

ORDINANCE NO. 5597

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED EAST OF CLOVER RIDGE ROAD (LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-03B, TAX LOTS 300, 400, 500, 600, AND 700) CONTAINING APPROXIMATELY 27 ACRES MORE OR LESS AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on January 12, 2005, proclaimed the annexation of territory by adoption of Ordinance No. ~~5585~~ and described in Exhibit A attached hereto; and

WHEREAS, the Albany City Council set a date for a public hearing concerning the withdrawal of said territory from the Albany Rural Fire Protection District (ARFD); and

WHEREAS, notices of said public hearing were published and posted in the manner and for the time prescribed by law and on January 12, 2005, 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 ARFD 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Section 1: The following described real property to-wit (see attached Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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, 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 the Council: January 12, 2005

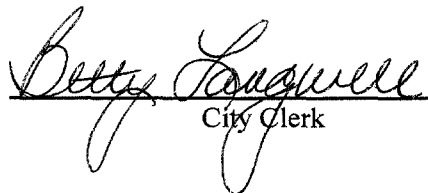
Approved by the Mayor: January 12, 2005

Effective Date: January 12, 2005



Mayor

ATTEST:



City Clerk

EXHIBIT A
LEGAL DESCRIPTION
FILE AN-02-04

Beginning at a point on the East line of and South 0° 05' West 1092.96 feet South of the Northeast corner of the Robert Houston DLC No. 38 in Township 11 South, Range 3 West, Section 3 of the Willamette Meridian in Linn County, Oregon, said point being the Northeast corner of that tract of land conveyed to Matthew & Julie James by deed recorded in Microfilm Volume 886, Page 613, Linn County Deed Records; thence along the North line of said James tract North 89° 39' West 1259.94 feet to the Southeast corner of that tract of land conveyed to Iris Patton by deed recorded in Microfilm Volume 1421, Page 613 Linn County Deed Records; thence North 0° 16' West 251.33 feet to the Northeast corner of said Patton tract; thence along the North line of said Patton tract North 89° 39' West 346.63 feet to the centerline of Clover Ridge Road (County Road No. 320); thence along said center line South 0° 16' East 930.07 feet, more or less, to the Southwest corner of that tract of land conveyed to Breadner Parker & Associates by deed recorded in Microfilm Volume 1404, Page 733, Linn County Deed Records; thence along the South line of said Breadner tract South 89° 39' East 1602.41 feet to the Southeast corner of said Breadner tract; thence along the East line of said Robert Houston DLC No. 38 North 0° 05' East 678.74 feet to the Point of Beginning.

Said area containing 27 acres, more or less

NW1/4 SEC.03 T.11S. R.03W. W.M.
LINN COUNTY, OREGON

NE COR
DLC 38
ROBERT
HOUSTON

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97.99A

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18.02A

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1.00A

1401
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1600
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0.92A

1501
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1400
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1500
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8-30

ALBANY
11S-03W-03B

AN-02-04

SEE MAP 11 3W 4DA

KNOX BUTTE RD

CLOVER RIDGE RD