

ORDINANCE NO. 5094

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED AT 357.46 FEET NORTH OF KNOX BUTTE ROAD, EAST OF CLOVER RIDGE ROAD NW AND MORE COMMONLY KNOWN AS 135 CLOVER RIDGE ROAD NE, CONTAINING 13.785 ACRES MORE OR LESS (INCLUDING ROAD RIGHT-OF-WAY) (FILE NO. AN-01-93).

WHEREAS, on November 17, 1993 the Albany City Council proclaimed the annexation of territory by adoption of Resolution No. 3304 and described in Exhibit A, attached hereto; and

WHEREAS, on November 17, 1993 the Albany City Council adopted Resolution No. 3304 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 December 15, 1993 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:

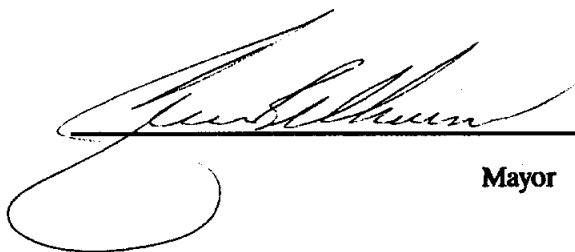
Section 1: The following described territory to-wit: (see attached legal description, Exhibit A) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

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, County, Secretary of State of the State of Oregon, and the State of Oregon Department of Revenue.

Passed by the Council: December 15, 1993

Approved by the Mayor: December 15, 1993

Effective Date: December 15, 1993



Mayor

ATTEST:

Norm C. Withrow
Deputy City Recorder

**EXHIBIT A
LEGAL DESCRIPTION
CASE NO. AN-01-93**

That tract of land conveyed to L-V-K Investments, an Oregon partnership comprised of Quintin P. King, Russell D. Voeller, and Tim A. Lunceford by deed recorded on October 19, 1993 in Volume 662, Page 974, Linn County Microfilm Deed Records together with that portion of Clover Ridge Road lying adjacent to said L-V-K parcel in the northwest quarter of Section 3, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon more specifically described as follows:

Beginning at a point South 0° 05' East 26.884 chains distant and North 89° 39' West 7.555 chains distant from the Northeast corner of the Donation Land Claim of Robert Houston, Claim No. 38 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence North 89° 39' West 16.724 chains to the northwest corner of said L-V-K parcel, said point being on the centerline of Clover Ridge Road; thence continuing North 89° 39' West on the westerly projection of the north line of said L-V-K parcel 20 feet to a point on the west line of Clover Ridge Road; thence South 0° 16' East 8.108 chains on the west line of said Clover Ridge Road; thence South 89° 39' East 20 feet to the southwest corner of said L-V-K parcel, said point being on the centerline of Clover Ridge Road; thence continuing South 89° 39' East on the south line of said L-V-K parcel 16.676 chains to the southeast corner of said L-V-K parcel; thence North 0° 05' East 8.108 chains to the place of beginning.

Containing 13.785 acres, more or less.

