

RESOLUTION NO. 3506

**A RESOLUTION ACCEPTING A DEED OF NORTH
ALBANY PROPERTY FOR PARK PURPOSES**

WHEREAS, the City of Albany has purchased a tract of land described as Parcel 1 of Partition Plat No. 1993-94 as recorded December 21, 1993, in the Benton County Partition Plat Records of Benton County, Oregon; and

WHEREAS, it is in the interests of the City of Albany to accept a deed to said property.

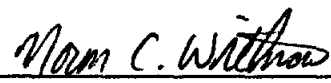
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Albany that the deed conveying to the City Parcel 1 of Partition Plat No. 1993-94 as recorded December 21, 1993, in Benton County Partition Plat Records, Benton County, Oregon, be and is hereby accepted and shall be recorded.

DATED this 26th day of April, 1995.



Mayor

ATTEST:



City Recorder - Deputy



WARRANTY DEED

M-198363-95
M-198903-95

KNOW ALL MEN BY THESE PRESENTS, That PHILLIP L. GERSTNER AND DIAN GERSTNER,
TRUSTEES FOR THE PHILLIP L. GERSTNER M.D. P.C. PROFIT SHARING TRUST

Grantor s
in consideration of TWO-HUNDRED-THOUSAND AND NO/100 Dollars,
to them paid by the Grantee herein, do hereby grant, bargain, sell and convey unto
CITY OF ALBANY, A MUNICIPAL CORPORATION

Grantee the following described real property, situated in the County of BENTON and
State of Oregon, to wit:

PARCEL 1 OF PARTITION PLAT NO. 1993-⁴²~~94~~, AS RECORDED DECEMBER 21, 1993 IN THE
BENTON COUNTY PARTITION PLAT RECORDS, BENTON COUNTY, OREGON.

"THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION,
PREVIOUSLY RECORDED AS M-198363-95"

*PROVISIONS THEREOF, IN FAVOR OF MOUNTAIN STATES POWER COMPANY, AS SET FORTH IN
INSTRUMENT RECORDED APRIL 3, 1923 IN BOOK 71, PAGE 469, BENTON COUNTY DEED RECORDS;
EASEMENT FOR PUBLIC UTILITIES, INCLUDING THE TERMS AND PROVISIONS THEREOF RECORDED
NOVEMBER 23, 1992 AS M-156671-92, MICROFILM RECORDS FOR BENTON COUNTY, OREGON; LAND
PARTITIONING AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS SET FORTH IN
INSTRUMENT RECORDED JANUARY 10, 1994 AS M-176068-94, MICROFILM RECORDS FOR BENTON COUNTY,
OREGON; PETITION FOR IMPROVEMENTS AND WIAVER OF REMONSTRANCE AGREEMENT, INCLUDING THE TERMS
AND PROVISIONS THEREOF, AS SET FORTH IN INSTRUMENT RECORDED JANUARY 10, 1994 AS M-176070-94.
Parcel # 349370

To Have and to Hold the granted premises unto the said Grantee, its Heirs and Assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted
premises free from all encumbrances, SUBJECT TO; AS DISCLOSED BY THE ASSESSMENT AND TAX ROLL, THE
PREMISES HEREIN HAVE BEEN SPECIALLY ASSESSED AS FOREST LAND; IF THE LAND BECOMES
DISQUALIFIED FOR THIS SPECIAL ASSESSMENT UNDER THE STATUTE, AN ADDITIONAL TAX PLUS
INTEREST MAY BE LEVIED FOR THE LAST FIVE OR LESSER NUMBER OF YEARS IN WHICH THE
LAND WAS SUBJECT TO THIS SPECIAL LAND USE ASSESSMENT; REGULATIONS, INCLUDING
LEVIES, LIENS, ASSESSMENTS, RIGHTS OF WAY AND EASEMENTS OF THE NORTH ALBANY COUNTY
SERVICE DISTRICT; EASEMENT FOR ELECTRIC TRANSMISSION LINE, INCLUDING THE TERMS AND *
and that they will and their heirs, executors and administrators, shall warrant and forever defend the granted
premises, against the lawful claims and demands of all persons, except as above stated.

Witness our hands and seal this 18 day of April, 1995.

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 ANY FARMING OR FOREST PRACTICES AS
DEFINED IN ORS 30.930.

Phillip L. Gerstner (SEAL)
PHILLIP L. GERSTNER, TRUSTEE

Dian Gerstner (SEAL)
DIAN GERSTNER, TRUSTEE

STATE OF OREGON
County of Grant } ss.

BE IT REMEMBERED, That on this 18th day of April, 1995, before me, the
undersigned, a Notary Public in and for said County and State, personally appeared the within named
PHILLIP L. GERSTNER, TRUSTEE

known to me to be the identical individual described in and who executed the within instrument and acknowledged to
me that HE executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above
written.



Judy Lenz
My Commission expires 8-18-95 Notary Public for Oregon.

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL
BE SENT TO THE FOLLOWING ADDRESS:

CITY OF ALBANY
P.O. BOX 490
ALBANY, OR 97321
Return to: FA/LINDA 192953-L
CITY OF ALBANY
P.O. BOX 490
ALBANY, OR 97321

STATE OF OREGON
County of _____ } ss.

I certify that the within instrument was received for
record on _____
at _____ o'clock _____, and was recorded
in Book _____ Page _____ Record
of Deeds of said county.

Recorder of Conveyances

By _____ Deputy

10-4-35-DA#1900
FATWV #193233-B

STATE OF OREGON,

County of Linn

} ss.

FORM No. 23—ACKNOWLEDGMENT.
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BE IT REMEMBERED, That on this 27th day of April, 1995,
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named DIAN GERSTNER, TRUSTEE

known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that SHE executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Susan C. Creel
Notary Public for Oregon
My commission expires

STATE OF OREGON } ss. **189349**
County of Benton }

I hereby certify that the within instrument
was received for record.

'95 MAY 15 PM 2 55

AND ASSIGNED No 198903 1995

In the microfilm records of said county
Witness My Hand and Seal of County Affixed
DANIEL G. BURK
Director Of Records & Elections

By [Signature] Deputy

STATE OF OREGON } ss. **188774**
County of Benton }

I hereby certify that the within instrument
was received for record.

'95 APR 28 AM 11 30

AND ASSIGNED No 198363 1995

In the microfilm records of said county
Witness My Hand and Seal of County Affixed
DANIEL G. BURK
Director Of Records & Elections

By [Signature] Deputy

Resolution No. 3506

Recorded Document Recorder File No. 2404