



ORDINANCE NO. 5982

AN ORDINANCE WITHDRAWING TERRITORY IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-29 AS TAX LOT 401 FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT.

WHEREAS, on March 7, 2022, the Albany Community Development Department received an application for annexation with concurrent zoning map amendment for a 22-acre parcel located at 823 Ellingson Road SE (Planning Files AN-02-22 and ZC-03-22); and

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

WHEREAS, on June 20, 2022, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed annexation with zoning map amendment, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, on July 13, 2022, 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:

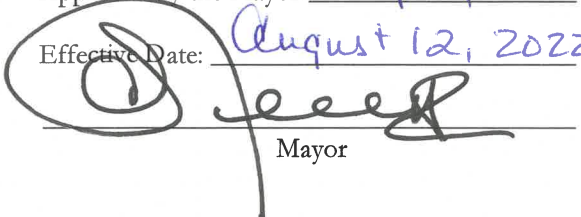
Section 1: The territory shown on the map in Exhibit A and described in Exhibit B of this ordinance is hereby proclaimed to be withdrawn from the ARFPD.

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: July 13, 2022

Approved by the Mayor: July 13, 2022

Effective Date: August 12, 2022

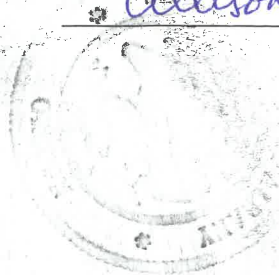


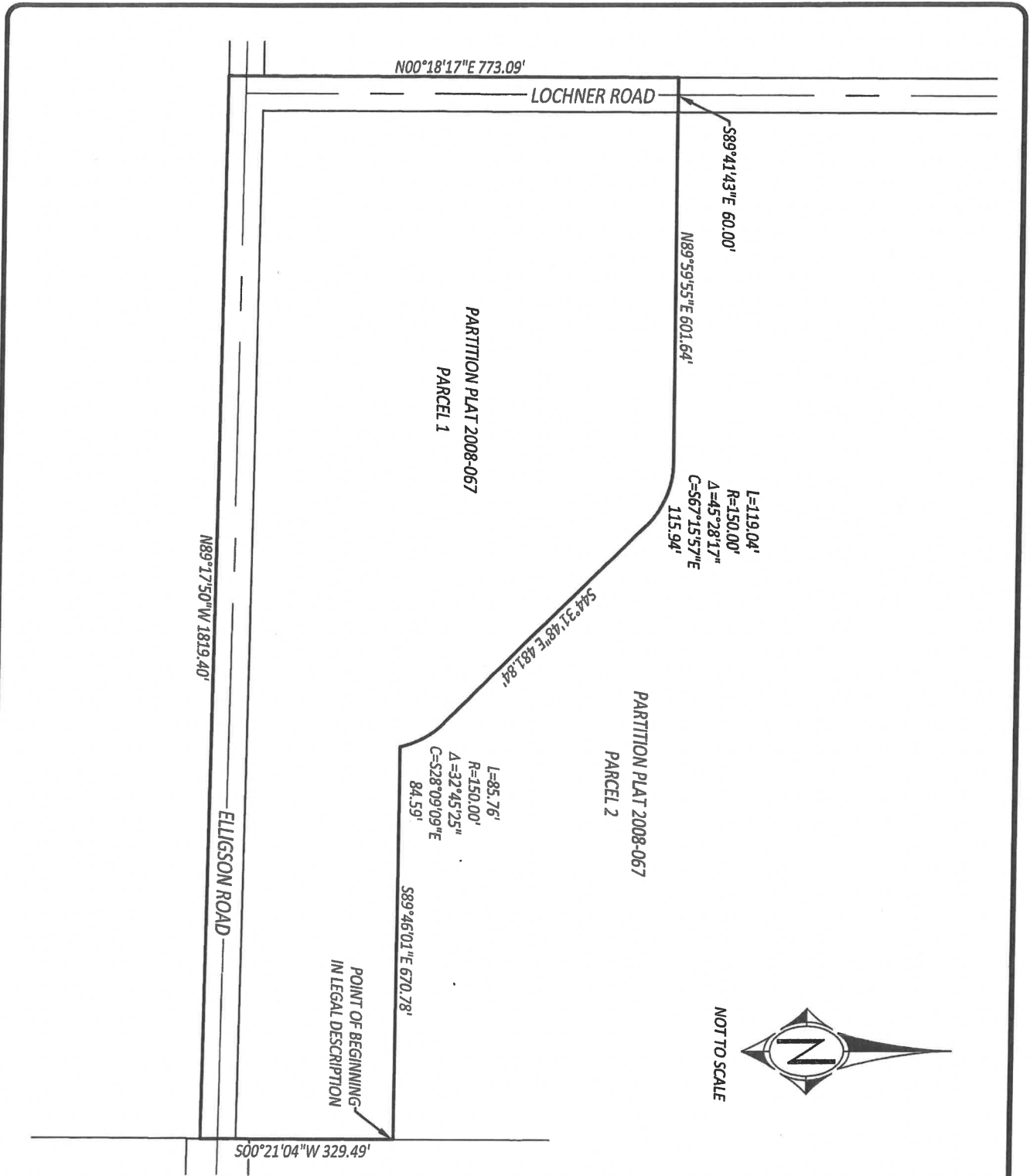
Mayor


ATTEST:



City Clerk





PDD JOB NO.: 384-003	DATE: 02/28/22	SCALE: NTS	EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION
 <p>9020 SW WASHINGTON SQUARE RD SUITE 170 PORTLAND, OREGON 97223 p 503.643.8286 www.pd-grp.com</p>			ANNEXATION PROPERTY EXHIBIT PARCEL 1 OF PARTITION PLAT NO. 2008-067 TOGETHER WITH PORTIONS OF LOCHNER ROAD AND ELLINGSON ROAD LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, AND IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON

**CURRY PROPERTY ANNEXATION
LEGAL DESCRIPTION**

PARCEL 1 OF PARTITION PLAT NO. 2008-067, TOGETHER WITH PORTIONS OF LOCHNER ROAD AND ELLINGSON ROAD AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 29, AND IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 1;

THENCE SOUTH 00°21'04" WEST ALONG THE EAST LINE OF SAID PARCEL 1 AND THE SOUTHERLY EXTENSION THEREOF, 329.49 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF ELLINGSON ROAD;

THENCE NORTH 89°17'50" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF ELLINGSON ROAD, 1819.40 FEET TO THE SOUTHERLY PROJECTION OF THE WEST RIGHT-OF-WAY LINE OF LOCHNER ROAD;

THENCE NORTH 00°18'17" EAST ALONG THE WEST RIGHT-OF-WAY OF LOCHNER ROAD AND THE SOUTHERLY PROJECTION THEREOF, 773.09 FEET;

THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, SOUTH 89°41'43" EAST, 60.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 1, SAID CORNER LOCATED ON THE EAST RIGHT-OF-WAY LINE OF LOCHNER ROAD;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL 1 THE FOLLOWING (5) COURSES:

NORTH 89°59'55" EAST, 601.64 FEET TO A POINT OF CURVATURE;

THENCE 119.04 FEET ALONG THE ARC OF A 150.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 45°28'17" AND A CHORD BEARING SOUTH 67°15'57" EAST, 115.94 FEET;

THENCE SOUTH 44°31'48" EAST, 481.84 FEET TO A POINT OF CURVATURE;

THENCE 85.76 FEET ALONG THE ARC OF A 150.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 32°45'25" AND A CHORD BEARING SOUTH 28°09'09" EAST, 84.59 FEET;

THENCE NON-TANGENT TO SAID CURVE, SOUTH 89°46'01" EAST, 670.78 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1 AND THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 23.468 ACRES.