

RESOLUTION 2711

WHEREAS, on February 24, 1982, the City of Albany accepted a deed from Victor G. Lands, M.D., by Resolution 2308, for 14th Avenue right-of-way east of Waverly Drive; and

WHEREAS, on February 24, 1982, the City of Albany accepted a deed from John J. Fulton, Georgia H. Fulton, Myron L. Kauffman, and Joy F. Kauffman for additional right-of-way for the widening of 14th Avenue at Waverly Drive; and

WHEREAS, the legal description of the deed from Lands, for 14th Avenue, included property which the grantor had no right to deed to the City (approximately 3.5 feet on the south side of Waverly Drive); and

WHEREAS, the legal description for the right-of-way deeded by Fulton and Kauffman for 14th Avenue at Waverly Drive is in error and describes a parcel of land approximately 3.5 feet too far to the south; and

WHEREAS, the erroneous legal descriptions have clouded title to the property adjacent to and south of 14th Avenue; and

WHEREAS, the City of Albany desires to clear title to private property which resulted from these erroneous prior legal descriptions;

NOW, THEREFORE, BE IT RESOLVED that the City of Albany hereby:

1. Accepts a Bargain and Sale Deed from Freedom Federal Savings & Loan with a correct legal description for the widening of 14th Avenue at Waverly Drive which replaces the deed from Fulton and Kauffman, recorded at Linn County, Oregon, in Volume 306, page 389; and
2. Gives a Bargain and Sale Deed to Freedom Federal Savings & Loan for the property described in the deed from Fulton and Kauffman to the City of Albany and recorded at Linn County, Oregon, in Volume 306, page 389; and
3. Gives a Quitclaim Deed to Freedom Federal Savings & Loan to clear title to property south of 14th Avenue which was erroneously included in the Bargain and Sale Deed from Lands for the 14th Avenue right-of-way; and
4. Authorize the City Manager to execute the necessary documents on behalf of the City of Albany.

DATED this 9th day of September, 1987.



Mayor

ATTEST:

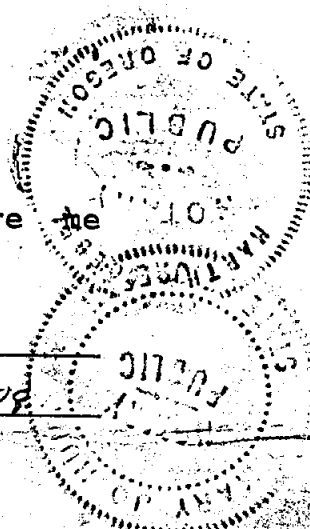


City Recorder

STATE OF OREGON)
County of Deschutes) ss.

The foregoing instrument was acknowledged before me this 24th day of June, 1987, by MARGARET HACKLEMAN.

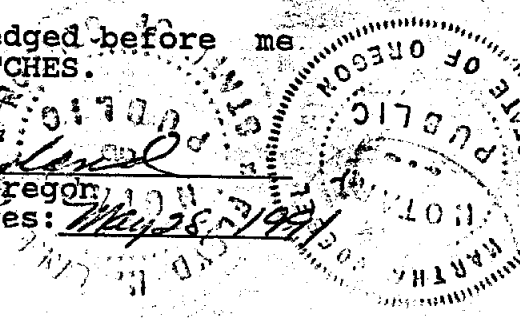
Mary J. Hunt
Notary Public for Oregon
My Commission expires: 6-23-88



STATE OF OREGON)
County of Harney) ss.

The foregoing instrument was acknowledged before me this 25 day of June, 1987, by LAVONNE RITCHES.

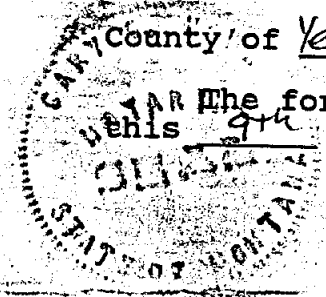
David H. Salsbery
Notary Public for Oregon
My Commission expires: May 28, 1991



STATE OF OREGON-MONTANA)
County of Yellowstone) ss.

The foregoing instrument was acknowledged before me this 9th day of ~~June~~ July, 1987, by BETTY LOU WILSON.

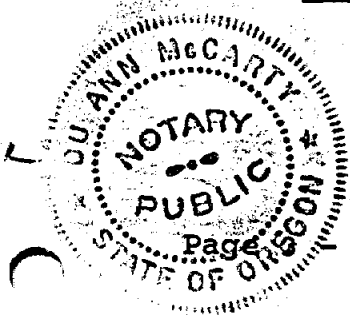
Gary G. Lowe
Notary Public for Oregon
My Commission expires: 5-11-89



STATE OR OREGON)
County of Umatilla) ss.

The foregoing instrument was acknowledged before me this 21 day of July, 1987, by MINA HARTLE.

DuAnn McCarty
Notary Public for Oregon
My Commission expires: 2-22-88



EASEMENT

STATE OF OREGON)
County of Linn) ss.

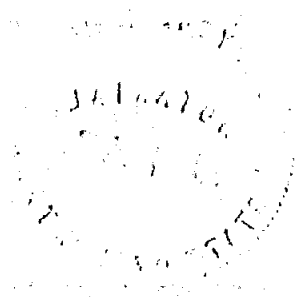
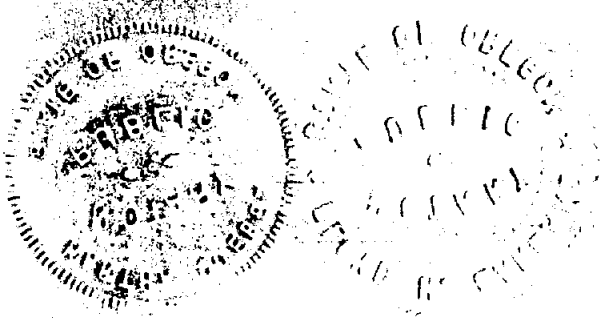
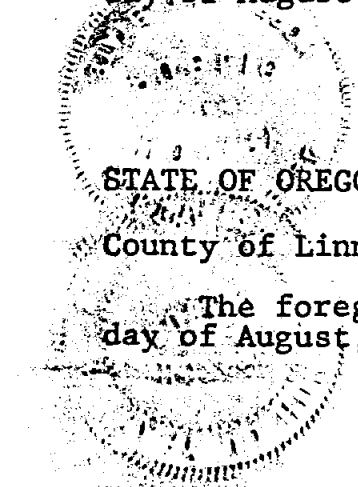
The foregoing instrument was acknowledged before me this _____ day of August, 1987, by CLYDE A. MONTGOMERY.

Martha Gaebel
Notary Public for Oregon
My Commission expires: 3-18-91

STATE OF OREGON)
County of Linn) ss.

The foregoing instrument was acknowledged before me this _____ day of August, 1987, by CLAUDETTE C. MONTGOMERY.

Martha Gaebel
Notary Public for Oregon
My Commission expires: 3-18-91



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SEP 24 2 42 PM '87

STATE OF OREGON
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records:

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STEVE DRUCKENMILLER
Linn County Clerk

By SL Deputy
Albany City of
P.O. Box 490
Albany, OR 97321