

RESOLUTION NO. 2160

WHEREAS, the following have conveyed a Bargain and Sale Deed to the City of Albany, Oregon:

<u>Grantor</u>	<u>Purpose</u>
Merle Taylor, William Johnson, Gerald Fox	Bargain and Sale Deed for a 40-foot roadway south of Pacific Blvd., east of Waverly (see Exhibit B).

WHEREAS, the following have conveyed a sidewalk easement to the City of Albany, Oregon:

<u>Grantor</u>	<u>Purpose</u>
Merle Taylor, William Johnson, Gerald Fox	Sidewalk easement for 40-foot roadway south of Pacific Blvd., east of Waverly (see Exhibit A).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and members of the City Council that it accept the above described Bargain and Sale Deed and sidewalk easement on behalf of the City of Albany.

DATED THIS 26TH DAY OF MARCH, 1980

Richard S. Olsen
Mayor

ATTEST:

[Signature]
City Recorder

Rec'd
3-25-80
ape

BARGAIN AND SALE DEED

Jerald E. Fox, Merle F. Taylor and William H. Johnson, Grantors, convey to the City of Albany, Grantee, the following described real property:

See attached Exhibit "B".

situated in Linn County, State of Oregon.

The true consideration for this conveyance is \$0.00.

Dated this 24th day of March, 1980.

GRANTORS:

Nancy Taylor
Merle F. Taylor, by Nancy Taylor,
his attorney in fact

Jerald E. Fox

William H. Johnson

STATE OF OREGON, County of Benton) ss. Date: March 24, 1980

BEFORE ME personally appeared NANCY TAYLOR, known to me to be the identical person authorized through Power of Attorney a copy of which is attached hereto to sign for MERLE F. TAYLOR and acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Jody L. McConnell
Notary Public for Oregon
My Commission Expires: 4-22-83

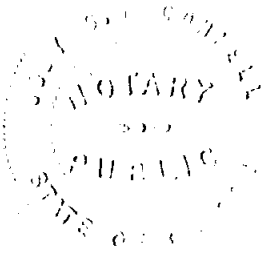
STATE OF OREGON, County of Benton) ss. Date: March 24, 1980

BEFORE ME personally appeared the above named JERALD E. FOX and acknowledged the foregoing instrument to be his voluntary act and deed.

Jody L. McConnell
Notary Public for Oregon
My Commission Expires: 4-22-83

STATE OF OREGON, County of Benton) ss. Date: March 24, 1980

BEFORE ME personally appeared the above named WILLIAM H. JOHNSON and acknowledged the foregoing instrument to be his voluntary act and deed.



Jody S. McConnell
Notary Public for Oregon
My Commission Expires: 4-22-83

Grantors Address:
Estate Builders, Inc.
777 N.E. Second Street
Corvallis, OR 97330

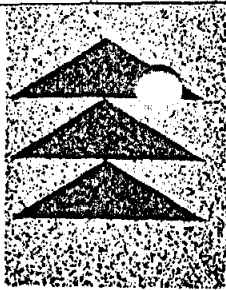
Grantees Address:
City of Albany
c/o Planning Department
127 Broadalbin SW
Albany, OR 97321

After Recording Return to:

Key Escrow Company
229 Third SW
Albany, OR 97321
Atten: Marcy

Until a change is requested all tax statement shall be sent to:

City of Albany
c/o Planning Dept.
127 Broadalbin SW
Albany, OR 97321



TIMBERLAND

Services, Inc.

(503) 926-9404

1010 AIRPORT ROAD — P. O. BOX 668 — ALBANY, OREGON 97321

EXHIBIT "B"

March 7, 1980

Legal Description

Estate Builders

A 40.00 foot wide roadway described as follows:

Beginning at a point which is South $88^{\circ}28'00''$ West 144.00 feet, North $01^{\circ}25'00''$ West 210.00 feet and North $88^{\circ}35'00''$ East 10.00 feet from the northwest corner of Lot 3, Block 13, FREEWAY ADDITION to Albany, Linn County, Oregon; said point also being on the easterly right-of-way of Waverly Drive and running thence North $88^{\circ}35'00''$ East a distance of 61.38 feet; thence northeasterly along a 215.00 radius curve left (the long chord of which bears North $74^{\circ}26'48''$ East 105.02 feet) a distance of 106.10 feet; thence North $60^{\circ}18'35''$ East 92.10 feet; thence northeasterly along a 345.00 foot radius curve right (the long chord of which bears North $72^{\circ}59'20''$ East 151.45 feet) a distance of 152.69 feet; thence North $85^{\circ}40'05''$ East 5.66 feet; thence southeasterly along a 20.00 foot radius curve right (the long chord of which bears South $66^{\circ}45'25''$ East 18.52 feet) a distance of 19.25 feet; thence northerly along a 50.00 foot radius curve left (the central angle of which is $290^{\circ}18'00''$) a distance of 253.33 feet; thence southwesterly along a 20.00 foot radius curve right (the long chord of which bears South $58^{\circ}05'35''$ West 18.52 feet) a distance of 19.25 feet; thence South $85^{\circ}40'05''$ West 5.66 feet; thence southwesterly along a 385.00 foot radius curve left (the long chord of which bears South $72^{\circ}59'20''$ West 169.01 feet) a distance of 170.40 feet; thence South $60^{\circ}18'35''$ West 92.10 feet; thence southwesterly along a 175.00 foot radius curve right (the long chord of which bears South $74^{\circ}26'48''$ West 85.48 feet) a distance of 86.36 feet; thence South $88^{\circ}35'00''$ West 61.38 feet to said easterly right-of-way; thence South $01^{\circ}25'00''$ East 40.00 feet to the true place of beginning.

*Rec'd
3-25-80
apl*

EASEMENT FOR PUBLIC ACCESS TO A SIDEWALK

THIS AGREEMENT, made, and entered into this 24th day of March, 1980, by and between Jerald E. Fox,
William H. Johnson and Merle F. Taylor

herein called grantors, and the CITY OF ALBANY, a Municipal corporation,
herein called "City"

WITNESSETH:

That for and in consideration of the sum of No/100 DOLLARS

(\$0.00) cash in hand paid, the receipt of which sold and by these presents do bargain, sell, convey and transfer unto the City of Albany, a permanent easement including the perpetual right to enter upon the real property herinafter described at any time that it may see fit.

The easement hereby granted covers a strip of land 5 feet in width for the purpose of public access to a sidewalk over the following described property:

See attached Exhibit "A"

TO HAVE AND TO HOLD the said easement unto the City of Albany and unto its successors and assigns forever.

*Rec'd
3-25-80
apl*

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF
SIDEWALK

THIS AGREEMENT, made and entered into this 24th day of
March, 1980, by and between Jerald E. Fox,
William H. Johnson and Merle F. Taylor

herein called grantors, and the CITY OF ALBANY, a Municipal corporation,
herein called "City"

WITNESSETH:

That for and in consideration of the sum of No/100
DOLLARS

(\$0.00) cash in hand paid, the receipt of which sold
and by these presents do bargain, sell, convey and transfer unto the
City of Albany, a permanent easement including the
perpetual right to enter upon the real property herinafter described
at any time that it may see fit, and to construct, maintain and repair
sidewalk for the purpose of constructing a sidewalk over, across, through
and under the lands herinafter described, together with the right to ex-
cavate and refill ditches and/or trenches for the location of the said
sidewalk and the further right to remove trees, bushes, undergrowth and
other obstructions interfering with the location, construction and mainte-
nance of the said sidewalk.

The easement hereby granted covers a strip of land 5 feet in width
for the purpose of construction and maintenance over the following
described property:

RECEIVED

See attached Exhibit "A"

TO HAVE AND TO HOLD the said easement unto the City of Albany and
unto its successors and assigns forever.

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF SIDEWALK
Page 2

The City covenants that should it become necessary subsequent to the original construction of the said sidewalk, to enter in and upon the property for the purpose of maintenance, that the property will be restored to that condition that it was prior to the undertaking of the maintenance.

The grantors do hereby covenant with the City that they are lawfully seized and possessed of the real property above described and that they have a good and lawful right to convey it or any part thereof and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the grantors have hereunto fixed their hands and seals the day and year first hereinabove written.

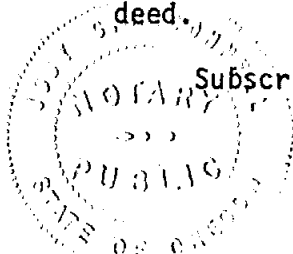
Nancy Taylor
Merle F. Taylor, by
Nancy A. Taylor, his attorney

Jerald E. Fox
William H. Johnson

in fact
STATE OF OREGON
County of } ss
City of }

On this 24th day of March, 1980 personally appeared the above named Jerald E. Fox, William H. Johnson, Merle F. Taylor, by Nancy A. Taylor, his attorney in fact

and acknowledged the foregoing instrument to be their voluntary act and deed.



Subscribed and sworn to before me this 24th day of March, 1980.

Jody M. McConnell
Notary Public for Oregon
My Commission Expires: 4/22/83

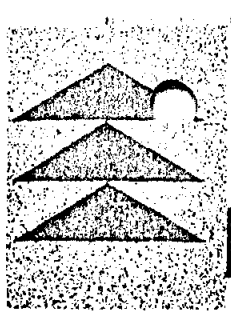
STATE OF OREGON)
County of Linn) ss
City of Albany)

I, Richard S. Olsen, as Mayor of the City of Albany, Oregon, pursuant to Resolution Number 2160, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: March 31, 1980.

CITY OF ALBANY, OREGON
Richard S. Olsen

[Signature]
Recorder



TIMBERLAND

Services, Inc.

(803) 926-9404

1010 AIRPORT ROAD -- P. O. BOX 668 -- ALBANY, OREGON 97321

April 1, 1980

Revised

EXHIBIT A

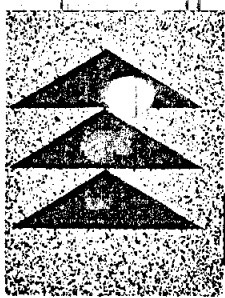
Estate Builders

Legal Descriptions

Northerly Sidewalk Easement

An easement for sidewalk purposes along the northerly right-of-way of a 40 foot roadway, the boundary of said easement being more particularly described as follows:

Beginning at a point which is South 88°28'00" West 144.00 feet, North 01°25'00" West 250.00 feet and North 88°35'00" East 10.00 feet from the northwest corner of Lot 3, Block 13, FREEWAY ADDITION to Albany, Linn County, Oregon; said point also being on the easterly right-of-way of Waverly Drive; and running thence North 88°35'00" East a distance of 61.38 feet; thence northeasterly along a 175.00 foot radius curve left (the long chord of which bears North 74°26'48" East 85.48 feet) a distance of 86.36 feet; thence North 60°18'35" East 92.10 feet; thence northeasterly along a 385.00 foot radius curve right (the long chord of which bears North 72°59'20" East 169.01 feet) a distance of 170.40 feet; thence North 85°40'05" East 5.66 feet; thence northeasterly along a 20.00 foot radius curve left (the long chord of which bears North 64°57'50" East 14.14 feet) a distance of 14.46 feet; thence South 85°40'05" West



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April 1, 1980
Revised

Estate Builders
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Legal Descriptions

18.89 feet; thence southwesterly along a 390.00 foot radius curve left (the long chord of which bears South 72°59'20" West 171.20 feet) a distance of 172.61 feet; thence South 60°18'35" West 92.10 feet; thence southwesterly along a 170.00 foot radius curve right (the long chord of which bears South 74°26'50" West 83.04 feet) a distance of 83.89 feet; thence South 88°35'00" West 61.38 feet to said easterly right-of-way; thence South 01°25'00" East 5.00 feet to the true place of beginning.

Southerly Sidewalk Easement

An easement for sidewalk purposes along the southerly right-of-way of a 40 foot roadway, the boundary of said easement being more particularly described as follows:

Beginning at a 5/8 inch iron rod on the southerly right-of-way of a 40 foot roadway and which is North 01°25'00" West 285.00 feet and North 88°28'00" East 32.56 feet from the northwest corner of Lot 4, Block 13, FREEWAY ADDITION to Albany, Linn County, Oregon; and running thence northeasterly along a 345.00 foot radius curve right (the long chord of which bears North 74°07'48" East 138.01 feet) a distance of 138.95 feet; thence North 85°40'05" East 5.66 feet; thence southeasterly along a 20.00 foot radius curve right (the long chord of which bears South 73°37'40" East 14.14 feet) a distance of 14.46 feet; thence South 85°40'05" West 18.89 feet; thence southwesterly along a 340.00 foot radius curve left (the long chord of which bears South 75°01'40" West 125.56 feet) a distance of 126.28 feet to a point on the north line of that tract described in Volume 68, Page 338, Linn County Microfilm Deed Records; thence South 88°28'00" West along said north line 11.84 feet to the true place of beginning.