

ORDINANCE NO. 541

CITY OF SHERWOOD, OREGON

AN ORDINANCE DETERMINING IT TO BE TO THE BEST INTERESTS OF THE CITY OF SHERWOOD TO WITHDRAW CERTAIN AREA FROM THE TUALATIN RURAL FIRE PROTECTION DISTRICT, AND PROVIDING FOR THE WITHDRAWAL OF SUCH AREA FROM THE TUALATIN RURAL FIRE PROTECTION DISTRICT PURSUANT TO §222.524 O.R.S.

WHEREAS, on the 3rd day of December, 1965 a resolution was duly passed by the Council of the City of Sherwood, setting a public hearing with respect to a proposal for the withdrawal of certain lands hereinafter described, heretofore annexed to the City of Sherwood, from the Tualatin Rural Fire Protection District; and

WHEREAS, pursuant to §222.524 O.R.S. said public hearing was called to be held at the regular Council meeting of January 7, 1966 at 8:00 o'clock P.M. at the City Hall, Sherwood, Oregon, and providing for hearing at said time and place of any objections to the withdrawal and for the determination of whether such withdrawal is in the best interests of the City; and

WHEREAS, due and regular notice of said hearing was given in the manner provided by §222.524 O.R.S. by publishing notice of said hearing once each week for two successive weeks, or three publishings in all, prior to January 7, 1966 in the Tri-City News, a newspaper published and of general circulation in the City of Sherwood, and by posting of notice of said hearing in four public places within the City of Sherwood for a like period; and

WHEREAS, a public hearing was held by the City Council of the City of Sherwood at its regular meeting of January 7, 1966 whereat all objections to the withdrawal were duly heard by said Council;

NOW, THEREFORE,

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: That those certain lands heretofore annexed to the City of Sherwood by Ordinance No. 540, duly enacted under date of June 4, 1965, and heretofore included within the boundaries of the Tualatin Rural Fire Protection District, and as more particularly described on the attached sheet headed "Schedule A - Description", by this reference made a part hereof, be, and the same are, hereby withdrawn from the Tualatin Rural Fire Protection District.

Section 2: That pursuant to §222.520 O.R.S., the lands thus withdrawn shall not hereby be relieved from the liabilities and indebtednesses previously contracted by the Tualatin Rural Fire Protection District. For the purpose of paying such liabilities and indebtednesses of the District, such withdrawn lands shall continue to be subject to assessment and taxation uniformly with property remaining in the District, EXCEPT that such lands, in accordance with §222.528 O.R.S., shall not be liable for any of the following:

- (1) Current operating expenses of the District beyond the fiscal year in which the withdrawal is effective.
- (2) Special tax levies, bond indebtedness or debt service obligations approved in the district subsequent to the withdrawal.
- (3) Any amount which is due beyond the fiscal year in which the withdrawal is effective by reason of a contract for services between the district and another district or municipality where the amount due varies in each fiscal year according to the assessed valuation of the district.

PASSED: By the Council, after being read by sections, and in full, this ____ day of January, 1966.

/s/ H. G. Albert
Recorder - City of Sherwood

APPROVED: By the Mayor, this ____ day of January, 1966.

/s/ Stanley Heater
Mayor - City of Sherwood

SCHEDULE "A"

DESCRIPTION

TRACT I:

Beginning at the southwest corner of Sec. 29, T2S, R1W, W.M., Washington County, Oregon and running thence South $89^{\circ}25'$ East along the section line 340.44 feet to an iron rod; thence North $43^{\circ}07'23''$ West 399.82 feet to an iron rod; thence North $1^{\circ}21'$ West 172.0 feet to an iron rod; thence North $51^{\circ}59'$ East 274.65 feet to an iron rod on the westerly boundary of the Schools-Sherwood (County) road; thence continuing North $51^{\circ}59'$ East 30.18 feet to the center of said road; thence northerly along the centerline of said road 1358 feet, more or less, to a point on the section line 740.0 feet south of the quarter corner on the west line of said Sec. 29, said point being the southeast corner of the tract conveyed to Victor Muralt et ux by deed recorded on page 194 in Book 406, Deed Records of Washington County, Oregon; thence West along the south line of the said Muralt tract 130.0 feet to the southwest corner thereof; thence North 20 feet to the most southerly corner of the tract described in deed to Parker R. Crossway et ux recorded in Bk.390, p. 257 of said Deed Records; thence N $56^{\circ}48'20''$ West 142.35 feet along the southwesterly line of said Crossway tract to an iron rod located at an angle corner; thence N $35^{\circ}00'50''$ W 167.66 feet along the southwesterly line of the said Crossway tract to an iron rod in the southeasterly right of way line of S. W. Pacific (State) Highway; thence continuing N $35^{\circ}00'50''$ W. across said Highway 175.6 feet, more or less, to a point on the northwesterly right of way thereof; thence southwesterly along the northwesterly right of way line of said Highway 1700 feet, more or less, to the northwesterly extension of the southwesterly line of that certain 50 acre tract in Sec. 30, T2S, R1W, W.M., conveyed to Agnes M. Hite by deed recorded in Bk.117, p.337 of said Deed Records; thence S $56^{\circ}33'$ E. along said extension and along said southwesterly line, 2070 feet, more or less, to the place of beginning.

TRACT II:

All that portion of the Southwest Quarter of Section 29, T2S, R1W, W.M., Washington County, Oregon lying Southwesterly of the Northeasterly line of County Rd. 1021 (S.W.Sherwood Rd.), except that portion lying within the boundaries of Tract I above.

TRACT III:

Those certain lands of Marcel Hite in the Southwest Quarter of Sec.29, T2S, R1W, W.M., Washington County, Oregon described as follows: Beginning at a point in the center of County Road 1021 (S.W.Sherwood Rd.) N $0^{\circ}01'$ W. 506.6 feet and S $89^{\circ}22'$ E. 440 feet from the Southwest corner of said Sec. 29; thence N $0^{\circ}01'$ W. 493.9 feet to the Northeast corner of the Hite tract; thence N $89^{\circ}50'$ W. 440 feet, more or less, to the West line of said Sec. 29; thence with the centerline of County Road 1021 (S.W.Sherwood Rd.) Southeasterly to the point of beginning.