

RESOLUTION NO. 5189

A RESOLUTION ACCEPTING A DEED OF PROPERTY FOR PARK PURPOSES..

WHEREAS, the City of Albany has purchased a tract of land described as Tract A (Lot 166) of Meadows at Oak Creek Phase 4, as recorded August 19, 2005, in the Linn County Partition Plat Records of Linn County, Oregon; and

WHEREAS, it is in the interests of the City of Albany to accept a deed to said property;

NOW, THEREFORE BE IT RESOLVED by the City of Albany City Council that the deed conveying to the city said parcel as recorded August 19, 2005, be and is hereby accepted.

DATED AND AFFECTIVE THIS 7th DAY OF SEPTEMBER 2005.

  
\_\_\_\_\_  
City Council President

ATTEST:

  
\_\_\_\_\_  
City Clerk



RECORDING REQUESTED BY  
Fidelity National Title Company of Oregon

GRANTOR'S NAME  
City of Albany, a Municipal Corporation

GRANTEE'S NAME  
Schneider Homes, Inc. a Washington Corporation

SEND TAX STATEMENTS TO:  
Schneider Homes, Inc.  
6510 Southcenter Blvd  
Tukwila, Wa 98188

AFTER RECORDING RETURN TO:  
~~Schneider Homes, Inc.~~ ✓ Return to: City of Albany - Recorder  
~~6510 Southcenter Blvd.~~ P.O. Box 490, Albany, OR 97321  
~~Tukwila, Wa 98188~~

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

By SM, Deputy

M 5  
R 20  
A 21  
2005 DEC 14 P 2: 26  
MF 1798  
916  
PAGE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY BARGAIN and SALE DEED

City of Albany, A Municipal Corporation, Grantor, conveys to

Schneider Homes, Inc., A Washington Corporation, Grantee, the following described real property, situated in the County of Linn, State of Oregon,

LOTS 167 THROUGH 185, inclusive, MEADOWS AT OAK CREEK PHASE 4, in the City of Albany, Linn County, Oregon

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.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS The correction of an error contained in the prior Deed executed between the parties recorded 8-19-05 in Vol 1750, page 866. The prior Deed erroneously contained a meets and bounds description which included lots 166-185 when the transfer of only Lot 166 was intended. This Deed corrects the prior error. (See ORS 93.030)

DATED: December 9, 2005

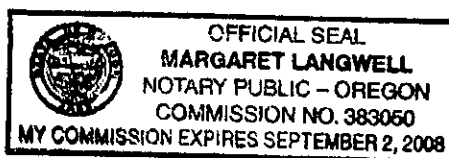
CITY OF ALBANY, A MUNICIPAL CORPORATION

By: Wes Hare

STATE OF OREGON  
COUNTY OF Linn

This instrument was acknowledged before me on  
December 9, 2005  
by Wes Hare  
as City Manager  
of City of Albany

Margaret Langwell  
NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES: September 2, 2008



8097

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RECORDING REQUESTED BY  
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME  
Schneider Homes, Inc., a Washington Corporation

GRANTEE'S NAME  
City of Albany, A Municipal Corporation

SEND TAX STATEMENTS TO:  
City of Albany, a Municipal Corporation  
PO Box 40  
Albany, OR 97321

AFTER RECORDING RETURN TO:  
City of Albany, a Municipal Corporation  
PO Box 40  
Albany, OR 97321

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Schneider Homes, Inc., a Washington Corporation, a Washington Corporation, Grantor, conveys and warrants to  
City of Albany, A Municipal Corporation, Grantee, the following described real property, free and clear of  
encumbrances except as specifically set forth below, situated in the County of Linn, State of Oregon,

SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

Subject to and excepting:

Current Taxes, assessments, reservations in patents, and all agreements, easements, rights-of-way, encumbrances,  
liens, setback lines, reservations, powers of special districts, covenants, conditions and restrictions as may appear of  
record; 2005-06 taxes, a lien due but not yet payable

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.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$300,000.00 (See ORS 93.030)

DATED: August 12, 2005

Schneider Homes, Inc., a Washington Corporation,

By: 

STATE OF Washington  
County of King

} ss.

This instrument was acknowledged before me on this 16 day of August, 2005  
before me, the undersigned, a Notary Public in and to the State of Washington, duly commissioned  
and sworn, personally appeared Russell N. Tre  
and VP/GM to me  
know to be the President and Secretary, of Schneider  
Homes, Inc., the corporation that executed the foregoing instrument, and acknowledged the said  
instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes  
therein mentioned, and on oath stated that he is authorized to execute the said  
instrument and that the seal affixed (if any) is the corporate seal of said corporation.

GIVEN under my hand and official seal the day and year above written.



Moore M. Callman  
Notary Public for Washington

My commission expires: 8/15/2009

903446  
AFTER RECORDING RETURN TO:  
FIDELITY NATIONAL TITLE INSURANCE CO.

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EXHIBIT "ONE"

A portion of a tract of land described in Deed Volume 730, Page 916, Deed Records, Linn County, Oregon, in the Southwest quarter of Section 24, Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon, and more particularly described as follows:

Commencing at the Southeast corner of Deed Volume 730, Page 916, Linn County, Oregon, Deed Records, said point being on the Northerly right of way line of 53rd Avenue (County Road No. 135), said point bears South 0°44' East a distance of 1,735.54 feet and North 89°38' West, a distance of 1,402.63 feet from the Northeast corner of the Robert E. Harmon Donation Land Claim No. 77; thence North 89°38'00" West, along said Northerly right of way, a distance of 1,025.05 feet, to a point on the centerline of a proposed street, and the TRUE POINT OF BEGINNING; thence leaving said right of way, North 00°00'00" East, along said centerline, a distance of 757.40 feet; thence South 90°00'00" West, a distance of 374.99 feet, to a point on the Westerly line of said deed; thence South 00°00'00" East, a distance of 755.00 feet, to a point on the Northerly right of way line of said county road; thence South 89°38'00" East, along said right of way line, a distance of 374.99 feet to the point of beginning.

(Also known as Lot 166, Meadows at Oak Creek Phase 3)

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

By [Signature] Deputy PAGE 866

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S  
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2005 AUG 19 P 3:23

31

# C.S. MEADOWS AT OAK CREEK PHASE 4

A SUBDIVISION AND PARTIAL REPLAT OF LOT 166 OF MEADOWS AT OAK CREEK PHASE 3

LOCATED IN THE ROBERT E. HARMAN DONATION LAND CLAIM NO. 77 IN THE S.W. 1/4, SECTION 24, TOWNSHIP 11 SOUTH, RANGE 4 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF ALBANY, LINN COUNTY, OREGON

FOR: SCHNEIDER HOMES, INC.  
6510 SOUTH CENTER BLVD. #1  
TUKWILA, WA 98188

BY: DEVCO ENGINEERING, INC.  
P.O. BOX 1211  
CORVALLIS, OR 97339

DATE: JANUARY 18, 2005

CITY OF ALBANY PLANNING  
REFERENCE NO. SD-01-89

SCALE: 1" = 50'



THE PROJECT AREA LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP FOR THE CITY OF ALBANY, OREGON, COMMUNITY PANEL NUMBER 410137 0003E. ZONE "X" IS AREA DETERMINED TO BE OUTSIDE OF THE 500-YEAR FLOOD PLAIN.

### LEGEND:

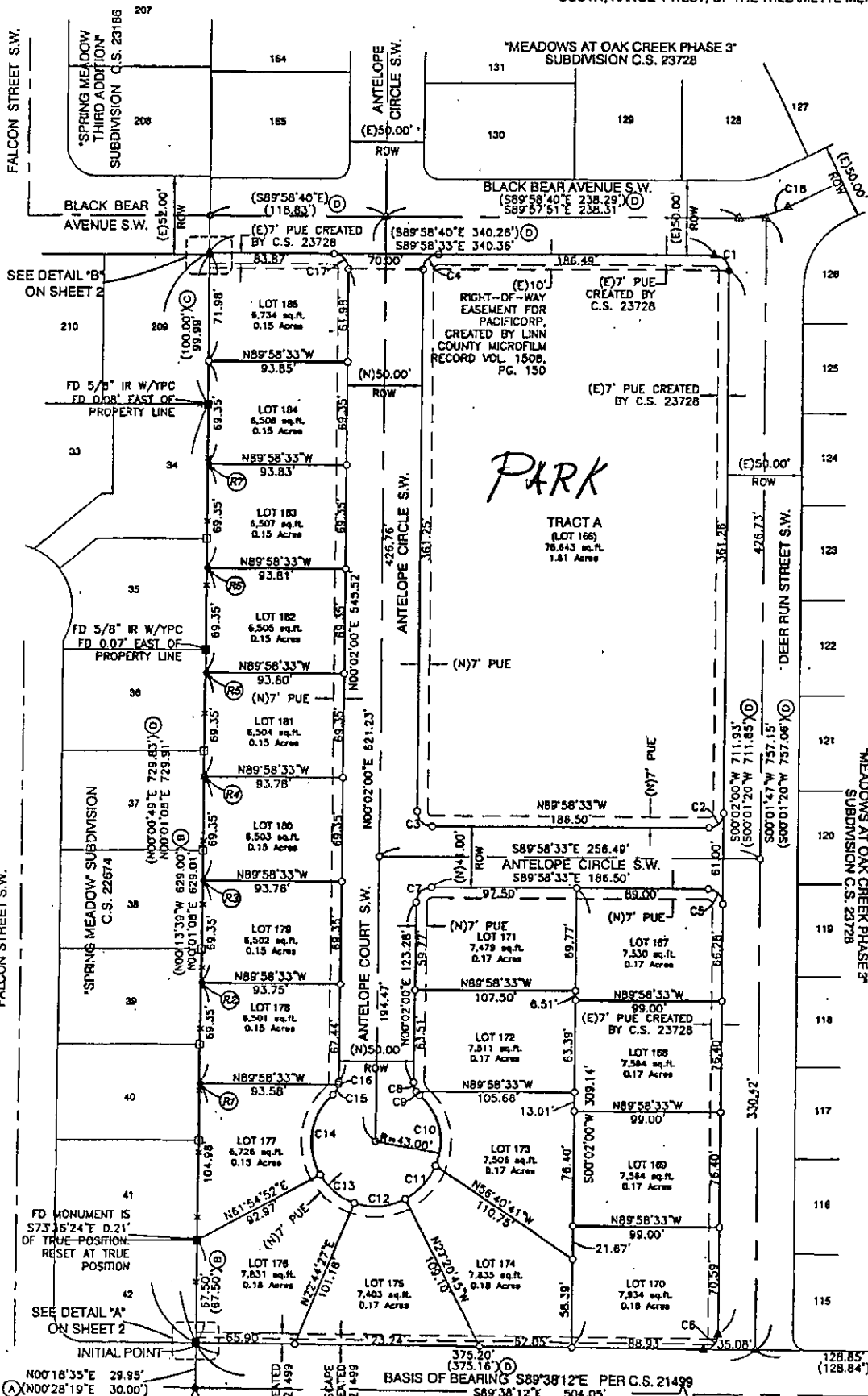
- FOUND MONUMENT OF RECORD (AS NOTED)
- SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP LABELED "DEVCO ENG. LS 1496"
- ◆ SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP LABELED "DEVCO ENG. LS 1496", REFERENCE MONUMENT (WITNESS CORNER) PER REFERENCE MONUMENT OFFSET TABLE, SHEET 2 OF 3.
- ▲ FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP LABELED: "MULTI/TECH ENG. PER CS 23728"
- ▲ FOUND 5/8" IRON ROD WITH ALUMINUM CAP LABELED: "MULTI/TECH ENG." AT CENTERLINE OF STREETS PER CS 23728
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP LABELED: "X & D ENG. LS 1630" PER CS 22674
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP LABELED: "X & D ENG. LS 1630" PER CS 22674 NOT SHOT IN DUE TO CONFLICT WITH FENCE
- CALCULATED POSITION
- (N) NEW
- (E) EXISTING
- MF MICROFILM No. PER LINN COUNTY RECORDS
- EXISTING FENCE
- C.S. COUNTY SURVEY
- IR IRON ROD
- FD FOUND
- ROW RIGHT-OF-WAY
- YPC YELLOW PLASTIC CAP
- PUE PUBLIC UTILITY EASEMENT
- [ ] CALCULATED INFORMATION
- ( ) RECORD INFORMATION FROM REFERENCES BELOW:

I, NEAL L. PETERSON, HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
OCTOBER 20, 1977  
NEAL L. PETERSON  
1000

EXPIRES 12/31/04



LINN COUNTY GPS MON. # 93255 ON CENTERLINE: FD 2" ALUMINUM CAP IN MONUMENT BOX



LINN COUNTY GPS MON. # 93255 ON CENTERLINE: 2" ALUMINUM CAP IN MONUMENT BOX (NOT FOUND)

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(Also known as Lot 166, Meadows at Oak Creek Phase 3)

Resolution No. 5189

Recorded Document Recorder File 4628