

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED ON THE NORTH SIDE OF SANTIAM HIGHWAY WEST OF GOLDFISH FARM ROAD (LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-09A, TAX LOT 1411) CONTAINING APPROXIMATELY 0.4 ACRES MORE OR LESS, AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on January 12, 2005, proclaimed the annexation of territory by adoption of Ordinance No. 5593 and described in Exhibit A 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 January 12, 2005, 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Section 1: The following described real property to-wit (see attached Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.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, 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: January 12, 2005

Approved by the Mayor: January 12, 2005

Effective Date: January 12, 2005



Mayor

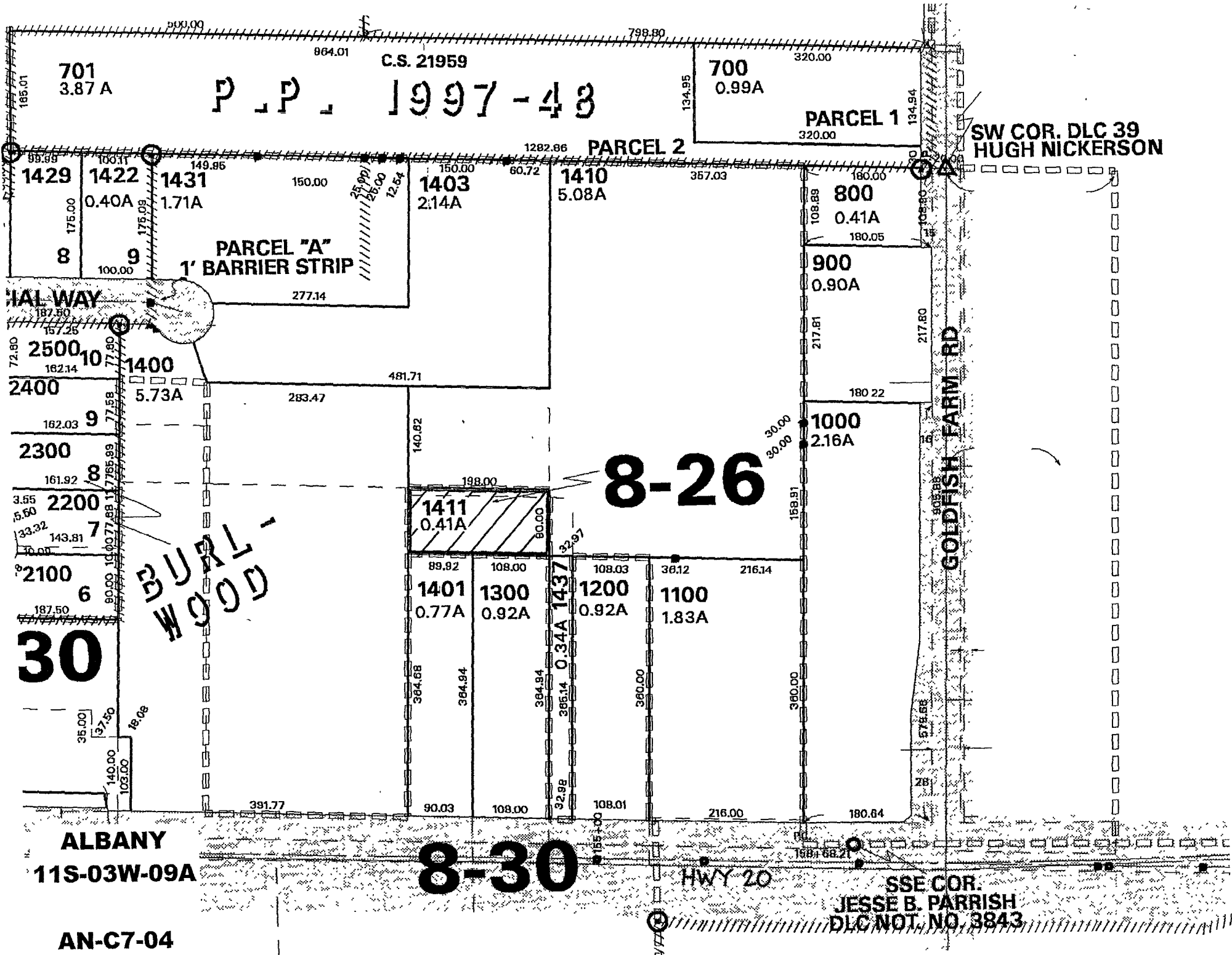
ATTEST:



City Clerk

EXHIBIT A
LEGAL DESCRIPTION
FILE AN-C7-04

Beginning at a point South 545.45 feet and South 89° 59' West 557.0 feet from the Southwest corner of the Hugh Nickerson Donation Land Claim No. 39, in Section 9 of Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon, said point also being the Northeast corner of that tract of land conveyed to GMVR LLC by deed recorded in Microfilm Volume 1319, Page 308 of the Linn County Deed Records; thence along the North line of said GMVR tract South 89° 59' West 198.0 feet to a 1/2-inch iron rod; thence North 90.0 feet; thence North 89° 59' East 198.0 feet; thence South 90.0 feet to the Point of Beginning.



P.P. 1997-43

C.S. 21959

PARCEL 2

PARCEL 1

PARCEL "A"
1' BARRIER STRIP

8-26

8-30

BURL-
WOOD

GOLDFISH FARM RD

HWY 20

SSE COR.
JESSE B. PARRISH
DLC NOT NO. 3843

SW COR. DLC 39
HUGH NICKERSON

ALBANY
11S-03W-09A

AN-C7-04

701
3.87 A

700
0.99A

1429
0.40A

1422
1.71A

1431
2.14A

1403
5.08A

1410
0.41A

800
0.90A

900
2.16A

1000
0.41A

1411
0.77A

1401
0.92A

1300
0.92A

1437
1.83A

1200
1.83A

1100
1.83A

2500
5.73A

2300
1.71A

2200
2.14A

2100
5.08A

30

11S-03W-09A

AN-C7-04

JESSE B. PARRISH
DLC NOT NO. 3843