

RESOLUTION NO. 5859

A RESOLUTION ACCEPTING THE ATTACHED QUITCLAIM DEED:

Grantor:

Marvin L. Todd and Kim M. Todd

Purpose

Releasing a 16-foot wide roadway easement not being used in exchange for a 45 foot wide access easement over the area actually being used for ingress and egress for the Todd property.

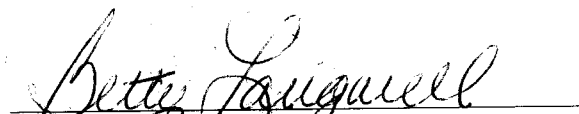
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept the attached Quitclaim Deed.

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 28TH DAY OF OCTOBER 2009.


Mayor

ATTEST:


City Clerk

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2009-18969**
D-QD
Cnt=1 Stn=1 COUNTER **10/30/2009 02:11:42 PM**
\$25.00 \$11.00 \$15.00 \$9.00 \$10.00 **\$70.00**



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)

QUITCLAIM DEED

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

MARVIN L. TODD AND KIM M. TODD

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

\$1.00

Marvin L. Todd and Kim M. Todd
Grantors

After Recording Return to:
City of Albany

CITY OF ALBANY, OREGON
Grantees

Until requested otherwise send
All tax statements to: City of Albany

QUITCLAIM DEED

KNOW ALL PEOPLE BY THESE PRESENTS, that **Marvin L. Todd and Kim M. Todd**, as tenants in common, hereinafter called Grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto **City of Albany, Oregon**, hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenance thereunto belonging or in anywise appertaining, situated in the County of Linn, State of Oregon, described as follows, to wit:

Legal Description

A 16-foot wide easement for road purposes, created by a deed filed on March 31, 1923 in Linn County, Oregon deed records Book 127, Page 212. The easement area being quitclaimed is more particularly described on attached Exhibit A and shown on the map on attached Exhibit B.

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

The true and actual consideration paid for this transfer, stated in terms of dollar, is \$1.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 16 day of October, 2009.

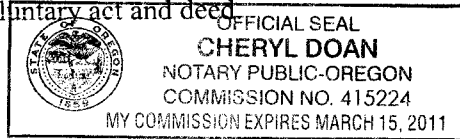
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES MAY NOT AUTHORIZE CONSTRUCTION OR SITTING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Marvin Todd
Marvin L. Todd

Kim M Todd
Kim M. Todd

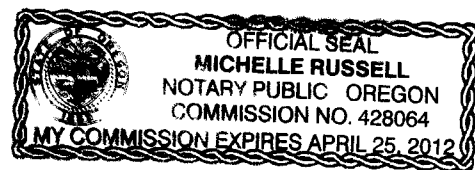
STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on Oct. 16, 2009, by Marvin L. Todd as his voluntary act and deed.



Cheryl Doan
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-15-2011

This instrument was acknowledged before me on October 19, 2009, by Kim M. Todd as her voluntary act and deed.



Michelle Russell
NOTARY PUBLIC FOR OREGON
My Commission Expires: 4/25/12

CITY OF ALBANY:

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

I, Wes Hare as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5859 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 29 day of October, 2009.

Wes Hare

City Manager

ATTEST:

Margaret Langwell

City Recorder



Exhibit A

Legal Description of 16-foot wide roadway easement being quitclaimed/released by Marvin F. and Kim M. Todd, the owners of the property described in Linn County Deed Records MF1120-112. The roadway easement being quitclaimed is more particularly described as follows:

A 16 foot wide strip of land, the south line of which is described as follows: Beginning at a point on the south line of that parcel conveyed to the City of Albany by a deed recorded in Book 187, Page 809, Linn County Deed Records, said point lying 1760.22 feet South 0°43'03" East of the NW corner of the Robert E. Harman Donation Land Claim Number 77 in Section 23, Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; thence 1,542.08 feet South 87°29'23" East, along the south line of said parcel line, extended, to the west line of Spring Meadow subdivision, a subdivision recorded in Linn County Record Book of Plat in Volume 20, Page 23, on February 4, 2000. As shown on the attached map labeled Exhibit B.

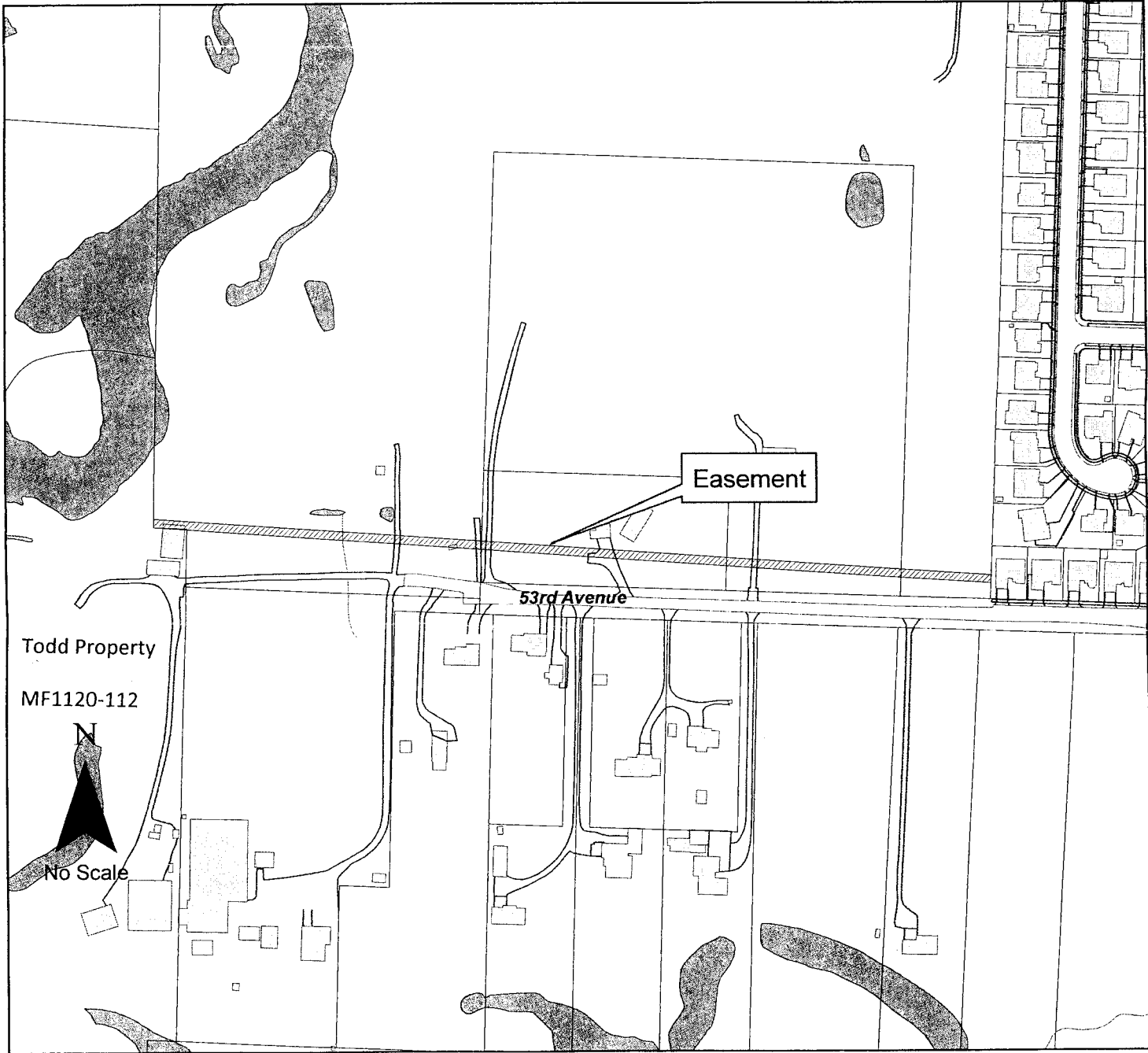
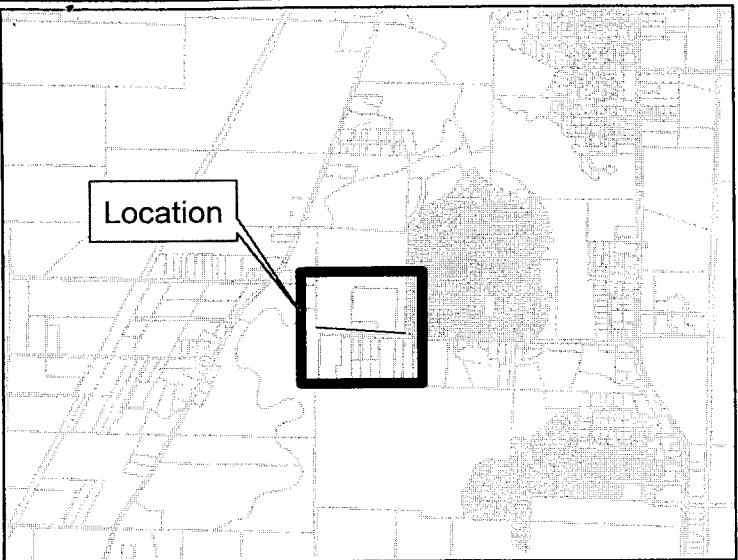
EXHIBIT B

11S04W24 00500

Releasing a 16 foot wide roadway
easement.



Geographic Information Services



Resolution No. 5859

Recorded Document Recorder File No. 5410