

AN ORDINANCE WITHDRAWING TERRITORY FROM THE TANGENT RURAL FIRE PROTECTION DISTRICT LOCATED ON THE EAST SIDE OF PACIFIC BOULEVARD AND NORTH OF BETA DRIVE (LINN COUNTY ASSESSOR'S MAP NOS. 11S-03W-30, TAX LOTS 900, 1000, 1001, AND, 1002) CONTAINING APPROXIMATELY 7.1 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. ~~5592~~ 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  
~~Tangent~~

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Section 1: The following described real property to-wit (see attached Exhibit A) is hereby proclaimed to be withdrawn from the ~~Albany~~ Rural Fire Protection District.  
~~Tangent~~

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.  
~~Tangent~~

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:

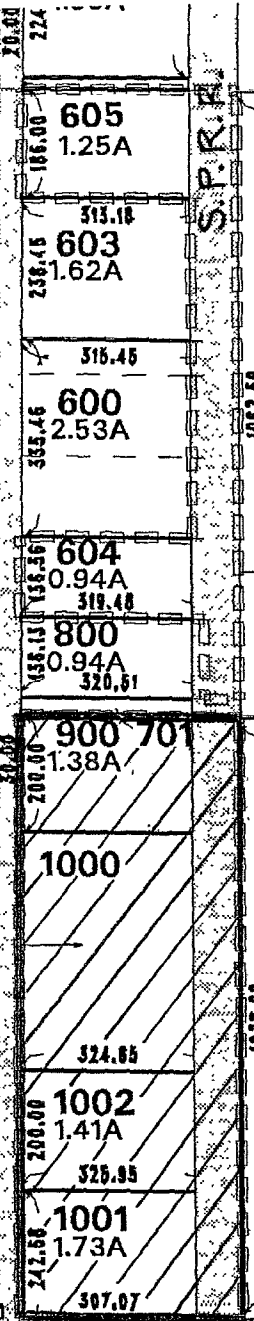
  
\_\_\_\_\_  
City Clerk

**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**FILE AN-B6-04**

Beginning at a 1/2-inch rod on the East right-of-way line of State Highway 99 East, said point also being North 0° 31' 30" East 40.0 feet and South 89° 35' East 38.3 feet from the Southwest corner of Section 30 in Township 11 South, Range 3 West, of the Willamette Meridian in Linn County, Oregon; thence South 89° 35' East 387.07 feet, more or less, to the East right-of-way line of the Southern Pacific Railroad; thence along said East railroad right-of-way North 0° 07' East 1022.6 feet, more or less, to the Northwest corner of that tract of land conveyed to Schrock Farms, Inc. by deed recorded in Book 269, Page 22 of Linn County Deed Records; thence North 89° 35' West 380.83 feet, more or less, to a point on the East right-of-way line of said State Highway 99 East; thence along the East right-of-way line of said State Highway 99 East South 0° 32' West 1022.6 feet, more or less, to the Point of Beginning.

ALBANY  
11S-03W-30  
AN-B6-04

602  
0.14A



S.P.R.R.

700  
51.09A

8-8

2088.50

1200  
125.28A

1062.80  
36.38 CH

HWY 99E

8-8

1100  
49.29A

2102.10

C.S. 3744

15.80 CH

CO RD NG 351  
BETA DX.

2097.02

440.00