

RESOLUTION NO. 5871

A RESOLUTION DIRECTING STAFF TO EXECUTE THE FOLLOWING BARGAIN AND SALE DEED:

Grantor

CITY OF ALBANY

Purpose

A bargain and sale deed transferring ownership of a 226 foot by 20 foot tract of land, in exchange for a drainage easement over a neighboring property. A drainage easement is also being retained by the City over the entire property being conveyed to the Snyders.

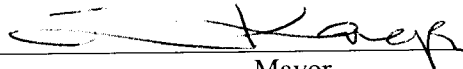
Grantee

Rodney J. Snyder and Marlene G. Snyder

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby direct staff to execute this bargain and sale 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 9TH DAY OF DECEMBER 2009.



Mayor

ATTEST:



City Clerk

City of Albany - Public Works Department

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2009-22174**
D-BS
Cnt=1 Stn=1 COUNTER **12/23/2009 02:40:47 PM**
\$20.00 \$11.00 \$15.00 \$9.00 \$10.00 **\$65.00**



00125160200900221740040040

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:

Rodney J. and Marlene G. Snyder

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

BARGAIN AND SALE 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

Rodney J. and Marlene G. Snyder

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

\$0.00

BARGAIN AND SALE DEED

KNOW ALL PEOPLE BY THESE PRESENTS, that THE CITY OF ALBANY, a municipal corporation, hereinafter called Grantor, conveys to **Rodney J. and Marlene G. Snyder**, 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

See legal description on attached Exhibit A and map on attached Exhibit B.

The Grantor does hereby reserve a storm drainage easement over the entirety of the property being conveyed, including the right to place, maintain and repair storm drainage improvements for the purpose of conveying public drainage over, across, through, and under the land. Permanent structures may not be constructed on the easement area by Grantee, or Grantee's heirs, successors or assigns.

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 construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

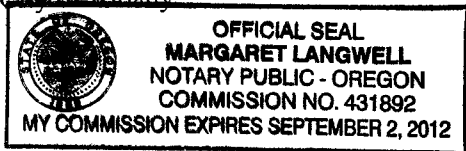
IN WITNESS WHEREOF, the Grantor has executed this instrument this 14 day of December, 2009.

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 SITING 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.

Wes Hare
Wes Hare, City Manager
Stewart Taylor
Stewart Taylor, Assistant City Manager
Finance Director

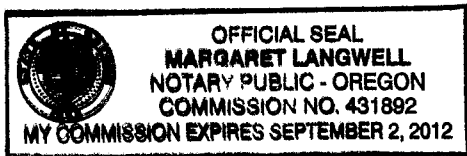
STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on December 23, 2009, by Wes Hare, City Manager for the City of Albany



Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires Sept 2, 2012

This instrument was acknowledged before me on 12-14, 2009, by Stewart Taylor, Assistant City Manager/Finance Director for the City of Albany.



Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires September 2, 2012

Exhibit A

Legal Description of Property Conveyed from City of Albany to Rodney J. and Marlene G. Snyder

A tract of land lying in the Northeast $\frac{1}{4}$ of Section 3, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon, said tract being that property described in Linn County Deed Records 2009-18170 as Exhibit B – Adjusted Property “B”, more particularly described as follows:

A tract of land lying in the Northeast $\frac{1}{4}$ 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 $\frac{5}{8}$ 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 $\frac{5}{8}$ 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.

As shown on the attached map labeled Exhibit B.

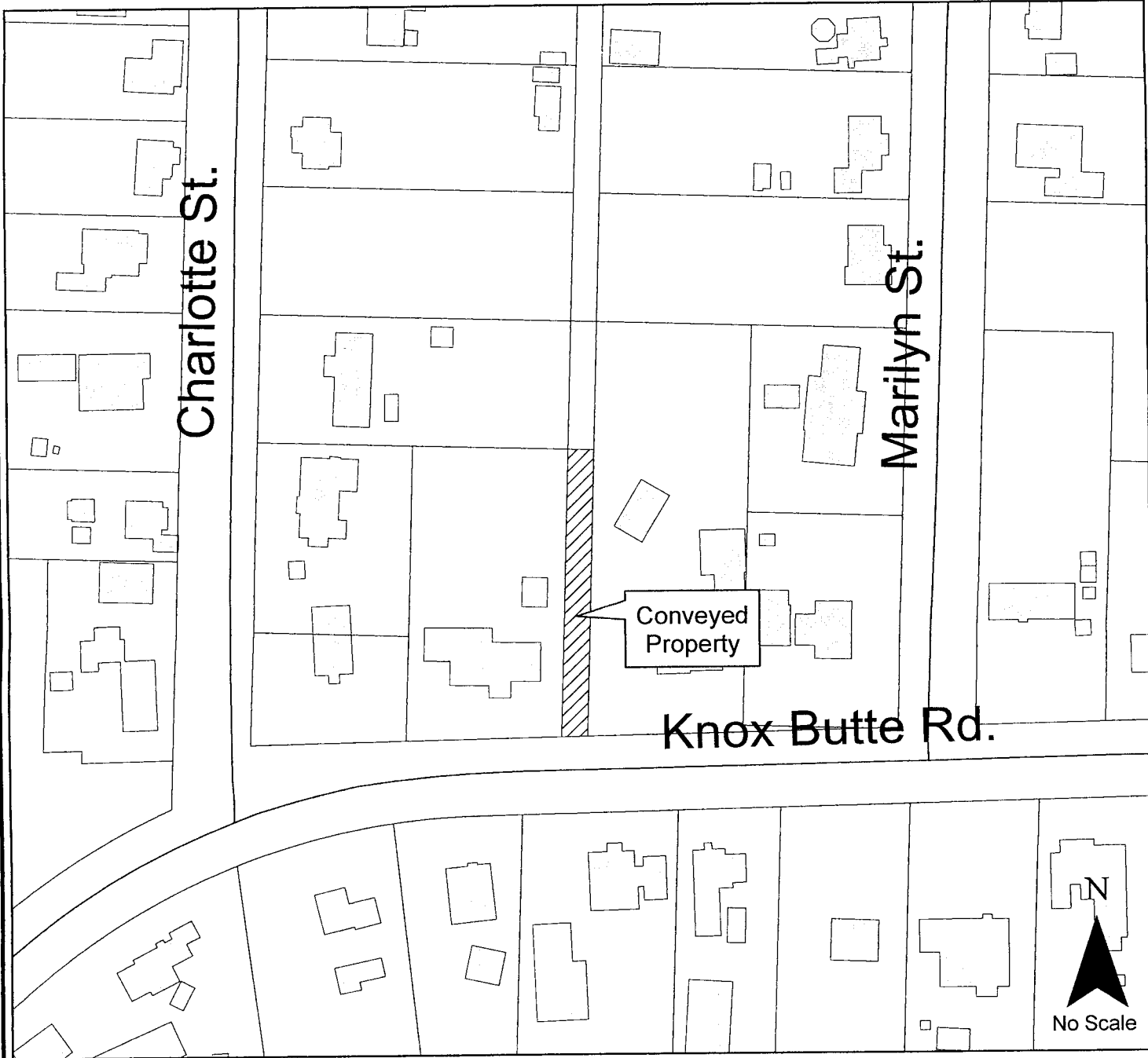
EXHIBIT B

11SO3W03A 04500

Conveying an approximately
226 foot by 20 foot tract
of land.



Geographic Information Services



Resolution No. 5871

Recorded Document Recorder File No. 5450