

RESOLUTION NO. 5301

A RESOLUTION TO EXECUTE A RELINQUISHMENT OF SLOPE EASEMENT FOR PROPERTY LOCATED IN THE NORTH ALBANY CENTER COMMERCIAL SUBDIVISION.

WHEREAS, the City of Albany obtained a slope easement in 1996 across the property that has recently been developed as the North Albany Center; and

WHEREAS, the property has been filled to the point that the slope easement is no longer needed; and

WHEREAS, the 1996 sewer easement is no longer needed across the North Albany Center site.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Albany that the City Manager execute a *Relinquishment of Slope Easement* document to North Albany Village, LLC for the slope easement that lies over the property.

DATED AND EFFECTIVE THIS 26TH DAY OF JULY 2006.


Mayer

ATTEST:


City Clerk

After Recording Return to:

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



I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

James V. Morales - County Clerk



RELINQUISHMENT OF SLOPE EASEMENT

The City of Albany, a municipal corporation duly organized and existing under the laws of the state of Oregon (the "City") hereby terminates and releases any and all interest of the City in that certain Slope Easement, dated June 12, 1996, recorded August 28, 1996, as Microfilm No. 218203-96 situated in Benton County, Oregon ("Slope Easement").

The City no longer has any need for the Slope Easement due to the development of the real property on which the Slope Easement is located. The development of the real property is described in the Notice of Decision by the Planning Commission, under City of Albany File Nos. SP-06-05, SP-10-05, VR-04-05, and SD-02-05, dated May 11, 2005, and other City documents in such files.

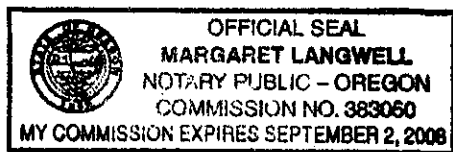
IN WITNESS WHEREOF, the City of Albany has executed this Relinquishment of Easement this July 26 day of July, 2006.

City of Albany, a municipal corporation
of the State of Oregon

Wes Hare
City Manager

STATE OF OREGON)
County of Linn) ss.

On July 26, 2006, personally appeared before me, Wes Hare, who being duly sworn, did say that he is the City Manager of the City of Albany, Oregon, and that this instrument was signed on behalf of the City by authority of its Council, and he acknowledged said instrument to be the City's voluntary act and deed.



Margaret Langwell
Notary Public for Oregon
My Commission Expires: Sept. 2, 2008

Resolution 5301

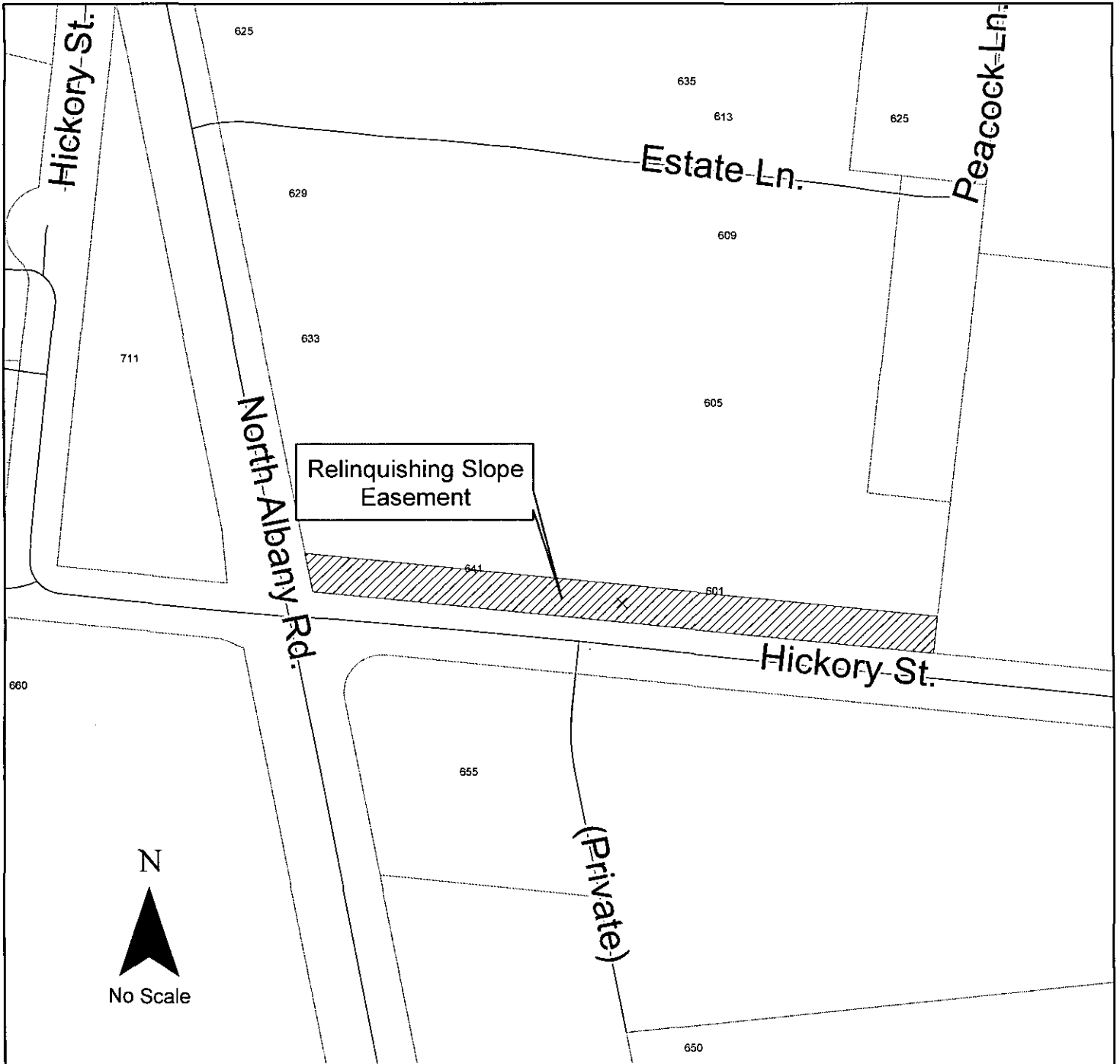
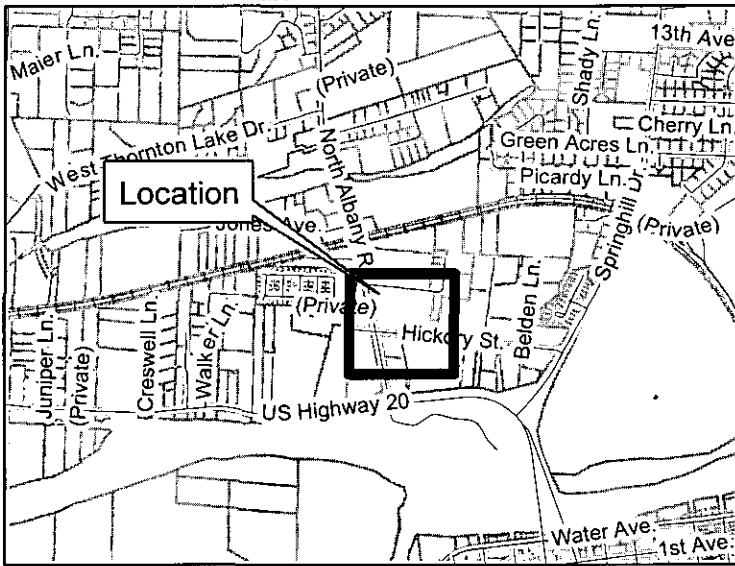
EXHIBIT A

11S04W01AD00700

Relinquishing Existing Slope
Easement - North Albany
Center



Geographic Information Services



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Recorded Document Recorder File No. 4748