

ORDINANCE NO. 5358

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED SOUTH OF GRAND PRAIRIE ROAD SE AND WEST OF INTERSTATE 5, MORE COMMONLY KNOWN AS 3320 GRAND PRAIRIE ROAD SE, CONTAINING 46.54 ACRES MORE OR LESS, AND DECLARING AN EMERGENCY (FILE AN-05-97).

WHEREAS, on February 11, 1998, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3903 and described in Exhibits A and B, attached hereto; and

WHEREAS, on February 11, 1998, the Albany City Council adopted Resolution No. 3903 setting a date for a public hearing concerning the withdrawal of said territory from the Albany Rural Fire Protection District; and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and on March 11, 1997, 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 District 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described territory to-wit: (see attached legal description, Exhibit A, and map, Exhibit B) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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 the State of Oregon, the State of Oregon Department of Revenue, and the Albany 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 Council: March 11, 1998

Approved by Mayor: March 11, 1998

Effective Date: March 11, 1998

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**Annexation File AN-05-97**

Linn County Assessor's Map 11-3W-16, Tax Lot 1400 and Grand Prairie Road Right-of Way

The following described real property in the County of Linn and State of Oregon:

**A TRACT OF LAND IN THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF GRAND PRAIRIE DRIVE, VARIABLE WIDTH RIGHT OF WAY. SAID POINT BEING 211.69 FEET, SOUTH 64°58'41" EAST AND 233.83 FEET, SOUTH 00°25'24" WEST OF AN ALUMINUM CAP MARKING THE 1/4 CORNER COMMON TO SECTION 16 AND 17; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE, SOUTH 65°43'33" EAST, 321.30 FEET; THENCE SOUTH 66°00'20" EAST, 76.56 FEET; THENCE SOUTH 65°53'39" EAST, 393.06 FEET; THENCE SOUTH 74°43'29" EAST, 418.03 FEET; THENCE SOUTH 74°45'13" EAST, 414.81 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF INTERSTATE 5; THENCE LEAVING SAID NORTHERLY RIGHT OF WAY LINE OF SAID GRAND PRAIRIE DRIVE, SOUTH 00°05'12" EAST, 171.39 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID GRAND PRAIRIE DRIVE RIGHT OF WAY; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE, ALONG SAID WEST RIGHT OF WAY LINE OF SAID INTERSTATE 5, SOUTH 00°11'40" WEST, 893.63 FEET; THENCE LEAVING SAID WEST RIGHT OF WAY LINE OF SAID INTERSTATE 5, SOUTH 89°49'30" EAST, 1585.14 FEET; THENCE NORTH 00°33'12" WEST, 731.21 FEET; THENCE SOUTH 89°46'14" EAST, 41.79 FEET; THENCE NORTH 00°31'09" EAST, 805.32 FEET; THENCE NORTH 00°31'09" EAST, 66.85 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID GRAND PRAIRIE DRIVE AND THE POINT OF BEGINNING OF THIS DESCRIPTION.**

**THE ABOVE DESCRIBED TRACT CONTAINS 46.54 ACRES OF LAND, MORE OR LESS.**

**EXHIBIT B  
EXHIBIT MAP  
Annexation File AN-05-97**

Linn County Assessor's Map 11-3W-16, Tax Lot 1400 and Grand Prairie Road Right-of-Way

