

AN ORDINANCE WITHDRAWING TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT LOCATED ON 120 CLOVER RIDGE ROAD NE (LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-04AC, TAX LOT 2101), CONTAINING APPROXIMATELY .25 ACRES MORE OR LESS, AND DECLARING AN EMERGENCY.

WHEREAS, the Albany City Council on June 27, 2012, proclaimed the annexation of territory by adoption of Ordinance No. 5783 and described in Exhibits A and B, 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 June 27, 2012, 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real property to-wit (see attached map, Exhibit A, and legal description, Exhibit B) is hereby proclaimed to be withdrawn from the Albany Rural Fire Protection District.

Section 2: The City Clerk 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.

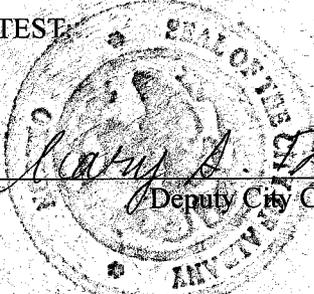
Passed by the Council: June 27, 2012

Approved by the Mayor: June 27, 2012

Effective Date: June 27, 2012


Mayor

ATTEST:



Deputy City Clerk

Exhibit A

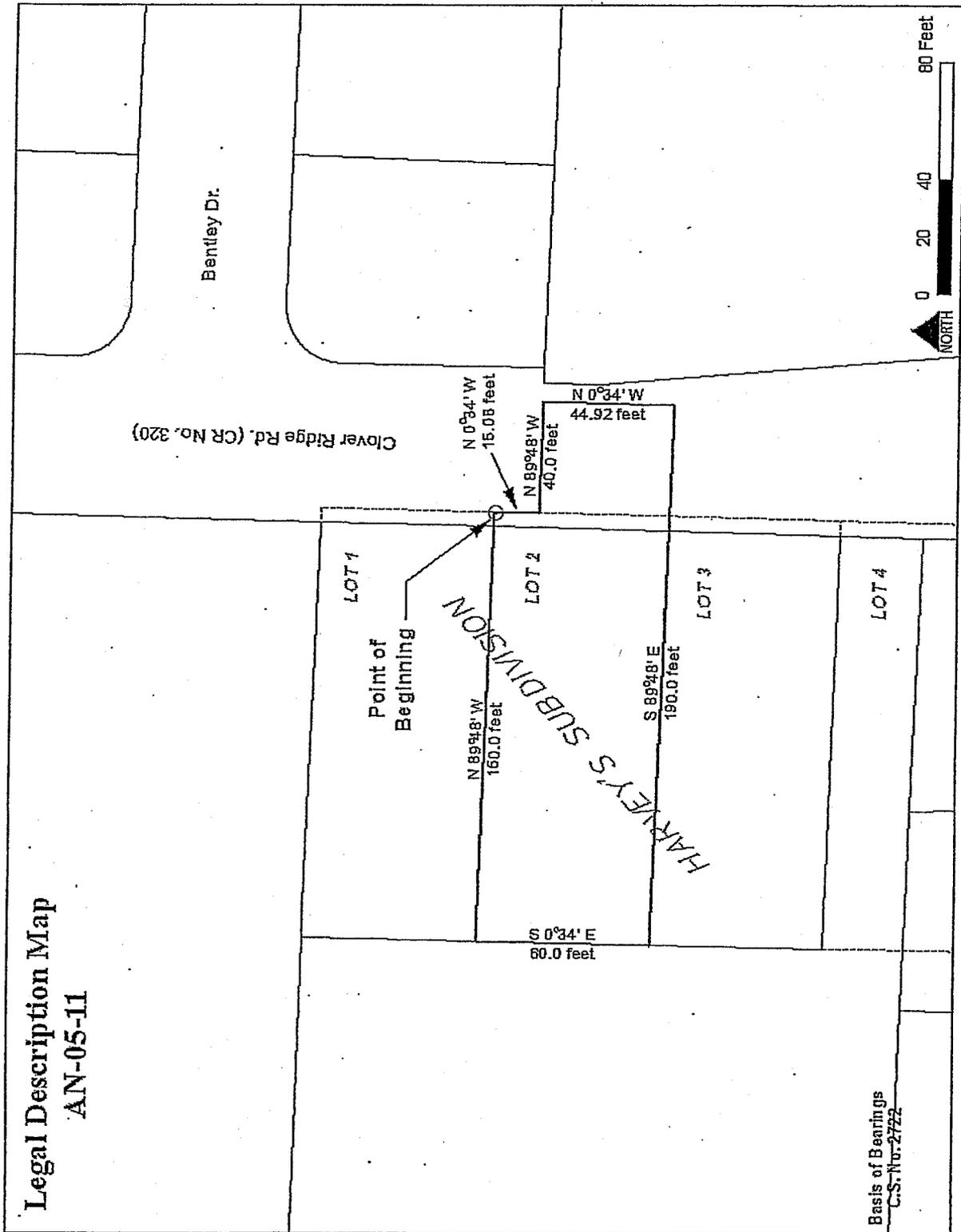


EXHIBIT B

**LEGAL DESCRIPTION
FILES AN-05-11/ZC-06-11**

A tract of land located in the Northeast one-quarter of Section 4 in Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon that is more particularly described as follows:

Beginning at a point on the current city limits boundary of the City of Albany, said point also being described as the Northeast corner of Lot 2 of Harvey's Subdivision; thence, along the north line of said Lot 2, North 89°48' West 150.0 feet to the Northwest corner of said Lot 2; thence, along the west boundary of Lot 2 of Harvey's Subdivision, said west boundary also being the existing city limits boundary of the City of Albany, South 0°34' East 60.0 feet to the Southwest corner of said Lot 2; thence, along the South boundary of said Lot 2 and its easterly extension, South 89°48' East 190.0 feet to the current city limits boundary of the City of Albany; thence, parallel to the centerline of County Road Number 320, along said current city limits line, North 0°34' West 44.92 feet; thence, along the current city limits line, North 89°48' West 40.0 feet to a point on the east boundary of Harvey's Subdivision; thence, along said east boundary of Harvey's Subdivision North 0°34' West 15.08 feet to the Point of Beginning.

Said area containing 0.25 acres, more or less.