

RESOLUTION NO. 3682

A RESOLUTION AUTHORIZING BARGAIN AND SALE DEEDS RELEASING CONSTRUCTION EASEMENTS AND RESERVING 15 FEET FOR PURPOSES OF MAINTENANCE OF UTILITIES.

WHEREAS, the City of Albany was granted easements, which are recorded in Volume 68, Page 918; Volume 68, Page 920; Volume 252, Page 496; and Volume 252, Page 504, Linn County Deed Records; and

WHEREAS, it is no longer necessary to retain the full construction easement over said properties, and the construction easements should be released with a reservation of a portion of the easement for maintenance purposes; and


WHEREAS, bargain and sale deeds have been prepared releasing the construction easements and retaining maintenance easements over the property as set forth above.

NOW, THEREFORE, BE IT RESOLVED, that the City Manager and the City Recorder of the City of Albany, be authorized to enter into bargain and sale deeds releasing construction easements as above stated and retaining in said deeds the property necessary for maintenance of utilities.

DATED THIS 14TH DAY OF AUGUST 1996.


Mayor

ATTEST:

City Recorder

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF ALBANY, a municipal corporation, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BOB PERRAULT, hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Linn, State of Oregon, described as follows, to-wit:

Easement recorded in Vol 68, Pg 920, on the 9th day of August, 1973, described as follows: A strip of land 50' on the East side of the following described line: Beginning at a point N 0° 20' E 2596.83 feet and S 89° 42' W 957 feet from the Southwest corner of DLC 55 in Township 11 South, Range 3 West of the Willamette Meridian; thence N 0° 20' E 90 feet EXCEPT the Grantor does reserve an easement for maintenance purpose on the most Westerly 15 feet of said property.

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 dollars, is \$-0-. 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.

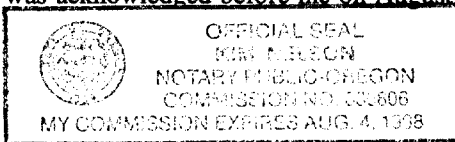
IN WITNESS WHEREOF, the Grantor has executed this instrument this 14th day of August 1996.

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.

Steve Bryant - City Manager
Gary Holliday - Finance Director

STATE OF OREGON, County of Linn) ss.

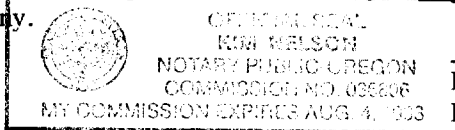
This instrument was acknowledged before me on August 20th, 1996, by STEVE BRYANT, as City Manager for the City of Albany.



Kim Nelson
NOTARY PUBLIC FOR OREGON
My Commission Expires: 8/4/98

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on August 20th, 1996, by GARY HOLLIDAY, as Finance Director for the City of Albany.



Kim Nelson
NOTARY PUBLIC FOR OREGON
My Commission Expires: 8/4/98

Return to: City of Albany - Recorder
P.O. Box 490, Albany, OR 97321

CITY OF ALBANY, a municipal corporation - Grantor
Bob Perrault - Grantee
After recording return to: Bob Perrault
Until requested otherwise send all tax statements to: Bob Perrault 35114 Santiam Hwy (jmk\deeds\albper.b.s) Lebanon, OR 97355

FOR RECORDER'S USE

STATE OF OREGON
County of Linn
I hereby certify that the attached was received and duly recorded by me in Linn County records.
STEVE DRUCKENMILLER
Linn County Clerk
By PA, Deputy

35
Aug 26 2 21 PM '96

M 3
R 5
S 20
A 20
O
MF 822
PAGE 109

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF ALBANY, a municipal corporation, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BOB PERRAULT, hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Linn, State of Oregon, described as follows, to-wit:

Easement recorded in Vol MF 252, Pg 496, on the 21st day of December, 1979, described as follows:

A strip of land 50' on the West side of the following described parcel: Beginning at a point N0°20' E 2686.83 feet from the Southwest corner of the Jordan Robinson DLC 55; thence N0°20'E 92'; thence S 89° 42' W 957 feet; thence S 0° 20' W 92 feet; thence N89°42'E 927 feet to the point of beginning.

EXCEPT reserving to the Grantor an easement along the Westerly boundary of said property 15 feet in width for purposes of maintenance of utilities.

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 dollars, is \$-0-. 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 14th day of August 1996.

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.

Steve Bryant - City Manager
Gary Holliday - Finance Director

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on August 20th, 1996, by STEVE BRYANT, as City Manager for the City of Albany.



Kim Nelson Aug 4, 1998
NOTARY PUBLIC FOR OREGON
My Commission Expires:

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on August 22nd, 1996, by GARY HOLLIDAY, as Finance Director for the City of Albany.

Kim Nelson Aug 4, 1998
NOTARY PUBLIC FOR OREGON
My Commission Expires:

FOR RECORDER'S USE

CITY OF ALBANY, a municipal corporation - Grantor

Bob Perrault - Grantee

After recording return to:

Until requested otherwise send all tax statements to: Bob Perrault 35114 Santiam Hwy Lebanon, OR 97355 (jmk\deeds\albperr.bs)

STATE OF OREGON County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records.

STEVE DRUCKENMILLER Linn County Clerk

By [Signature], Deputy

M 5
R 3
S 20
O 20
MF 822
PAGE 110

AUG 26 2 21 PM '96

Return to: City of Albany - Recorder P.O. Box 400, Albany, OR 97321

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF ALBANY, a municipal corporation, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BOB PERRAULT, hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Linn, State of Oregon, described as follows, to-wit:

Easement recorded in Vol MF 252, Pg 504, on the 21st day of December, 1979, described as follows:

A strip of land 50' on the West side of the following described parcel: Beginning at a point N 0° 20' E 2596.83 feet from the Southwest corner of the Jordan Robinson DLC 55; thence N 0° 20' E 90'; thence S 89° 42' W 957 feet; thence S 0° 20' W 90 feet; thence N 89° 42' E 927 feet to the point of beginning.

EXCEPT reserving to the Grantor an easement along the Westerly boundary of said property 15 feet in width for purposes of maintenance of utilities.

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 dollars, is \$-0-. 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 14th day of August, 1996.

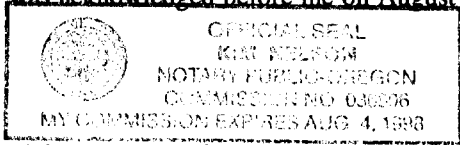
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST 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.

Steve Bryant - City Manager

Gary Holliday - Finance Director

STATE OF OREGON, County of Linn) ss.

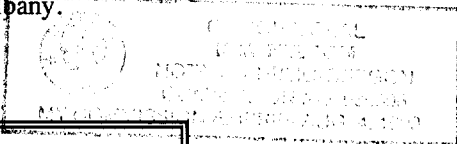
This instrument was acknowledged before me on August 22nd, 1996, by STEVE BRYANT, as City Manager for the City of Albany.



Kim Nelson
NOTARY PUBLIC FOR OREGON
My Commission Expires: Aug 4, 1998

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on August 22nd, 1996, by GARY HOLLIDAY, as Finance Director for the City of Albany.



Kim Nelson
NOTARY PUBLIC FOR OREGON
My Commission Expires: Aug 4, 1998

FOR RECORDER'S USE

Form with fields for Grantor (CITY OF ALBANY), Grantee (Bob Perrault), and return address (35114 Santiam Hwy, Lebanon, OR 97355).

STATE OF OREGON
County of Linn
I hereby certify that the attached was received and duly recorded by me in Linn County records.
STEVE DRUCKENMILLER
Linn County Clerk
By PA, Deputy

Aug 26 2 21 PM '96

Return to: City of Albany - Recorder
P.O. Box 400, Albany, OR 97321

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF ALBANY, a municipal corporation, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BOB PERRAULT, hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Linn, State of Oregon, described as follows, to-wit:

Easement recorded in Vol 68, Pg 918, on the 9th day of August, 1973, described as follows: A strip of land 50' on the East side of the following described line: Beginning at a point N 0° 20' E 2686.83 feet from the Southwest corner of DLC 55 in Township 11 South, Range 3 West of the Willamette Meridian; thence N 0° 20' E 92 feet EXCEPT the Grantor does reserve an easement for maintenance purpose on the Westerly 15 feet of said property.

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 dollars, is \$-0-. 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 14th day of August 1996.

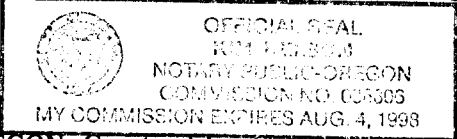
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Signature of Steve Bryant - City Manager

Signature of Gary Holliday - Finance Director

STATE OF OREGON, County of Linn) ss.

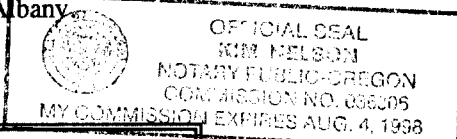
This instrument was acknowledged before me on August 20th, 1996, by STEVE BRYANT, as City Manager for the City of Albany.



Signature of Kim Nelson, Notary Public for Oregon, My Commission Expires: Aug. 4, 1998

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on August 20th, 1996, by GARY HOLLIDAY, as Finance Director for the City of Albany.



Signature of Kim Nelson, Notary Public for Oregon, My Commission Expires: Aug. 4, 1998

FOR RECORDER'S USE

Form with fields for CITY OF ALBANY, a municipal corporation - Grantor; Bob Perrault - Grantee; After recording return to; Until requested otherwise send all tax statements to: Bob Perrault, 35114 Santiam Hwy, Lebanon, OR 97355.

Return to: City of Albany - Recorder, P.O. Box 430, Albany, OR 97321

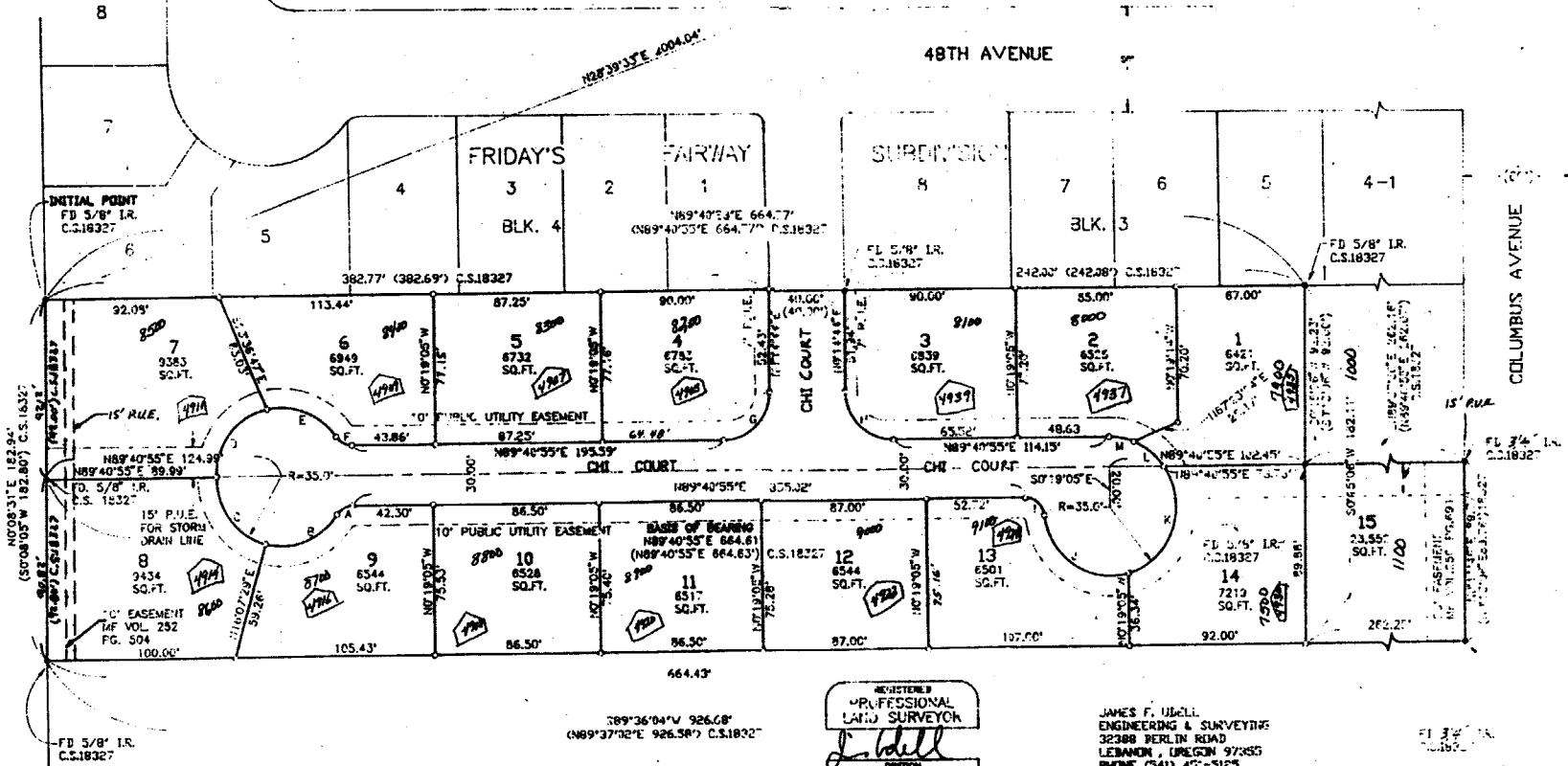
STATE OF OREGON County of Linn. I hereby certify that the attached was received and duly recorded by me in Linn County records. STEVE DRUCKENMILLER Linn County Clerk. By [Signature], Deputy. MF 822 PAGE 112

Handwritten date and time: Aug 26 2 21 PM '96

C.S. 21616
CHI GARDEN SUBDIVISION
 IN THE NW 1/4 SEC. 20, T.11S, R.3W, S.W.4
 CITY OF ALBANY, Linn County, OREGON

I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PATTERNS PLAT.
Jim Udell
 JAMES F. UDELL

NOTE: SEE THE NEXT PAGE



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Jim Udell
 OREGON
 December 23, 1977
 JIM UDELL
 1366
 LV-985 8-30-98

JAMES F. UDELL
 ENGINEERING & SURVEYING
 32388 WELLEN ROAD
 LEWISBURG, OREGON 97366
 PHONE (541) 451-5125
 FAX (541) 451-1366

11-3W-20BD-08900

11-25-95

Chi Garden Subd.

Resolution No. 3682

Recorded Document Recorder File No. 2880