

RESOLUTION NO. 5559

A RESOLUTION ACCEPTING THE FOLLOWING WARRANTY DEED:

Grantor

PATTON PARK L.L.C.

Purpose

A warranty deed transferring ownership of a tract of land containing a drainageway to the City of Albany, as required by the Conditions of Approval for Patton Park subdivision.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this warranty 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 13TH DAY OF FEBRUARY 2008.



Mayor

ATTEST:



City Clerk

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **PATTON PARK L.L.C.**; hereinafter called the GRANTOR, does hereby grant, bargain, sell, warrant and convey unto **THE CITY OF ALBANY, OREGON, A MUNICIPAL CORPORATION**, hereinafter called the GRANTEE, and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of Linn and State of Oregon, to wit:

Tract "A" as shown on the Patton Park subdivision plat, a subdivision in Section 4, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon. As shown on the attached map labeled Exhibit "A".

SUBJECT TO: All those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any; and the Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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 FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration paid for this conveyance, stated in terms of dollars, is \$1.00.

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 hereunto fixed his hand and seal the day and year written below.

GRANTOR:

[Signature]
Howard J. Aaronson, Managing Member of Patton Park, LLC.

STATE OF OREGON)
County of Washington) ss.
City of Portland)

The foregoing instrument was acknowledged before me this 6 day of Sept, 2007, by Howard J. Aaronson, on behalf of Patton Park LLC., as his voluntary act and deed.

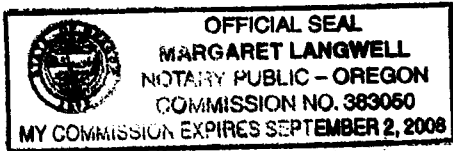


[Signature]
Notary Public for Oregon
My Commission Expires: 4-22-10

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 5559, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 18 day of February 2008.



Wes Hare
City Manager
ATTEST: [Signature]
City Recorder

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2008-03981**
D-WD
Cnt=1 Stn=1 COUNTER **02/28/2008 03:15:12 PM**
\$20.00 \$11.00 \$10.00 **\$41.00**



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:
City of Albany - Exempt _____

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

WARRANTY DEED

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

Patton Park LLC

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 _____

Resolution No. 5559

Recorded Document Recorder File No. 5034