



ORDINANCE NO. 6023

AN ORDINANCE WITHDRAWING TERRITORY IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NO. 11S-04W-24C AS TAX LOTS 600, 700, AND 1100 FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT.

WHEREAS, on May 30, 2023, the Albany Community Development Department received an application for annexation with concurrent zoning map amendment for an 8.78-acre tract of land located west of 1580 53rd Avenue SW; and a 0.30-acre property located at 1894 53rd Avenue SW (Planning Files AN-01-23 and ZC-03-23); and

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

WHEREAS, on October 2, 2023, 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 October 25, 2023, 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1: The territory shown on the map in Exhibit A and described in Exhibit B of this ordinance is hereby proclaimed to be withdrawn from the ARFPD.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: October 25, 2023

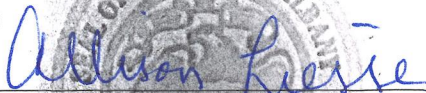
Approved by the Mayor: October 25, 2023

Effective Date: November 24, 2023

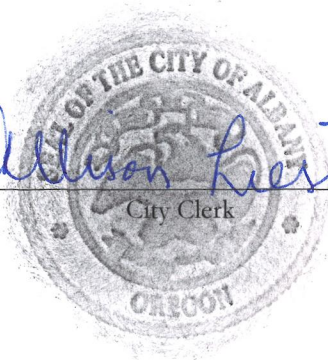


Mayor

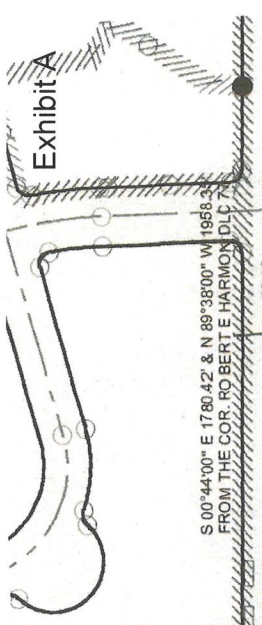
ATTEST:



City Clerk



3. MAP w/ MEASUREMENTS



S 00°44'00" E 1780.42' & N 89°38'00" W 1958.34'
FROM THE COR. ROBERT E. HARMON D.L.C. 7

53RD AVE (VOL. 9, PG. 485 RD. RECORDS)

SEE MAP 11 4W 24CA

ACCT 150454

S 89°38'00" E 1483.27' FROM NE COR. OF LOT 1, RANCHO RIO RALPHO SUB.

SEE MAP 11 4W 24CB

C.R. 135

1300 0.64 AC. C.S. 7835

1100 0.30 AC. C.S. 19648

1000 0.62 AC. C.S. 19592

800 1.18 AC.

600 2.47 AC. N 02°12'00" E 425.01'

500 1.72 AC. N 02°12'00" E 425.01'

300 0.28 AC. N 02°12'00" E 425.01'

100 0.37 AC. N 02°12'00" E 425.01'

PARCEL 2

APPROXIMATE EDGE OF LAKE

PARCEL 3

PARCEL 1

700 6.31 AC. S 78°31'35" E 624.96'

400 4.73 AC. N 02°12'00" E 425.01'

200 0.96 AC. N 02°12'00" E 425.01'

500 1.72 AC. N 02°12'00" E 425.01'

100 0.37 AC. N 02°12'00" E 425.01'

P. PLAT 1992-09

8-1

C.S. 20277

LAKE

PARCEL 1

8-2

ACCT. 377263

ACCT 361366

8-1

SEE MAP 11 4W 24

SEE MAP 11 4W 25

Melinda C. Martin
34550 Hwy 99E
Tangent, OR 97389

Bare land

Exhibit B

APN: 0361366
0377263
Map: 11S 4W 24C 00600
11S 4W 24C 00700

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Tobi Lynn Nielsen, Surviving Trustee of the David and Tobi Nielsen Revocable Living Trust, as to Parcel No. 1; and

Tobi L. Nielsen, as to Parcel No. 2, Grantor, conveys and warrants to Melinda C. Martin, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon:

PARCEL NO. 1:

Beginning at a 1/2" iron rod North 89° 38' West 2158.35 feet from a point on the East line of and South 0° 44' East 1780.42 feet from the Northeast corner of the Robert E. Harmon Donation Land Claim No. 77 in Township 11 South, Range 4 West, Willamette Meridian, County of Linn, State of Oregon; thence North 89° 38' West 90.0 feet; thence South 2° 12' West 425.01 feet; thence North 89° 38' West 78.0 feet; thence South 2° 12' West 417.94 feet to the South line of that property conveyed to Ray H. Maddy, et ux by Deed recorded in Book 233, page 858, Linn County Records; thence South 89° 19' East along said South line 168.0 feet to a point which bears South 2° 12' West of the point of beginning; thence North 2° 12' East 843.88 feet to the point of beginning.

PARCEL NO. 2:

Beginning at a 1/2" iron rod North 89° 38' West 2248.35 feet from a point on the East line of and South 0° 44' East 1780.42 feet from the Northeast corner of the Robert E. Harmon Donation Land Claim No. 77 in Township 11 South, Range 4 West, Willamette Meridian, County of Linn, State of Oregon; thence South 2° 12' West 425.01 feet to a 1/2" iron rod; thence North 89° 38' West 78.0 feet to a 1/2" iron rod; thence South 2° 12' West 417.94 feet to the South line of that parcel conveyed to Ray H. Maddy, et ux by Deed recorded in Book 233, page 858, Linn County Records; thence North 89° 19' West along said South line 426.05 feet; thence North 23° 34' West 529.13 feet to a 1/2" iron rod; thence South 79° 34' East 625.00 feet to a 1/2" iron rod; thence North 12° 11' 48" East 85.87 feet; thence North 21° 17' 52" West 60.0 feet to a 1/2" iron rod at the Southeast corner of that parcel conveyed to R. W. Everson and recorded in Volume 19, page 653, Linn County Records; thence North 0° 22' East 327.0 feet to a 1/2" iron rod which bears North 89° 38' West 130.45 feet from the point of beginning; thence South 89° 38' East 130.45 feet to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$225,000.00). (See ORS 93.030).

Subject to:

Rights of the public to any portion of the Land lying within the area commonly known as 53rd Avenue, County Road 135.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Mountain States Power Company
Purpose: Public utilities
Recording Date: December 12, 1932
Recording No: Book 140, page 195
Affects: Reference is hereby made to said document for full particulars

AFTER RECORDING RETURN TO
TICOR TITLE: 41000122005



After recording return to:
Tammy Laffin and Scott Laffin
1894 53rd Avenue SW
Albany, OR 97321

Until a change is requested all tax
statements shall be sent to the
following address:
Tammy Laffin and Scott Laffin
1894 53rd Avenue SW
Albany, OR 97321

File No.: 7091-3266592 (TM)
Date: June 24, 2019

THIS SPACE RESERVED FOR RECORDER'S USE	
LINN COUNTY, OREGON	2019-13048
D-WD	08/06/2019 12:14:00 PM
Stn=49 K. PETERSON	\$110.00
\$10.00 \$11.00 \$10.00 \$60.00 \$19.00	
I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Steve Druckenmiller - County Clerk	

STATUTORY WARRANTY DEED

Western Sky Holdings, LLC, Grantor, conveys and warrants to **Tammy Laffin and Scott Laffin as tenants by the entirety**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Linn, State of Oregon, described as follows:

BEGINNING SOUTH 0° 44' EAST 1780.42 FEET (ALONG THE EAST LINE OF THE ROBERT E. HARMON D.L.C. 77) AND NORTH 89° 38' WEST 2718.98 FEET (PARALLEL TO THE NORTH LINE OF SAID D.L.C. 77) FROM THE NORTHEAST CORNER OF THE ROBERT E. HARMON D.L.C. 77 IN TOWNSHIP 11 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; AND RUNNING THENCE NORTH 89° 38' WEST, PARALLEL TO THE NORTH LINE OF SAID D.L.C. 77, A DISTANCE OF 115.0 FEET; THENCE SOUTH 0° 22' WEST 122.0 FEET TO THE NORTHERLY EDGE OF A LAKE; THENCE EASTERLY ALONG SAID LAKE TO A POINT WHICH BEARS SOUTH 0° 22' WEST OF THE PLACE OF BEGINNING; THENCE NORTH 0° 22' EAST 133.0 FEET TO THE PLACE OF BEGINNING.

NOTE: This legal description was created prior to January 1, 2008.

Subject to:

Taxes for fiscal year 2019-2020 are a lien due but not yet payable.

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$299,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN 3266592