

ORDINANCE NO. 5303

AN ORDINANCE WITHDRAWING TERRITORY FROM THE TANGENT RURAL FIRE PROTECTION DISTRICT LOCATED SOUTH OF THE TERMINUS OF LOONEY LANE SOUTH OF BELMONT AVENUE AND WEST OF LINN-BENTON COMMUNITY COLLEGE (A PORTION OF TAX LOT 1000, LINN COUNTY ASSESSOR'S MAP NO. 11-4W-25), CONTAINING APPROXIMATELY 3.29 ACRES, AND REPEALING ORDINANCE NO. 5247. (FILE NO. AN-02-96)

WHEREAS, on June 12, 1996, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3652 and described in Exhibit A, attached hereto; and

WHEREAS, this territory was incorrectly scheduled to be removed from the Albany Rural Fire Protection District rather than from the Tangent Rural Fire Protection District; and

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1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Tangent Rural Fire Protection District.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

Passed by the Council: August 13, 1997

Approved by the Council President August 13, 1997

Effective Date: September 12, 1997

Wayne M. Fish
Council President

ATTEST:

[Signature]
City Recorder

**EXHIBIT A
LEGAL DESCRIPTION
CASE NO. AN-02-96**

Beginning at a 2-inch iron pipe, which is South 0°32'00" West 435.19 feet of the initial point of the First Addition to College Green Subdivision in the northeast 1/4 of Section 25, Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon; thence South 0°31'30" West 557.81 feet to a 5/8-inch iron rod; thence North 64°39'06" West 128.22 feet to a 5/8-inch iron rod; thence North 61°33'03" West 201.69 feet to a 5/8-inch iron rod; thence North 0°31'30" East 412.00 feet to a 5/8-inch iron rod; thence South 89°12'43" East 294.58 feet to the point of beginning.

