

RESOLUTION NO. 3238

A RESOLUTION SETTING A PUBLIC HEARING FOR THE REMOVAL OF TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT FOR PROPERTY LOCATED AT 1980 53RD AVENUE SW (TAX LOTS 600 AND 619, 11-4W-24) AND CONTAINING 10.23 ACRES MORE OR LESS (FILE NO. AN-07-91).

WHEREAS, the City Council has annexed in accordance with the provisions of ORS 222.750 certain property described by attached Exhibit A and more commonly known as 1980 53rd Avenue which is adjacent to the City of Albany; and

WHEREAS, provisions of state law and the Albany Development Code waive requirements for Planning Commission review and public hearings for such annexations; and

WHEREAS, a public hearing should be held concerning the withdrawal of said territory from the Albany Rural Fire Protection District under the provisions of ORS 222.524.

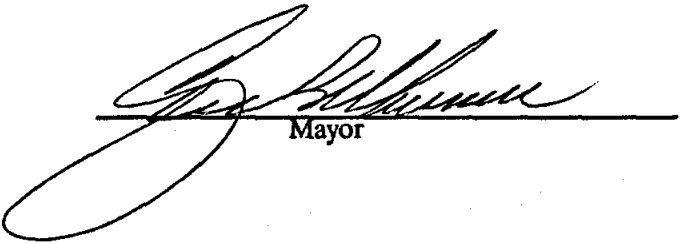
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that a public hearing on the matter of removal of the territory described in Exhibit A from the Albany Rural Fire Protection District be held by the City Council on March 31, 1993, at 7:15 p.m.

BE IF FURTHER RESOLVED that the City Recorder shall give notice of the hearing by publication once each week for two (2) successive weeks prior to the day of said hearing in a newspaper of general circulation within the city. The City Recorder shall further cause notice of this hearing to be posted in four (4) public places within the city for a like time.

BE IT FURTHER RESOLVED that the property described by attached Exhibit A shall be effectively annexed to the City of Albany on the date that the complete abstract of the annexation proceedings described above is filed with the Secretary of State of the State of Oregon.


DATED THIS 10th DAY OF MARCH, 1993.





Mayor

ATTEST:



Deputy City Recorder

**EXHIBIT A
LEGAL DESCRIPTION
CASE NO. AN-07-91**

A portion of that certain tract conveyed to Ray H. and Velma L. Maddy per Deed Book 233, Page 858, Linn County Deed Records; said tract lying in the Southwest 1/4 of Section 24, T11S, R4W, W.M., Linn County, Oregon; said portion being more particularly described as follows:

Beginning at a 5/8" iron rod on the southerly right-of-way line for County Road No. 135 (53rd Avenue); at the northeast corner of that tract conveyed to M-3-A, Inc. per MF Volume 462, Page 293, said deed records which lies along said right-of-way 5 89°38'00"E 1483.27 feet from a 5/8" iron rod at the northeast corner of Lot 1, Rancho Rio Ralpho Subdivision; thence leaving said right-of-way line along the easterly line of said M-3-A tract S 2°37'58"W 823.48 feet to a 5/8" iron rod at the southeast corner thereof lying on the south line of said Maddy tract; thence along the Maddy south line S 89°24'37" E 489.66 feet to a 1/2" iron rod at the southwest corner of that tract conveyed to Ruby Nielsen per MF Volume 154, Page 590, said deed records; thence leaving said south line, along the Nielsen westerly line, N 23°33'21" W 529.21 feet to a 1/2" iron rod at the westerly-northwest corner thereof; thence continuing along said Nielsen boundary S 79°31'35" E 624.98 feet to a 1/2" iron rod; thence N 15° 10'15" E 85.90 feet to a 1/2" iron rod; thence N 21°19'25" W 60.02 feet to a 1/2" iron rod at the southeast corner of that tract conveyed to Donald and Peppy Stacy per MF Volume 184, Page 101, said deed records; thence leaving the westerly line of said Nielsen tract, along the Stacy south line, N 89°38'W 189.17 feet to the southwest corner thereof; thence along the Stacy westerly line N 18°00' E 102.4 feet, more or less, to the northerly edge of an existing lake at a point lying S 18°00' W, 25 feet, more or less from a 1/2" iron rod, said point being the southeast corner of that tract conveyed to Harold E. and Aretha B. Shelton per Deed Book 303, Page 622, said deed records; thence along the Shelton Southerly line approximately N 67° W 118 feet, more or less, to a point on the northerly edge of said lake lying S 0°22' W 18 feet, more or less, from a 1/2" iron rod, said point being the southeast corner of that tract conveyed to Lloyd K. and Esther O. Evenson per Deed Book 345, Page 219, said deed records; thence along the Evenson southerly line approximately N 85°W 115.5 feet, more or less, to the southwest corner thereof, on the northerly line of said lake, lying S 0°22' W 17 feet, more or less from a 1/2" iron rod; thence along the Evenson westerly line N 0°22'E 107 feet, more or less, to a 5/8" iron rod at the northwest corner thereof, on said southerly right-of-way line for County Road No. 135; thence continuing N 0°22' E 30.00 feet to the centerline of said road right-of-way; thence along said centerline N 89°38'00" W 402.33 feet; thence leaving said centerline; thence S 0°22' W 30.00 feet to the point of beginning; containing 9.86 acres, more or less.

