

ORDINANCE NO. 4929

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT (FILE NO. AN-02-90).

WHEREAS, on September 26, 1990 the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 2985 and described in Exhibit A, attached hereto; and

WHEREAS, on September 26, 1990 the Albany City Council adopted Resolution No. 2985 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 October 10, 1990 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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.

Passed by the Council: October 10, 1990

Approved by the Mayor: October 11, 1990

Effective Date: November 9, 1990



Mayor

ATTEST:



City Recorder

**EXHIBIT A
LEGAL DESCRIPTION
CASE NO. AN-02-90**

**QUEEN AVENUE (OAKVILLE ROAD) ANNEXATION
BROADWAY STREET TO CALAPOOIA RIVER BRIDGE**

Beginning at a point which bears South 1° 30' East, 30.01 feet from the southwest corner of the Walter Monteith DLC #55, said DLC corner being at Engineer's Station 233+67.40 as described in Linn County Road File #211, said beginning point being the intersection of the south right-of-way of Queen Avenue as described in Linn County Road File #211 and the centerline of Broadway Street, in Section 12, Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence continuing along said south right-of-way the following courses: South 86° 57' 20" West, 5.13 feet; thence on the arc of a 160.99 foot radius curve to the left (the chord of which bears South 69° 15' 52" West, 97.85 feet) a distance of 99.42 feet; thence South 51° 32' 03" West, 1627.88 feet; thence on the arc of a 1771.73 foot radius curve to the right (the chord of which bears South 54° 36' 41" West, 190.21 feet) a distance of 190.30 feet; thence South 57° 41' 18" West, 141.87 feet; thence leaving said south right-of-way and running North 32° 18' 42" West, 77.00 feet to a point on the north right-of-way of Queen Avenue as described in said Linn County Road File #211, said point also being at Engineer's Station 212+86.69; thence continuing along said north right-of-way the following courses: North 57° 41' 18" East, 109.31 feet; thence South 32° 18' 42" East, 17.00 feet; thence North 57° 41' 18" East, 32.56 feet; thence on the arc of a 1711.73 foot radius curve to the left (the chord of which bears North 54° 36' 41" East, 183.77 feet) a distance of 183.86 feet; thence North 51° 32' 03" East, 1627.88 feet; thence North 51° 29' 22" East, 129.62 feet; thence leaving said north right-of-way line and running North 1° 30' West, 12.00 feet to the southeast corner of Lot 2, Block 6, Hazelwood Addition to the City of Albany, Linn County, Oregon; thence South 54° 45' 42" East, 74.87 feet to a pipe at the southwest corner of Block 1, Albany Heights Addition to the City of Albany, Linn County, Oregon; thence South 1° 30' East, 60.02 feet to a 4-inch brass cap at the northeast corner of that parcel conveyed to the United States of America in Book 161, Page 421, Linn County Deed Records; thence South 86° 57' 20" West, 30.01 feet to the point of beginning; containing 3.01 acres, more or less.

SAVE AND EXCEPT: That portion of the above described property lying within the existing City Limits.

