

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT (ARFD) LOCATED NORTH OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY, CONTAINING 12.55 ACRES MORE OR LESS, AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on December 6, 2000, proclaimed the annexation of territory by adoption of Ordinance No. 5467 and described in Exhibits A and B, 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 was published and posted in the manner and for the time prescribed by law and on December 18, 2000, 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described real property to-wit (see attached map Exhibit A, and legal description Exhibit B) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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, 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.

STATE OF OREGON }
County of Linn } SS
City of Albany }

I hereby certify that I have compared the (foregoing, within) with the original thereof, and that it is a correct copy therefrom and of the whole thereof.

Dated December 20, 2000
Betty Langwell, City Clerk

ATTEST:

Ken Thayer
City Recorder

Passed by Council: December 18, 2000

Approved by Mayor: December 18, 2000

Effective Date: December 18, 2000

Charles McGowan
Mayor

Return to: City of Albany - Recorder
P.O. Box 490, Albany, OR 97321

EXHIBIT A
ZONING MAP
FILE AN-02-99

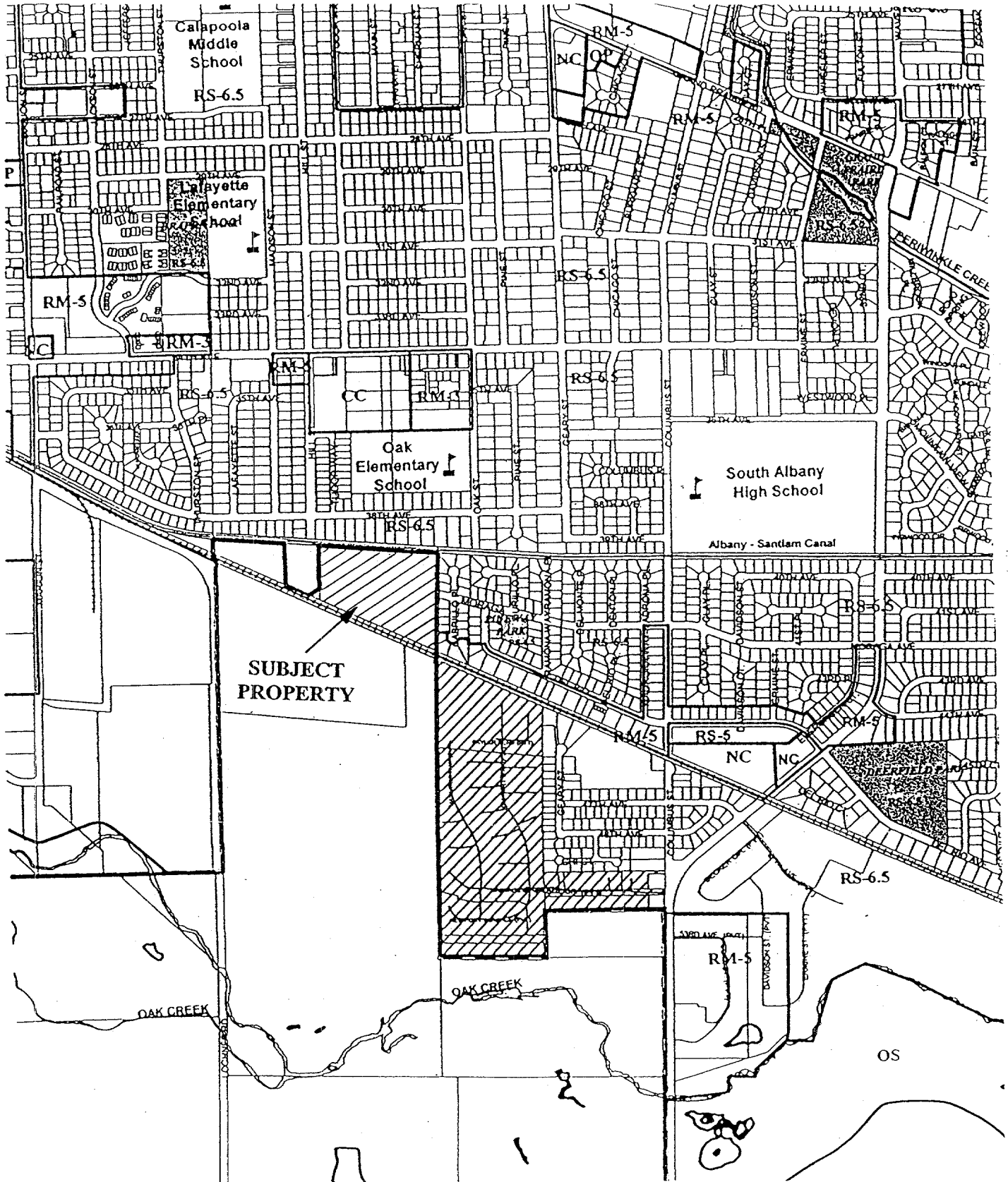


EXHIBIT B
LEGAL DESCRIPTION
FILE AN-02-99

Legal description of the property shown on Linn County Assessor Map 11S-03W-20, tax lot 600, as described in Linn County, Oregon, Microfilm Deed Records, Volume 881, Page 421. The subject property being that portion of the described property that lies north of the Union Pacific Railroad right-of-way, containing 12.55 acres, more or less.

STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By SD, Deputy

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Legal Description for City of Albany Ordinance No. 5467
(Annexation File No. AN-02-99)
Oregon Department of Revenue File No. 22-420-2000

*Annexed into
City
Ord # 5468 - Withdrawn
from rural fire
prevention district*

Beginning at a point on the South line of the Albany Santiam Canal and the West right-of-way line of Columbus Street in the City of Albany, Linn County, Oregon; thence along the South line of the Albany Santiam Canal South $89^{\circ} 40' 55''$ West 741.54 feet; thence continuing along the South line of the Albany Santiam Canal North $86^{\circ} 16' 00''$ West 986.20 feet to the Northwest corner of the First Addition to Pineway subdivision which is **the true point of beginning**; thence South $0^{\circ} 43' 23''$ West 770.91 feet along the West boundary of the First Addition to Pineway subdivision to the North right-of-way line of the Southern Pacific Railroad; thence along the North right-of-way line of the Southern Pacific Railroad North $65^{\circ} 37' 40''$ West 973 feet to the Southeast corner of the Weatherford Tract described in Linn County Microfilm Deed Records Volume 767 Page 964; thence North $1^{\circ} 04' 30''$ West 428.93 feet along the East property line of said Weatherford Tract to the South line of the Albany Santiam Canal; thence South $86^{\circ} 16' 00''$ East 905 feet along the South line of the Albany Santiam Canal to the true point of beginning. Containing 12.3 acres, more or less.