

RESOLUTION NO. 5855

A RESOLUTION DIRECTING STAFF TO EXECUTE THE ATTACHED PROPERTY LINE ADJUSTMENT DEED:

Grantor


CITY OF ALBANY, OREGON

Purpose

Property Line Adjustment between 2 City of Albany properties, to configure the southern property for a future transfer to a neighboring property.

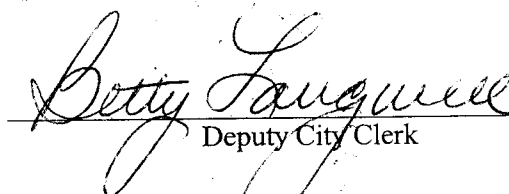
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby authorize staff to execute the attached Property Line Adjustment Deed.

DATED AND EFFECTIVE THIS 14TH DAY OF OCTOBER 2009.



Mayor

ATTEST:



Deputy City Clerk

PROPERTY LINE ADJUSTMENT DEED

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF ALBANY, OREGON, a municipal corporation, hereinafter called the GRANTOR, conveys the real property described in Exhibit A attached hereto and incorporated herein by this reference, to the CITY OF ALBANY, OREGON, a municipal corporation, hereinafter called the GRANTEE, for the purpose of adjusting the property line between two adjacent City of Albany, Oregon properties.

This property line adjustment deed transfers the real property described in the attached Exhibit A from the parcel known as Linn County Assessor's Map and Tax Lot Number 11-03W-3A-04500, Account #69597, (Property "B") to the parcel known as Linn County Assessor's Map and Tax Lot Number 11-03W-3A-10900, Account #70322, (Property "A"). The new legal description for Property "B" after the property line adjustment is described in Exhibit B attached hereto and incorporated herein by this reference, and the new legal description for Property "A" after the property line adjustment is described in Exhibit C attached hereto and incorporated herein by this reference. A map of the property line adjustment is attached as Exhibit D hereto and incorporated herein by this reference.

The deed whereby Grantors acquired title to the transferred property was recorded on October 23, 2006, in Linn County, Oregon Deed Records DN2006-25916. The Deed whereby Grantee acquired title to the property to which the transferred property is adjacent to was recorded on October 12, 2006, in Linn County, Oregon, Deed Records DN2006-25039.

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 paid for this conveyance, stated in terms of dollars, is \$1.00.

In Witness Whereof, the grantor/grantee has executed this instrument pursuant to Resolution Number 5855 this 15 day of October 2009.

GRANTOR/GRANTEE: CITY OF ALBANY

Wes Hare
Wes Hare, City Manager

Res. No. 5855

STATE OF OREGON)
County of Linn) ss.
City of Albany)

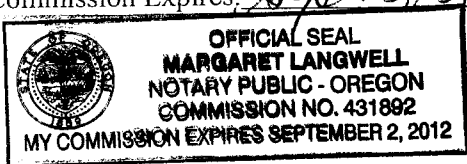
Stewart Taylor
Stewart Taylor, Assistant City Manager / Finance Director

STATE OF OREGON)
County of Linn) ss.
City of Albany)

This instrument was acknowledged before me on October 15, 2009, by Wes Hare, City Manager, for the City of Albany, Oregon.

This instrument was acknowledged before me on October 15, 2009, by Stewart Taylor, Assistant City Manager / Finance Director, for the City of Albany, Oregon.

Margaret Langwell
Notary Public for Oregon
My Commission Expires: Sept. 2, 2012



Margaret Langwell
Notary Public for Oregon
My Commission Expires: Sept. 2, 2012



Exhibit A - Transferred Property

A tract of land lying in the Northeast 1/4 of Section 3, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon, said tract being

a portion of that property conveyed to the City of Albany by deed recorded in Document No. 2006-25916, Linn County Deed Records, and being more particularly described as follows:

Beginning at the southeast corner of Lot 12, Draper's Subdivision, a subdivision recorded as County Survey Number 2490, in the office of the Linn County Surveyor; thence SOUTH 100.00 feet to a 5/8 inch iron rod marking the southeast corner of that property described in Document No. 2007-22093, Linn County Deed Records; thence EAST 20.00 feet to a 5/8 inch iron rod; thence NORTH 100.00 feet to a spring leaf marking the southwest corner of Lot 13 in said Draper's Subdivision; thence WEST 20.00 feet to the Point of Beginning.

END OF DESCRIPTION

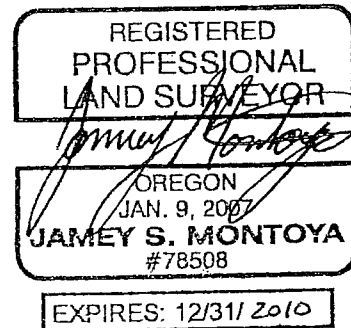


Exhibit B - Adjusted Property "B"

A tract of land lying in the Northeast 1/4 of Section 3, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon, said tract being that property conveyed to the City of Albany by deed recorded in Document No. 2006-25916, Linn County Deed Records. **EXCEPTING THEREFROM** a portion of that property conveyed to the City of Albany by deed recorded in Document No. 2006-25916, Linn County Deed Records, and being more particularly described as follows:

Beginning at the southeast corner of Lot 12, Draper's Subdivision, a subdivision recorded as County Survey Number 2490, in the office of the Linn County Surveyor; thence SOUTH 100.00 feet to a 5/8 inch iron rod marking the southeast corner of that property described in Document No. 2007-22093, Linn County Deed Records; thence EAST 20.00 feet to a 5/8 inch iron rod; thence NORTH 100.00 feet to a spring leaf marking the southwest corner of Lot 13 in said Draper's Subdivision; thence WEST 20.00 feet to the Point of Beginning.

END OF DESCRIPTION

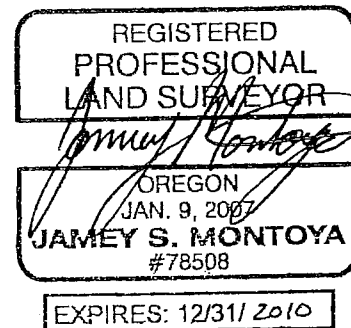


Exhibit C - Adjusted Property "A"

A tract of land lying in the Northeast 1/4 of Section 3, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon, said tract being that property conveyed to the City of Albany by deed recorded in Document No. 2006-25039, Linn County Deed Records. **TOGETHER WITH** a portion of that property conveyed to the City of Albany by deed recorded in Document No. 2006-25916, Linn County Deed Records, and being more particularly described as follows:

Beginning at the southeast corner of Lot 12, Draper's Subdivision, a subdivision recorded as County Survey Number 2490, in the office of the Linn County Surveyor; thence SOUTH 100.00 feet to a 5/8 inch iron rod marking the southeast corner of that property described in Document No. 2007-22093, Linn County Deed Records; thence EAST 20.00 feet to a 5/8 inch iron rod; thence NORTH 100.00 feet to a spring leaf marking the southwest corner of Lot 13 in said Draper's Subdivision; thence WEST 20.00 feet to the Point of Beginning.

END OF DESCRIPTION

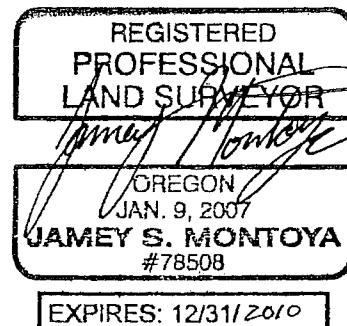
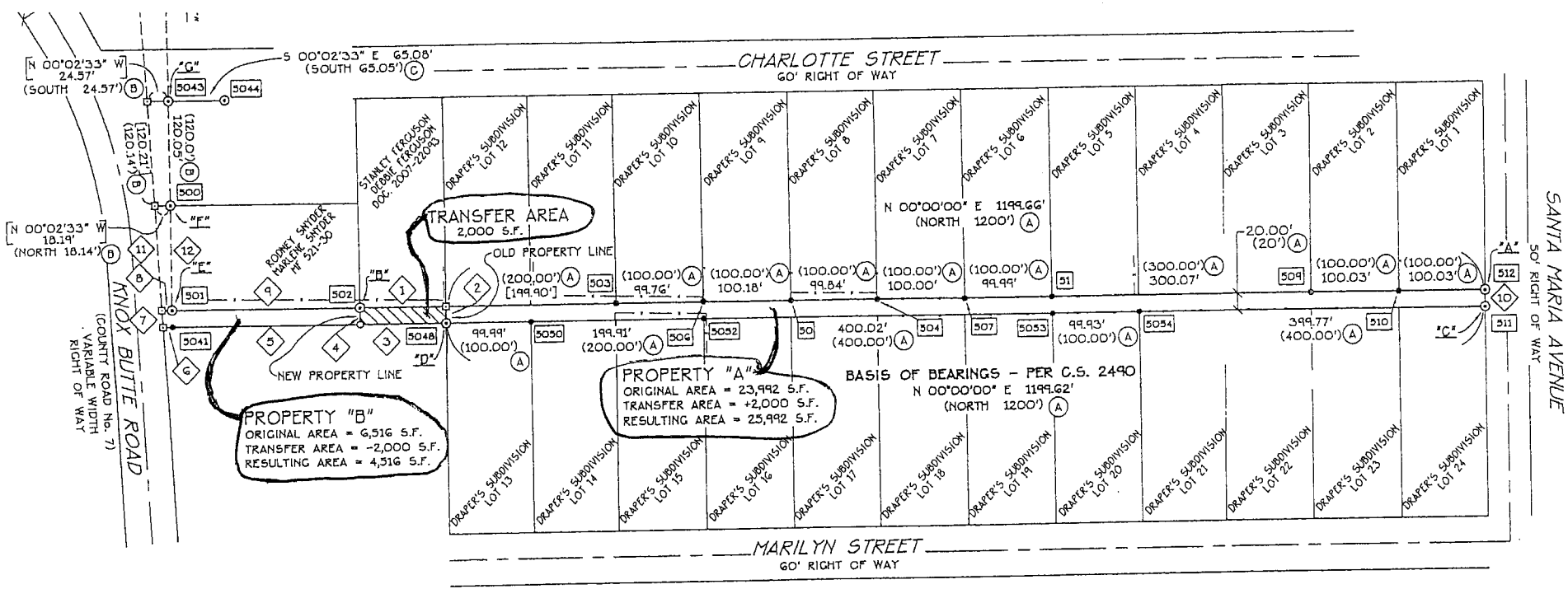


Exhibit D - Property Line Adjustment Map



K & D ENGINEERING, Inc.
 270 N.W. Hickory Street, P.O. Box 725
 Albany, Oregon 97321
 (541) 828-2583

Date: 4/22/2009 Time: 8:39
 Scale: 1"=100'(PS)
 File: dwg\2008\08-23\08-23.dwg (Jamey M)

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON 2009-18170
D-LOT
Cnt=1 Stn=1 COUNTER 10/16/2009 03:29:27 PM
\$30.00 \$15.00 \$9.00 \$10.00 \$64.00



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.



Steve Druckenmiller - County Clerk

After Recording Return To:

City of Albany City Clerk

PO Box 490

Albany, OR 97321

All Tax Statements Should Be Sent To:

Exempt

1. Name/Title of Transaction - by ORS 205.234 (a)

PROPERTY LINE ADJUSTMENT DEED

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

City of Albany

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

City of Albany

4. True and Actual Consideration (if there is one), ORS 93.030

\$0.00

Resolution No. 5855

Recorded Document Recorder File No. 5407