



ORDINANCE NO. 5984

AN ORDINANCE WITHDRAWING TERRITORY IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-29 AS TAX LOT 402 FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT.

WHEREAS, on April 8, 2022, the Albany Community Development Department received an application for annexation with concurrent zoning map amendment for a 26.61-acre parcel located on Lochner Road, north of 823 Ellingson Road SE (Planning Files AN-03-22 and ZC-05-22); and

WHEREAS, annexation of the subject property results in withdrawal of the territory from the Albany Rural Fire Protection District (ARFPD); and

WHEREAS, on June 20, 2022, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed annexation with zoning map amendment, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, on July 13, 2022, the Albany City Council held 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 ARFPD is in the best interests of the citizens of Albany.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

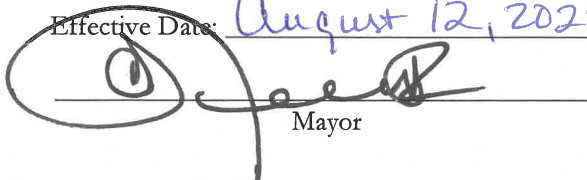
Section 1: The territory shown on the map in Exhibit A and described in Exhibit B of this ordinance is hereby proclaimed to be withdrawn from the ARFPD.

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 Oregon, State of Oregon Department of Revenue, and the Albany Rural Fire Protection District.

Passed by the Council: July 13, 2022

Approved by the Mayor: July 13, 2022

Effective Date: August 12, 2022



Mayor

ATTEST:



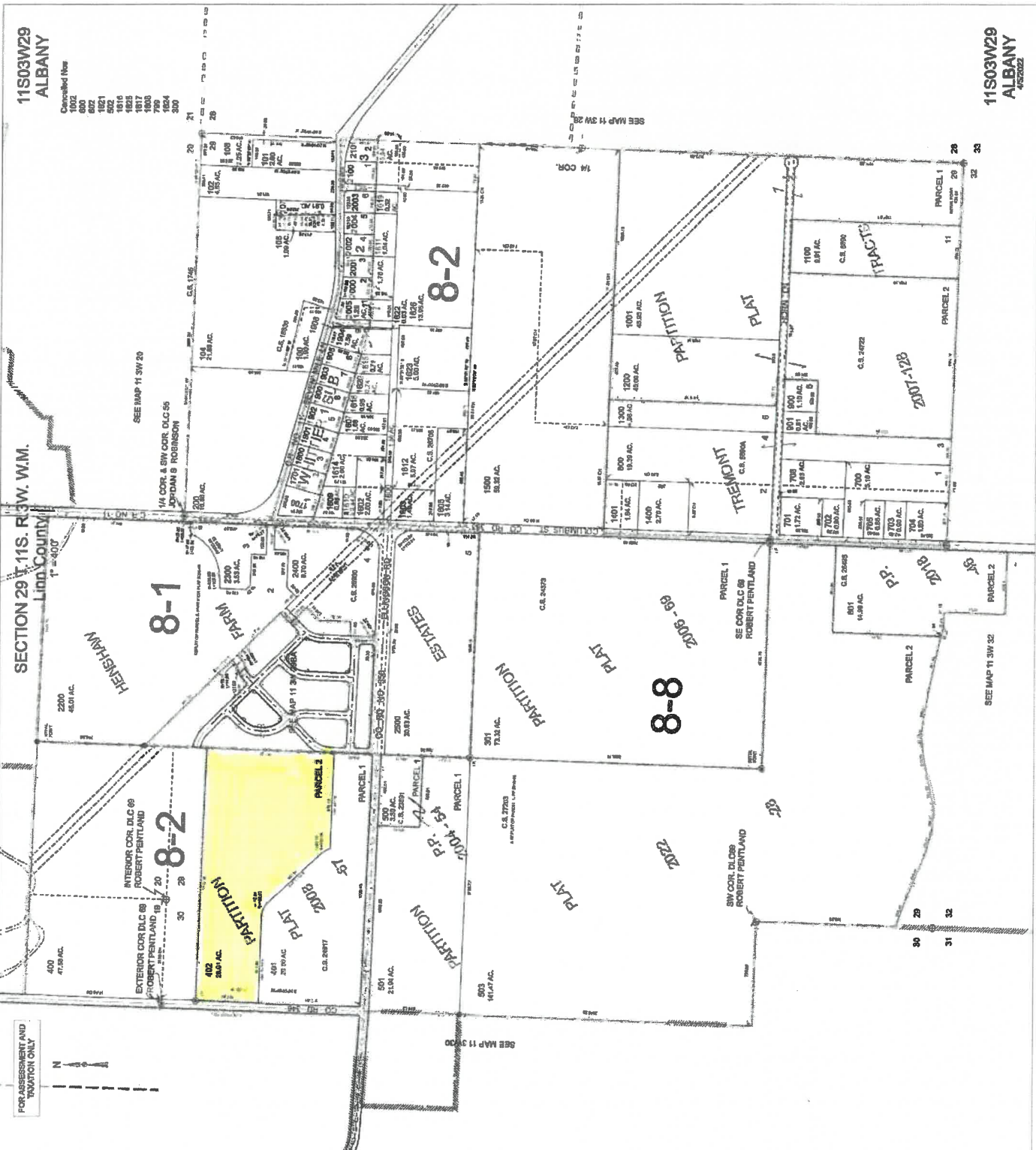
City Clerk



11S03W29
ALBANY

- Canceled Map
- 1002
 - 800
 - 602
 - 402
 - 202
 - 1616
 - 4626
 - 1617
 - 750
 - 1624
 - 300

11S03W29
ALBANY
4/26/2023



FOR ASSESSMENT AND
TAXATION ONLY

South Albany
Community Park



✓ After recording return to:
City of Albany
P.O. Box 490
Albany, OR 97321

Until a change is requested all tax statements shall be sent to the following address:
City of Albany
P.O. Box 490
Albany, OR 97321

File No.: 7091-1285011 (CLH)
Date: September 24, 2008

THIS SPACE RESERVED FOR RECORDER'S USE

LINN COUNTY, OREGON **2008-18868**
D-WD
Cnt=1 Stn=1 COUNTER 09/30/2008 12:04:58 PM
\$15.00 \$11.00 \$10.00 **\$36.00**



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



STATUTORY WARRANTY DEED

Chad C. Curry, Grantor, conveys and warrants to **City of Albany**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Fiscal year real property taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,246,875.00**. (Here comply with requirements of ORS 93.030)

First American Title 1285011

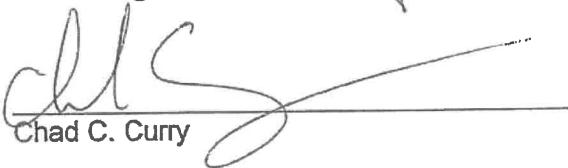
APN: 0128609

Statutory Warranty Deed
- continued

File No.: 7091-1285011 (CLH)
Date: 09/24/2008

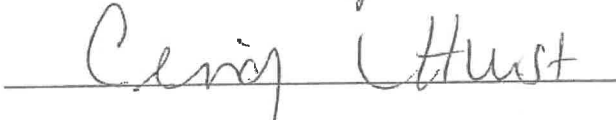
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195-336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195-336 AND SECTIONS 5 TO 11, OF CHAPTER 424, OREGON LAWS 2007.

Dated this 29th day of September, 2008.

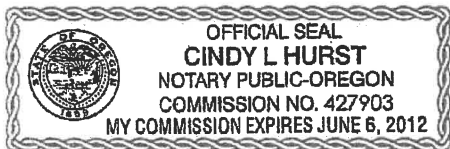

Chad C. Curry

STATE OF Oregon)
)ss.
County of Linn)

This instrument was acknowledged before me on this 29th day of September, 2008
by **Chad C. Curry**.



Notary Public for Oregon
My commission expires: 6-6-12



APN: 0128609

Statutory Warranty Deed
- continued

File No.: 7091-1285011 (CLH)
Date: 09/24/2008

EXHIBIT A

LEGAL DESCRIPTION:

Parcel 2, PARTITION PLAT NO. 2008-67, Record of Partition Plats, Linn County, Oregon.