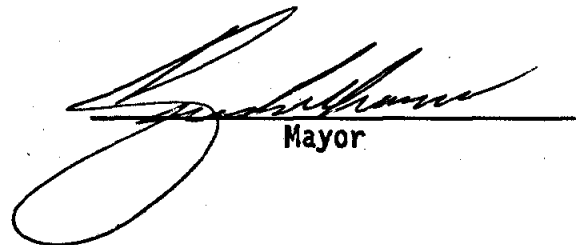


RESOLUTION NO. 3362

BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following quitclaim deed:

<u>Grantor</u>	<u>Purpose</u>
Benton County	All land dedicated for park purposes within Riverview Heights Subdivision is being dedicated to the City of Albany and will continue to be used solely for park purposes.

DATED this 25th day of May 1994.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Deputy City Recorder



QUITCLAIM DEED

Return to: City of Albany - Recorder  
P.O. Box 490, Albany, OR 97321

This instrument is made this 21st day of April, 1993, between BENTON COUNTY, a political subdivision of the State of Oregon (Grantor), and the CITY OF ALBANY, an Oregon municipal corporation (Grantee).

RECITALS

- A. The parties are interested in continuing the operation of Riverview Heights Park, situated in the City of Albany, Benton County, Oregon;
- B. The Grantee desires to use the property for the provision of park and recreation opportunities. Grantor desires to continue the present use of the property and to transfer title to the property for the benefit of both parties;
- C. The parties are entering into this transaction for the purposes of satisfying ORS 271.330 for relinquishing title by the Grantor and vesting title in the Grantee for the continuing public use of this property.

The terms of this instrument are as follows:

- 1. Granting Clause. Grantor releases and quitclaims to Grantee, Grantee's heirs, and assigns forever all right, title and interest in and to the following described real property to be used solely for public purposes: Map and Tax Lot Number 10S04W36BD11300, as further described in Exhibit "A," attached hereto and incorporated herein by this reference.
- 2. Reservation of Rights. In the event that the Grantee does not use the property for public purposes, then the interest of the Grantee shall automatically terminate and that interest shall revert to the Grantor automatically.
- 3. Approved Uses of Land. The following statement is required by ORS 93.040:

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

4. Consideration. The consideration for this deed is Grantee's agreement to continue to utilize the property for public purposes.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed the day and year first written above.

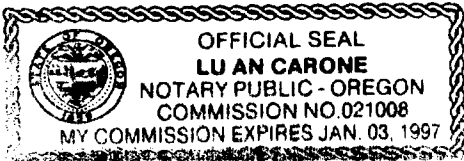
Dated this 21<sup>st</sup> day of April, 1993.

BENTON COUNTY, OREGON

STATE OF OREGON )  
 ) ss.  
COUNTY OF BENTON )

By: John Dilworth  
John Dilworth, Chair  
Board of Commissioners

Personally appeared the above-named John Dilworth, who acknowledged that he is the Chair of the Benton County Board of Commissioners, and he executed the foregoing instrument on behalf of the County. Before me this 21<sup>st</sup> day of April, 1993.



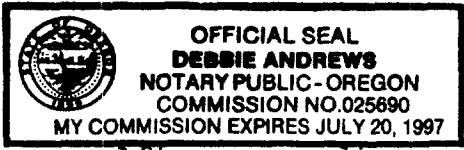
Luan Carone  
NOTARY PUBLIC FOR OREGON  
My commission expires: 1/3/97

CITY OF ALBANY

STATE OF OREGON )  
 ) ss.  
COUNTY OF LINN )

By: Stephen Bryant  
Stephen Bryant  
City Manager

Personally appeared the above-named Stephen Bryant, who acknowledged that he is the City Manager of the City of Albany, and he executed the foregoing instrument on behalf of the City of Albany by authority of its City Council. Before me this 18<sup>th</sup> day of May, 1993.



Debbie Andrews  
NOTARY PUBLIC FOR OREGON  
My commission expires: 7/20/97

After recording return to:

City of Albany  
P.O. Box 490  
Albany, OR 97321

Until a change is requested,  
all tax statements shall be  
sent to the following address:

City of Albany  
P.O. Box 490  
Albany, OR 97321

EXHIBIT "A"

RIVERVIEW PARK

A TRACT OF LAND LOCATED IN TOWNSHIP 10 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, BENTON COUNTY, OREGON DESCRIBED AS FOLLOWS:

ALL THAT LAND AS DEDICATED FOR PARK PURPOSES WITHIN RIVERVIEW HEIGHTS SUBDIVISION RECORDED IN BOOK 5, PAGE 65, BENTON COUNTY PLAT RECORDS.

STATE OF OREGON } ss. 177246  
County of Benton }

I hereby certify that the within instrument was received for record.

'94 JUL 22 PM 1 14

AND ASSIGNED No 187444 1994

In the microfilm records of said county Witness My Hand and Seal of County Affixed

DANIEL G. BURK  
Director Of Records & Elections

25- By  Deputy

Resolution No. 3362

Recorded Document Recorder File No. 2471