

ORDINANCE NO. 4902

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT (FILE NO. AN-01-90).

WHEREAS, on March 14, 1990, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 2937 and described in Exhibit A, attached hereto; and

WHEREAS, on March 14, 1990, the Albany City Council adopted Resolution No. 2937 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 March 28, 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:

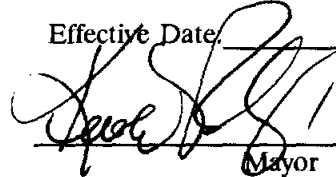
Section 1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

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, and the State of Oregon Department of Revenue.

Passed by the Council: March 28, 1990

Approved by the Mayor: March 29, 1990

Effective Date: April 27, 1990



Mayor

ATTEST:



City Recorder

EXHIBIT A

LEGAL DESCRIPTION

CASE NO. AN-01-90

Beginning at the southeast corner of the West 1/2 of the Edward White Donation Land Claim Number 48, in Section 16, Township 11 South, Range 3 West, of the Willamette Meridian; thence WEST on the south line of said Donation Land Claim line 928.75 feet to a point on the south line of said Donation Land Claim where the southerly extension of the westerly right of way line of Three Lakes Road intersects; thence North 00° 04' 30" East on the westerly right of way line of said Three Lakes Road 2,467.85 feet to a point on the westerly right of way line of said Three Lakes Road where the northerly property line of that parcel of land conveyed to Carl Helma and Fern Helma, husband and wife in Volume 314, Page 493 Linn County Deed Records intersect, said point being the TRUE POINT OF BEGINNING; thence on the westerly right of way line of said Three Lakes Road the following courses and distances; South 89° 22' West 10.00 feet, South 00° 04' 30" West 505.60 feet, South 89° 55' 30" East 10.00 feet, South 00° 04' 30" West 41.65 feet to a point on the westerly right of way line of said Three Lakes Road, said point being 20.00 feet WEST of the southwest corner of that parcel of land conveyed to Floyd Zumwalt as recorded in Volume HF 513, Page 695 Linn County Microfilm Deed Records; thence EAST 20.00 feet to said southwest corner, said point also being on the center line of Three Lakes Road right of way; thence EAST on the south line of said parcel recorded in Volume HF 513, Page 695 Linn County Microfilm Deed Records 911.39 feet to the southeast corner of said parcel; thence NORTH on the east line of said parcel 1,371.89 feet to the northeast corner of said parcel, said point being on the center line of the Spicer Drive right of way; thence continuing NORTH 35.24 feet to the north right of way line of Spicer Drive, said point also being the intersection of the east line of that parcel of land conveyed to Raymond E. Thogerson and Frances D. Thogerson in Volume 224, Page 445 Linn County Deed Records and the northerly right of way line of Spicer Drive; thence North 58° 24' West on the north right of way line of said Spicer Drive 844.77 feet to the southwest corner of Lot 23 East Albany Walnut Tracts as recorded in Book 5, Page 3 Linn County Plat Records; thence continuing on the northerly right of way line of said Spicer Drive, North 58° 24' West 153.51 feet to the point of curvature of a 77.30 foot radius curve to the right; thence leaving said northerly right of way of said Spicer Drive, North 89° 11' 16" West 58.61 feet to the center line intersection of said Spicer Drive and said Three Lakes Road; thence South 57° 55' 35" West 33.42 feet to a point on the westerly right of way of said Spicer Drive; thence on the westerly right of way line of said Spicer Drive and Three Lakes Road the following courses and distances; South 58° 14' East 9.75 feet and South 00° 04' 30" West 12.72 feet to the intersection of the westerly right of way line of said Three Lakes Road and the northerly right of way line of 18th Avenue; thence North 84° 08' East 20.11 feet to the center line of said Three Lakes Road right of way; thence South 00° 04' 30" West on the center line of said Three Lakes Road right of way 227.23 feet; thence South 89° 58' 43" West 20.00 feet to the southeast corner of Lot 1, Block 5

Lawndale Subdivision as recorded in Book 9, Page 21 Linn County Plat Records, said point also being on the westerly right of way line of Three Lakes Road; thence South 00° 04' 30" West on the westerly right of way line of said Three Lakes Road 1,122.89 feet to the true point of beginning.

Containing 36.12 acres.

