

ORDINANCE NO. 5304

AN ORDINANCE WITHDRAWING TERRITORY FROM THE TANGENT RURAL FIRE PROTECTION DISTRICT LOCATED AT 34505 HIGHWAY 99E, (LINN COUNTY ASSESSOR'S MAP NO. 11-3W-30, TAX LOTS 600 AND 603) AND CONTAINING 4.17 ACRES, MORE OR LESS. (FILE NO. AN-02-97)

WHEREAS, on July 9, 1997, the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3809 and described in Exhibit A, attached hereto; and

WHEREAS, notices of a 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:

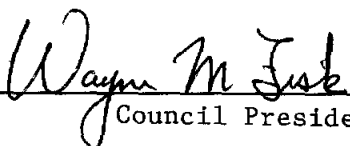
Section 1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Tangent Rural Fire Protection District.

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 Council: August 13, 1997

Approved by the Council President: August 13, 1997

Effective Date: September 12, 1997

  
\_\_\_\_\_  
Council President

ATTEST:

  
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City Recorder

LEGAL DESCRIPTION  
File AN-02-97

Tax Lot 600, Linn County Assessor's Map 11-3W-30

A tract of land situated in the County of Linn, State of Oregon, more particularly described as follows: Beginning at a 1/2 inch iron rod South 0°31'-1/2" West 717.30 feet and East 38.59 feet from the Northwest corner of the Southwest quarter of Section 30 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; said beginning point being on the East right of way line of the Pacific Highway; and running thence South 0°32' West along the East line of said Highway, 238.45 feet to a 1 inch iron pipe; thence South 89°35' East 315.45 feet to a drill steel on the West right of way line of the Southern Pacific Railroad; thence North 0°07' East along said railroad right of way, 240.72 feet to a 1/2 inch iron rod; thence West 313.80 feet to the place of beginning.  
EXCEPTING THEREFROM that portion conveyed to Southern Pacific Company, a corporation by deed recorded January 29, 1964 in Book 299, page 615.

Tax Lot 603, Linn County Assessor's Map 11-3W-30

Beginning at a 1" pipe on the East line of the Pacific Highway, which is South 0° 31 1/2' West along the West line of Section 30 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, a distance of 955.75 feet and South 89° 55' East 38.56 feet from the quarter section corner on the West line of said Section 30; thence South 0° 32' West along the East right-of-way of said Pacific Highway 472.02 feet to a 1" rod; thence South 89° 37' East 319.48 feet to the West right-of-way line of the Southern Pacific Railroad; thence North 0° 7' East along the said West right-of-way of said railroad 472.02 feet to a 1" rod; thence North 89° 35' West 315.45 feet to the place of beginning.

EXCEPT: Beginning at a 1" iron rod on the East right-of-way line of the Pacific Highway which is South 0° 31 1/2' West along the West line of Section 30 in Township 11 South, Range 3 West of the Willamette Meridian, in Linn County, Oregon, a distance of 1427.77 feet and South 89° 37' East 38.49 feet from the quarter section corner on the West line of said Section 30; and running thence South 89° 37' East, parallel with the South line of said Section, a distance of 319.48 feet to a 1" rod on the West right-of-way line of the Southern Pacific Railroad; thence North 0° 06' East along said railroad right-of-way, 136.56 feet to a 1" iron rod; thence North 89° 37' West, parallel with the South line of said Section, a distance of 318.45 feet to a 1" iron rod on the East line of said Highway; thence South 0° 32' West 136.56 feet to the place of beginning.

ALSO SAVE AND EXCEPT the East 20 feet as conveyed to Southern Pacific Company in Book 303, Page 423, Deed Records.

