

ORDINANCE NO. 5301

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED AT 1720 AND 1740 QUEEN AVENUE SW (LINN COUNTY ASSESSOR'S MAP NO. 11-4W-13BA, TAX LOT 3300 AND 3400) AND CONTAINING 0.62 ACRE, MORE OR LESS. (FILE NO. AN-03-97)

WHEREAS, on July 9, 1997, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3810 number and described in Exhibit A, attached hereto; and

WHEREAS, on July 9, 1997, the Albany City Council adopted Resolution No. 3810 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 August 13, 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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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 Council: August 13, 1997

Approved by Council President August 13, 1997

Effective Date: September 12, 1997

Wayne M. Turk
Council President

ATTEST:

[Signature]
City Recorder

LEGAL DESCRIPTION
File AN-03-97

Tax Lot 3300, Linn County Assessor's Map 11-4W-13BA

Beginning at a point 0.74 chains North 1°30' West and 8.075 chains South 51°15' West from the Southwest corner of the Donation Land Claim of Walter Monteith's Notification No. 1978, Claim No. 55 in Section 12, Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; thence South 38°45' East 2.71 chains; thence South 51°15' West 0.9225 chains; thence North 38°45' West 2.71 chains; thence North 51°15' East 0.9225 chains to the point of beginning. ALSO: Beginning at a point 0.74 chains North 1°39' West and 9.00 chains South 51°15' West and 2.71 chains South 38°45' East from the Southwest corner of Walter Monteigh's Donation Land Claim No. 55, in Township 11 South, Range 4 West of the Willamette Meridian; and running thence South 38°45' East 100 feet; thence North 51°15' East 72 feet; thence North 38°45' West 100 feet; thence South 51°15' West 72 feet to the point of beginning.

Tax Lot 3400, Linn County Assessor's Map 11-4W-13BA

Beginning at a point 0.74 chains North 1°30' West 7.155 Chains South 51°15' West from the Southwest corner of the Donation Land Claim of Walter Monteith's Notification No. 1798, Claim No. 55 in Section 12, Township 11 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence South 38°45' East 2.71 chains; thence South 51°15' West 0.9175 chains; thence North 38°45' West 2.71 chains; thence North 51°15' East 0.9175 chains to the place of beginning.

NE 1/4 NW 1/4 Sec. 13 T.11S. R.4W. W.M.
LINN COUNTY

11 4W 13BA
ALBANY

