

ORDINANCE NO. 5786

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED ON 210 CLOVER RIDGE ROAD NE (LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-04AC, TAX LOT 703), CONTAINING APPROXIMATELY 1.5 ACRES MORE OR LESS, AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on June 27, 2012, proclaimed the annexation of territory by adoption of Ordinance No. 5782 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 were published and posted in the manner and for the time prescribed by law and on June 27, 2012, 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real property to-wit (see attached map, Exhibit A, and legal description, Exhibit B) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

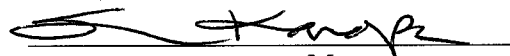
Section 2: The City Clerk shall, within 10 days of the effective date of this ordinance, file a copy of the ordinance with the County Assessor of Linn County, Secretary of State of the State of Oregon, State of Oregon Department of Revenue, and the Albany Rural Fire Protection District.

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: June 27, 2012

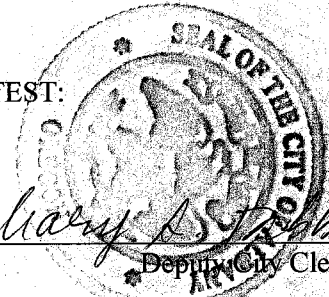

Approved by the Mayor: June 27, 2012

Effective Date: June 27, 2012



Mayor

ATTEST:

Deputy City Clerk

Exhibit A

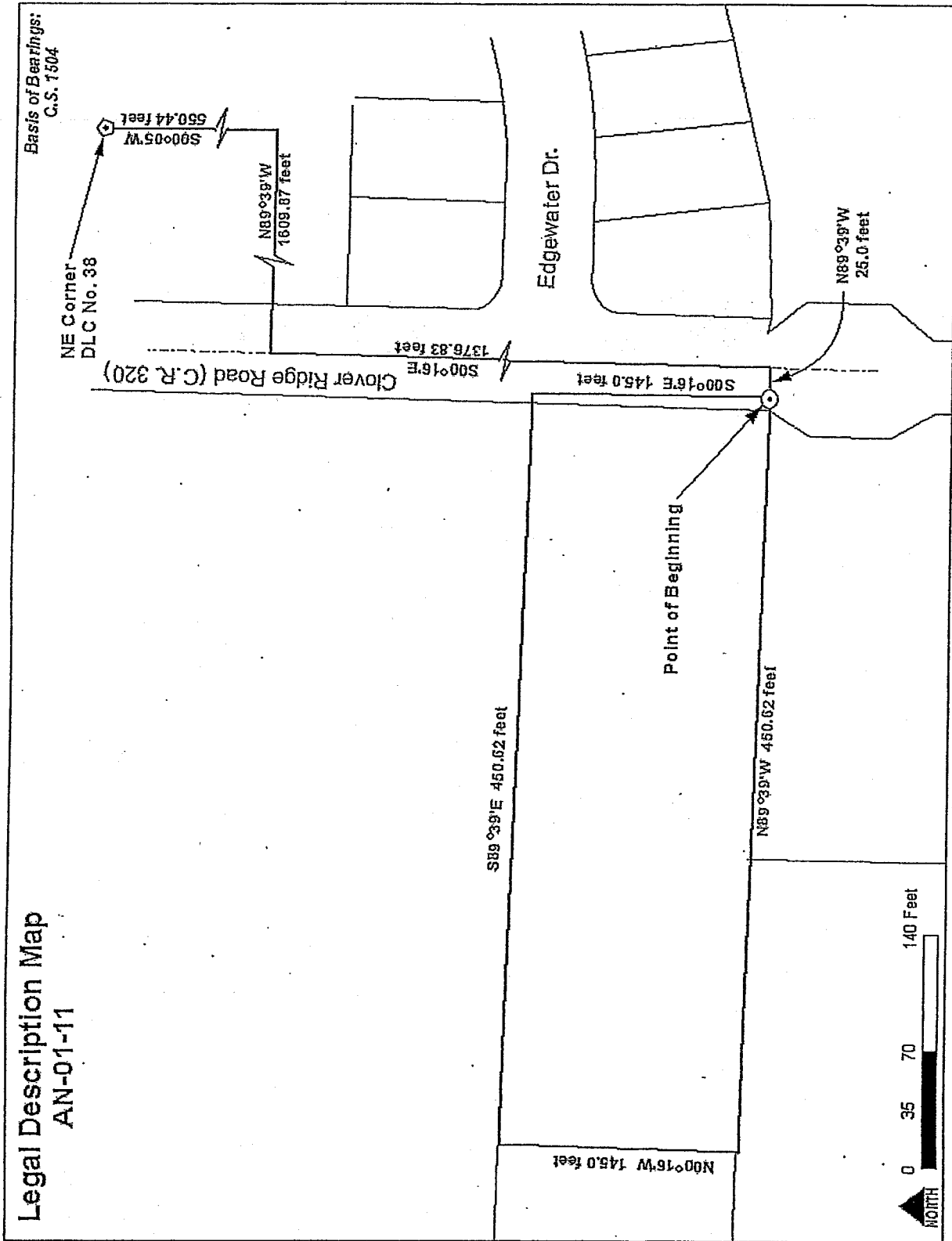


EXHIBIT B
LEGAL DESCRIPTION
FILES AN-01-11/ZC-02-11

A tract of land located in the Northeast one-quarter of Section 4 in Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon that is more particularly described as follows:

Beginning at a point on the current city limits boundary of the City of Albany, said point being located South 00°05' West 550.44 feet and North 89°39' West 1609.87 feet and South 00°16' East 1376.83 feet and North 89°39' West 20.0 feet from the Northeast corner of the Robert Houston Donation Land Claim No. 38 in said township and range; thence North 89°39' West 450.62 feet to the southeast corner of that tract described in Linn County Microfilm Deed Records MF293-93; thence North 00°16' West along the east line of said tract a distance of 145.0 feet to the south line of that tract described in Linn County Microfilm Deed Records Volume 164, Page 212, said line also being the existing city limits boundary of the City of Albany; thence South 89°39' East along said south line and said city limits boundary a distance of 450.62 feet to the current city limits boundary of the City of Albany in Clover Ridge Road; thence South 00°16' East along said city limits boundary a distance of 145.0 feet to the Point of Beginning.

Said area containing 1.50 acres, more or less.

EXHIBIT B

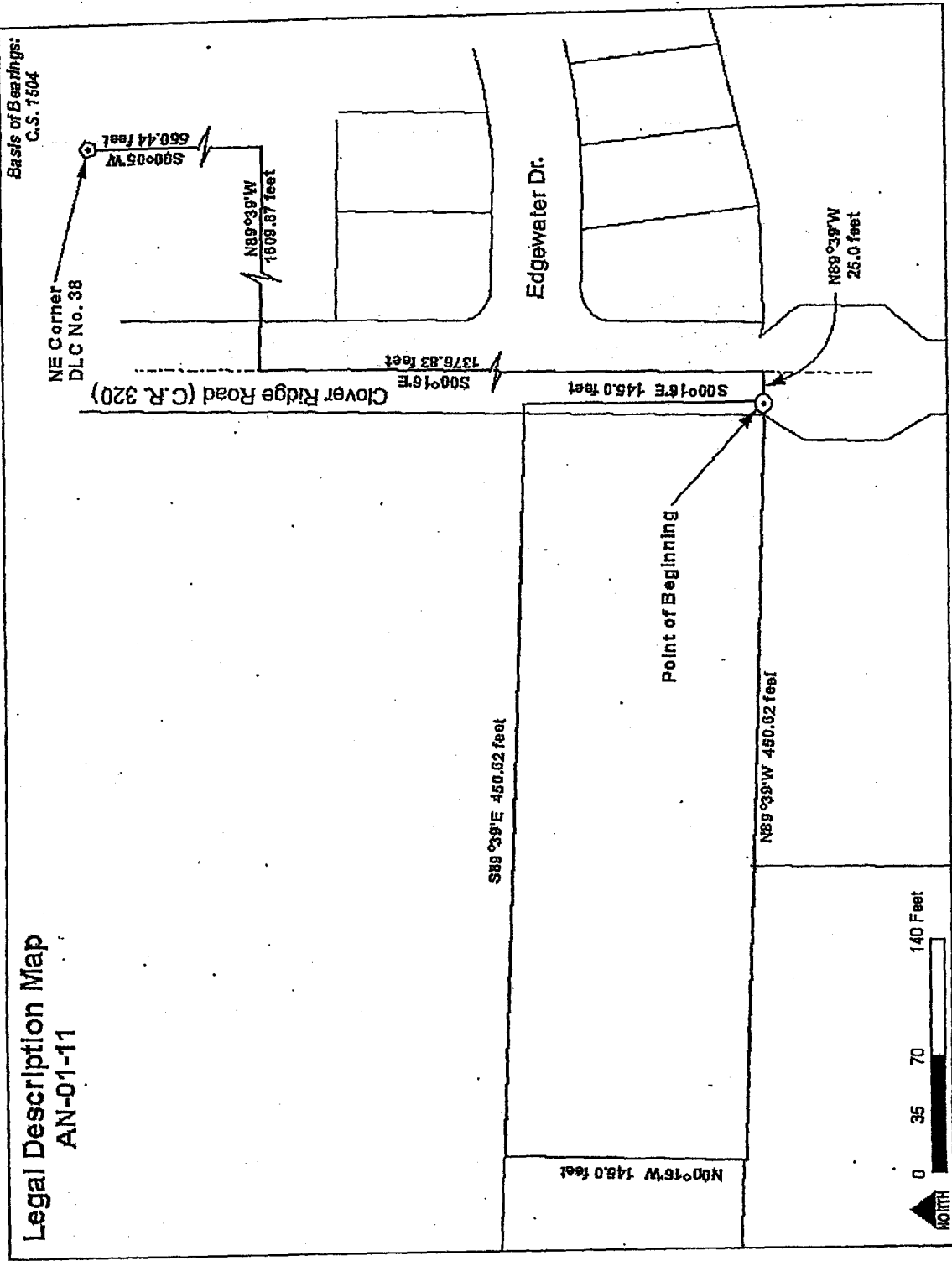
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Exhibit A



*Also See Recorder File
No. 5819*



TO: Sheena Dickerman, Library; Debbie Little, Parks; Lorri Headrick, Fire; GIS
FROM: Mary Dibble, City Clerk
DATE: July 12, 2012
SUBJECT: Annexation Corrections

On June 28, 2012, I sent you copies of Ordinances regarding the annexation of two properties, 210 Clover Ridge Road and 120 Clover Ridge Road. These properties are now inside the City limits.

Please note the ordinances regarding 210 Clover Ridge Road had a clerical error in the legal description (the first course in the description was changed from "S00°16'W" to "S00°05'W".)

A corrected copy of Ordinance No. 5782 (proclaiming annexation) and Ordinance No. 5786 (withdrawal of territory from a fire district) are enclosed for your records. The only change is to second line on the legal description.

If you have any questions, please call.

Thank you!

MD

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
fax 503-945-8737

City of Albany
CITY CLERK
PO Box 490
Albany, OR 97321-0144

Description and Map Approved
July 23, 2012
As Per ORS 308.225

Description Map received from:
On: 7/9/2012, 7/20/2012

This is to notify you that your boundary change in Linn County for
Withdrawal from the Albany RFPD

Ordinance No 5786

has been: Approved 7/23/2012
 Disapproved

Notes:

Department of Revenue File Number: 22-604-2012

Prepared by: Robert Ayers 503-945-8883

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge
- Establishment of Tax Zone