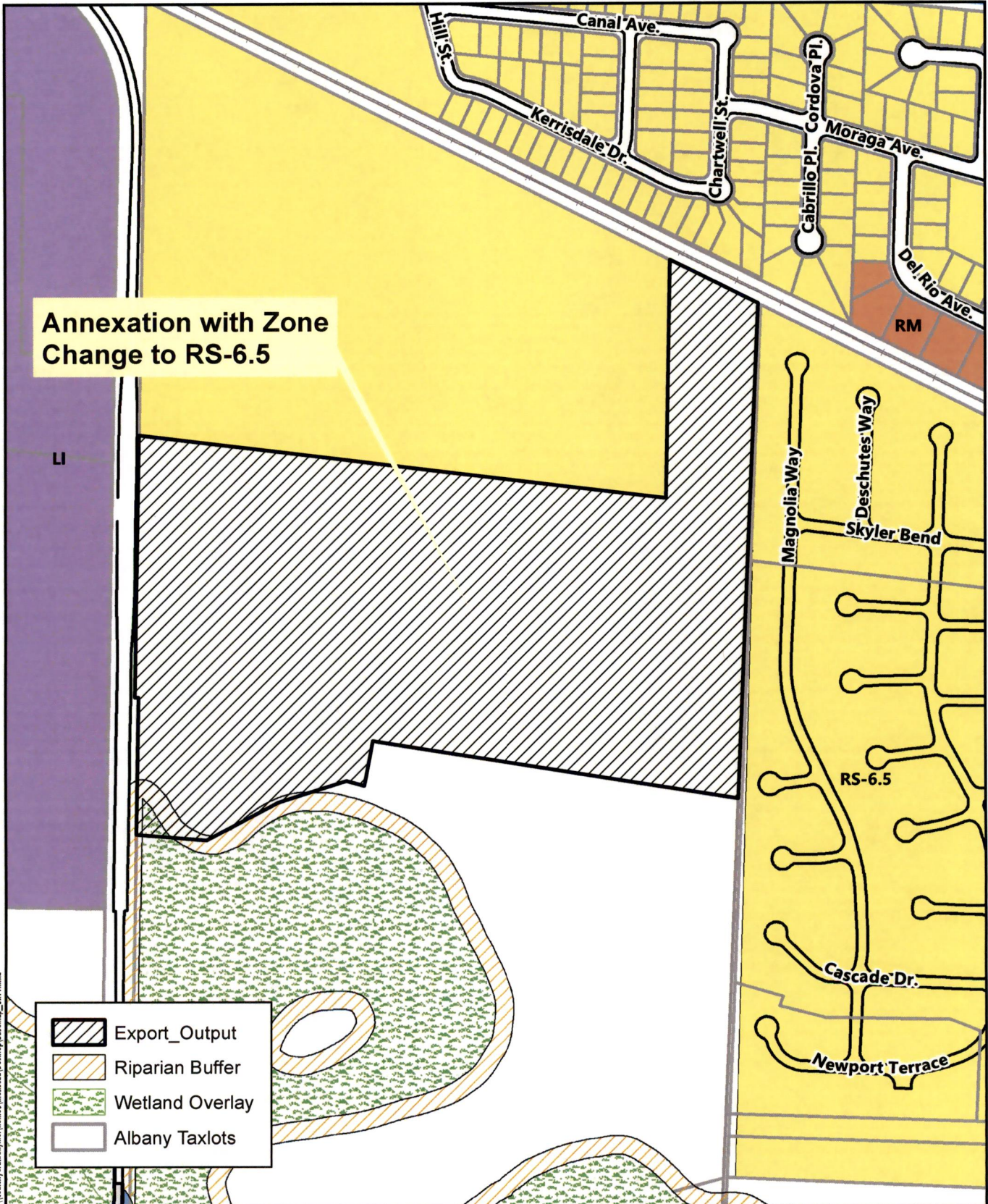
Section 2: The City Recorder shall, within 10 days of the effective date of this ordinance, file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of Oregon, State of Oregon Department of Revenue, and the Albany Rural Fire Protection District.



Passed by the Council: 3/24/21  
Approved by the Mayor: 3/24/21  
Effective Date: 4/23/21  
  
Mayor

ATTEST:  
  
City Clerk





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**Linn County Assessor's Map No. 11S-03W-20; Tax Lot 606**

Date: 3/15/2021 Map Source: City of Albany

City of Albany, OR



**LAND SURVEYING**

PO Box 2385 Lebanon, OR 97355 Phone: 541.258.8833

**Annexation Legal**

Parcel 2 of Linn County Partition Plat no. 2020-70 in the Northwest and Southwest 1/4 of Section 20 and Northeast and Southeast 1/4 of Section 19, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon.

Containing 35.32± Ac





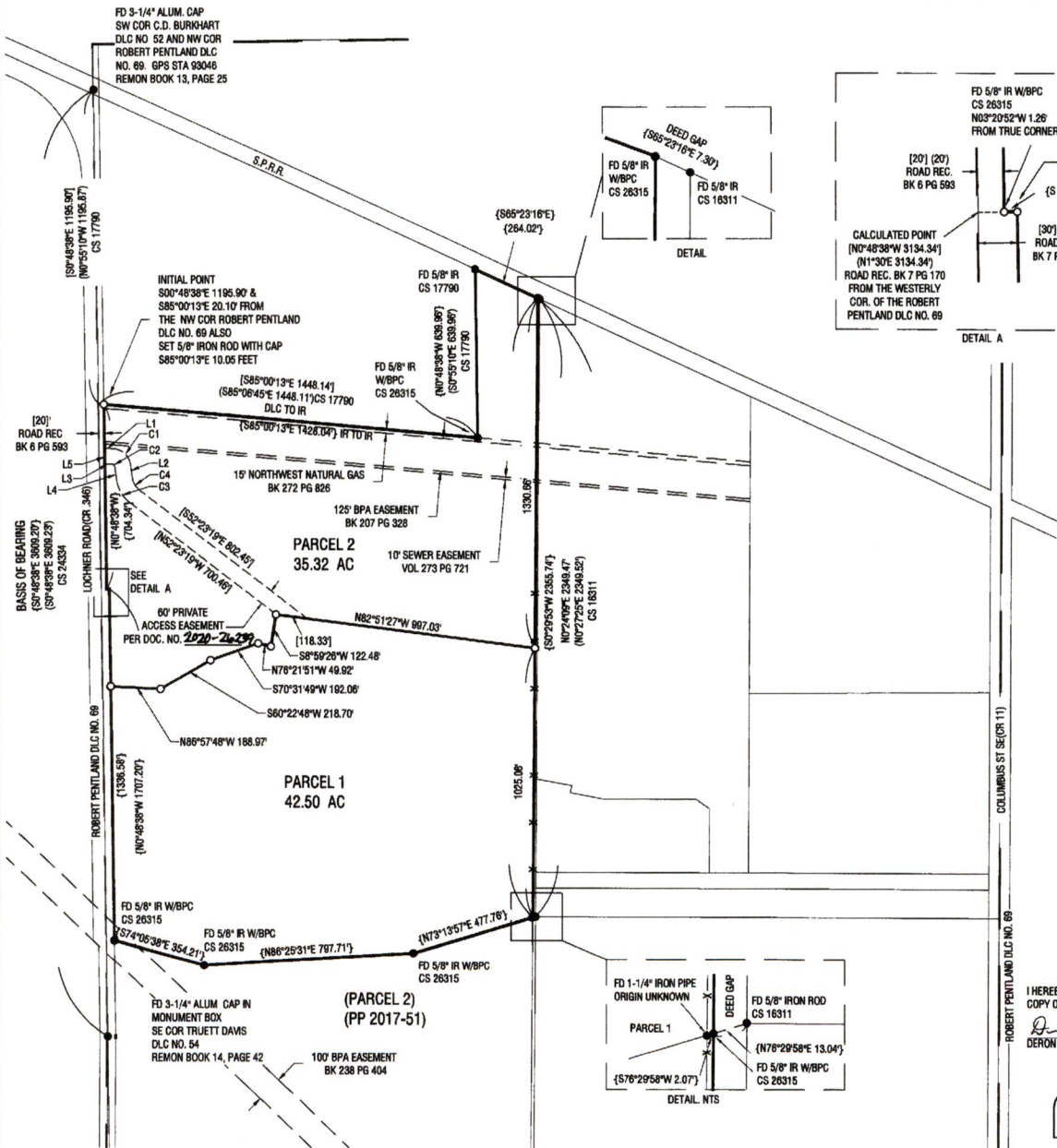
C.S. **26931**  
 PARTITION PLAT NO. **2020-70**  
**IRVIN & LOIS GERIG TRUST**

A REPLAT OF PARCEL 1 OF PP NO. 2017-51  
 AN AREA OF LAND WITHIN THE ROBERT PENTLAND DLC NO. 69  
 NW & SW 1/4 OF SECTION 20, T 11 S, R 3 W, W.M. &  
 NE & SE 1/4 OF SECTION 19, T 11 S, R 3 W, W.M.  
 LINN COUNTY, OREGON  
 SURVEYED: SEPTEMBER 24, 2020



**LEGEND:**

- - FOUND MONUMENT AS NOTED
  - - MONUMENT SET 5/8"x30" IRON ROD WITH BLUE PLASTIC CAP STAMPED: "CRAWFORD 76680 LS"
  - FD - FOUND
  - IP - IRON PIPE
  - IR - IRON ROD
  - CS - COUNTY SURVEY
  - RM - RECORD SAME AS MEASURED CS 26178
  - BPC - BLUE PLASTIC CAP
  - PP - PARTITION PLAT
  - ( ) - RECORD DATA AS NOTED
  - { } - RECORD DATA PER CS 26315 SAME AS MEASURED
  - [ ] - CALCULATED DATA
- REFERENCE SURVEYS: CS 26315, CS 17790, CS 16311, CS 24373, CS 24334



BASIS OF BEARING  
 (S0°46'38"E 3000.20')  
 (S0°46'38"E 3000.23')  
 CS 24334

LINE #	BEARING & DISTANCE
L1	[S88°11'34"E 31.38']
L2	[S7°41'06"E 51.99']
L3	[N88°11'34"W 28.81']
L4	[N7°41'06"W 51.99']
L5	[N0°48'38"W 60.09']

CURVE #	LENGTH	RADIUS	DELTA	CHORD
C1	[98.36']	[70.00']	[80°30'27"]	[S47° 56' 20"E 90.46']
C2	[14.05']	[10.00']	[80°30'27"]	[N47° 56' 20"W 12.92']
C3	[101.43']	[130.00']	[44°42'13"]	[N30° 02' 13"W 98.88']
C4	[54.62']	[70.00']	[44°42'13"]	[S30° 02' 13"E 53.24']

**NARRATIVE:**

THE PURPOSE OF THIS SURVEY WAS TO PARTITION THE LAND SHOWN ON SHEET 1 AND DESCRIBED HEREON PER LINN COUNTY NOTICE OF DECISION NO. PD20-0114

THE EXTERNAL BOUNDARY WAS HELD AS ESTABLISHED ON LINN COUNTY SURVEY NO. 26315. THE NEW DIVIDING LINE BETWEEN PARCELS 1 AND 2 WERE SET AT THE REQUEST OF OUR CLIENT. THE CORNER SET ON THE WEST RIGHT-OF-WAY OF LOCHNER ROAD WAS SET BETWEEN FOUND MONUMENTS. THE CORNER SET ON THE EAST LINE WAS SET AT THE CALCULATED LINE BASED ON CS 26315. THE NORTHEAST AND SOUTH EAST CORNERS WERE NOT SURVEYED AT THIS TIME.

THE MONUMENTS SET IN CS 26315 AT THE JOG IN THE RIGHT-OF-WAY APPEAR TO BE SET INCORRECTLY. I HAVE SET THEM IN THE PROPER LOCATION ON THIS SURVEY.

THE BASIS OF BEARING IS PER CS 26315

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT  
 D. M. Crawford  
 DERON M. CRAWFORD

REGISTERED PROFESSIONAL LAND SURVEYOR  
 DERON M. CRAWFORD  
 #76980 LS  
 EXPIRES: 12-31-2021

**CRAWFORD & ASSOCIATES, INC.**  
 1055 AIRWAY ROAD, BLDG B  
 PO BOX 2385, LEBANON, OREGON 97355  
 PH: (541) 258-8833 FAX: (541) 258-8834  
 SHEET 1 OF 2 JOB: 19-03-018

C.S. 26931  
PARTITION PLAT NO. 2020-70  
**IRVIN & LOIS GERIG TRUST**

A REPLAT OF PARCEL 1 OF PP NO. 2017-51  
AN AREA OF LAND WITHIN THE ROBERT PENTLAND DLC NO. 69  
NW & SW 1/4 OF SECTION 20, T 11 S, R 3 W, W.M. &  
NE & SE 1/4 OF SECTION 19, T 11 S, R 3 W, W.M.  
LINN COUNTY, OREGON  
SURVEYED: SEPTEMBER 24, 2020

**OWNERS' DECLARATION:**

KNOW ALL PERSONS BY THESE PRESENT, THAT IRVIN L GERIG AND LOIS J. GERIG, TRUSTEES OF THE IRVIN L. GERIG AND LOIS J. GERIG REVOCABLE LIVING TRUST ARE THE OWNERS OF THE LANDS REPRESENTED ON SHEET 1 AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR CERTIFICATE HEREON, AND HAVE CAUSED THE PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED INTO PARCELS ACCORDING TO THE PROVISIONS OF ORS 92.

Loren Gerig  
LOREN GERIG, TRUSTEE OF THE IRVIN L. & LOIS J. GERIG TRUST

Luanne Breneman  
LUANNE BRENEMAN, TRUSTEE OF THE IRVIN L. & LOIS J. GERIG TRUST

**ACKNOWLEDGEMENT:**

STATE OF OREGON )  
                          ) SS  
COUNTY OF LINN )

THIS IS TO CERTIFY THAT ON THIS 15 DAY OF December, 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LOREN GERIG, TRUSTEE OF THE IRVIN L. GERIG AND LOIS J. GERIG TRUST WHO ARE KNOWN TO ME TO BE THE IDENTICAL PERSON NAMED IN AND WHO EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES HEREIN NAMED.

Kristal June Drummond  
NOTARY SIGNATURE  
Kristal June Drummond  
NOTARY PUBLIC - OREGON  
(PRINT NAME) 981149  
COMMISSION NO. November 19, 2022  
MY COMMISSION EXPIRES

**ACKNOWLEDGEMENT:**

STATE OF OREGON )  
                          ) SS  
COUNTY OF LINN )

THIS IS TO CERTIFY THAT ON THIS 15 DAY OF December, 2020, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LUANNE BRENEMAN, TRUSTEE OF THE IRVIN L. GERIG AND LOIS J. GERIG TRUST WHO ARE KNOWN TO ME TO BE THE IDENTICAL PERSON NAMED IN AND WHO EXECUTED THE FOREGOING DECLARATION AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES HEREIN NAMED.

Kristal June Drummond  
NOTARY SIGNATURE  
Kristal June Drummond  
NOTARY PUBLIC - OREGON  
(PRINT NAME) 981149  
COMMISSION NO. November 19, 2022  
MY COMMISSION EXPIRES

**RECORDER'S STATEMENT:**

STATE OF OREGON )  
                          ) SS  
COUNTY OF LINN )

I HEREBY CERTIFY THAT THE PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY RECORD OF PARTITION PLATS, PLAT NO. 2020-70 ON THIS 16<sup>th</sup> DAY OF December 2020, AT 10:36 O'CLOCK AM TARGET SHEET RECORDED IN DOCUMENT NO. 2020-26238

STEVE DRUCKENMILLER BY: Jan M W Deary Clerk  
LINN COUNTY CLERK

**ASSESSOR'S STATEMENT:**

TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN PAID AS OF THE 16<sup>th</sup> DAY OF December, 2020.

Christopher Dan Deary  
LINN COUNTY TAX COLLECTOR/ASSESSOR

**APPROVALS:**

THIS REPLAT IS SUBJECT TO TERMS AND CONDITIONS OF LINN COUNTY NOTICE OF DECISION FOR PARTITION PD20-0114.

Robert Wheeler 12/16/2020  
DIRECTOR, LINN COUNTY PLANNING AND BUILDING DEPARTMENT DATE

Thomas J. Conroy 12/16/2020  
LINN COUNTY SURVEYOR DATE

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.  
Deron M. Crawford  
DERON M. CRAWFORD

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
Deron M. Crawford  
OREGON  
JAN. 9, 2007  
DERON M. CRAWFORD  
#76980 LS  
EXPIRES: 12-31-2021

**CRAWFORD,  
DRUMMOND &  
ASSOCIATES, INC.**

1055 AIRWAY ROAD, BLDG B  
PO BOX 2385, LEBANON, OREGON 97355  
PH: (541) 258-8833 FAX: (541) 258-8834