

RESOLUTION NO 4796

A RESOLUTION ACCEPTING THE FOLLOWING BARGAIN AND SALE DEED:

Grantor

Oak Creek Park, LLC

Purpose

Bargain and Sale Deed for Tract "D-1" and Tract "E" of SPRING MEADOW - FOURTH ADDITION, a subdivision of record in Linn County, Oregon.

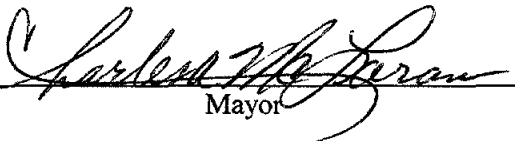
Grantee

City of Albany

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this Bargain and Sale Deed; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor

DATED AND EFFECTIVE THIS 12TH DAY OF FEBRUARY 2003.



Mayor

ATTEST:



City Recorder



NN

STATE OF OREGON, County of _____) ss.

I certify that the within instrument was received for record on _____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy.

SPACE RESERVED FOR RECORDER'S USE

OAK CREEK PARK, LLC Grantor's Name and Address CITY OF ALBANY

Grantee's Name and Address

After recording, return to (Name, Address, Zip).

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

Until requested otherwise, send all tax statements to (Name, Address, Zip):

taxes exempt

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that _____

OAK CREEK PARK, LLC, an Oregon Limited Liability Company

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto _____ CITY OF ALBANY, a Municipal Corporation

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Linn County, State of Oregon, described as follows, to-wit:

Tract "D-1" AND Tract "E" of SPRING MEADOW - FOURTH ADDITION, a subdivision of record in Linn County, Oregon.

*To satisfy conditions of final plat for "Spring Meadow - Fourth Addition"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none* However, the actual consideration consists of or includes other property or value given or promised which is a part of the whole (indicate which) consideration (The sentence between the symbols ®, if not applicable, should be deleted. See ORS 93 030)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on January 24, 2003; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30 930

Oak Creek Park, LLC

(see attached signature page)

STATE OF OREGON, County of _____) ss.

This instrument was acknowledged before me on _____ by _____

This instrument was acknowledged before me on _____ by _____

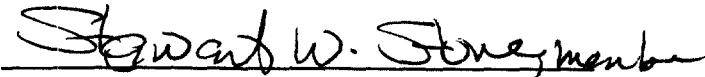
as _____


of _____

Notary Public for Oregon


My commission expires _____

Oak Creek Park, L.L.C.

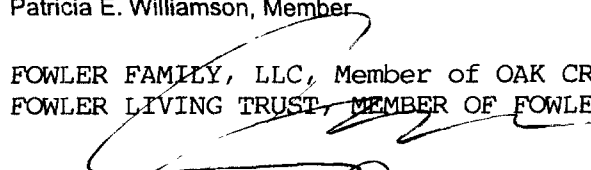

Stewart W. Stone, Member



Denise E. Stone, Member


Gary D. Williamson, Member


Patricia E. Williamson, Member

FOWLER FAMILY, LLC, Member of OAK CREEK PARK, L.L.C.
FOWLER LIVING TRUST, MEMBER OF FOWLER FAMILY, LLC


James W. Fowler, Trustee


Candace J. Fowler, Trustee

STATE OF OREGON,

County of Marion

} ss.

VOL 1398 PAGE 979

On January 24, 2003

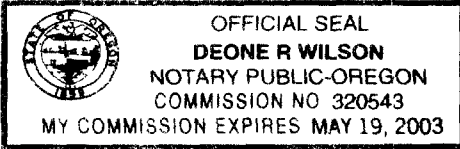
DATE

, before me personally appeared

Stewart W. Stone and Denise E. Stone, Member of Oak Creek Park, L.L.C.

whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.



Deone R Wilson

Notary Public for Oregon

My commission expires 5/19/2003

STATE OF OREGON,

County of Marion

} ss.

On January 24, 2003

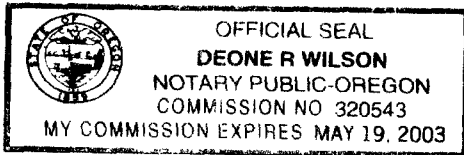
DATE

, before me personally appeared

Gary D. Williamson and Patricia E. Williamson, Members of Oak Creek Park, L.L.C.,

whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.



Deone R Wilson

Notary Public for Oregon

My commission expires 5/19/2003

STATE OF OREGON,

County of Marion

} ss.

On January 24, 2003

DATE

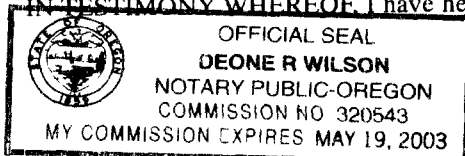
, before me personally appeared James W. Fowler and Candace

J. Fowler, Trustee of Fowler Living Trust, Member of Fowler Family, LLC, Member of Oak Creek

whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily

****Park, L.L.C.**

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above



Deone R Wilson

Notary Public for Oregon

My commission expires 5/19/2003

36


STATE OF OREGON
County of Linn

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

STEVE DRUCKENMILLER
Linn County Clerk

M
R 15
S 10
A 2003 MAR 18 P 2:24
O

MF 1398

By  Deputy PAGE 977

Resolution No. 4796

Recorded Document Recorder File No. 4196