

RESOLUTION NO. 6240

A RESOLUTION DIRECTING STAFF TO EXECUTE THE ATTACHED QUITCLAIM DEED:

Grantor: City of Albany

Purpose

Grantee: VGC Heritage Mall, LLC

Releasing a portion of a water line easement as part of the Heritage Mall remodel near the Ross store.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby direct staff to execute the attached Quitclaim Deed.

DATED AND EFFECTIVE THIS 12<sup>TH</sup> DAY OF JUNE 2013.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
  
\_\_\_\_\_  
City Clerk

LINN COUNTY  
Recording Cover Sheet  
All Transactions, ORS: 205.234

LINN COUNTY, OREGON 2013-10200  
D-QD  
Cnt=1 Str=1 M. DAVIS 06/20/2013 11:25:46 AM  
\$30.00 \$11.00 \$15.00 \$19.00 \$10.00 \$85.00



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:

Vintage Capital Group LLC

11611 San Vicente Blvd Suite 1000

Los Angeles CA 90049

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

Quitclaim 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

VGC Heritage Mall, LLC

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

\$0

CITY OF ALBANY

Grantor

After Recording Return to:

City of Albany

VCG Heritage Mall, LLC

Grantee

Until requested otherwise send

All tax statements to:

Vintage Capital Group LLC  
11611 San Vicente BLVD Ste 1000  
Los Angeles, CA 90049

QUITCLAIM DEED

KNOW ALL PEOPLE BY THESE PRESENTS, that THE CITY OF ALBANY, a municipal corporation, hereinafter called Grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto VCG Heritage Mall, LLC, 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

Approximately 55 feet of a public water line easement recorded in Linn County Deed records Volume 502, Page 461. As described in the attached legal description labeled Exhibit A, and as shown on attached maps labeled Exhibits B and C.

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 \$-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 19 day of June, 2013.

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, Finance Director

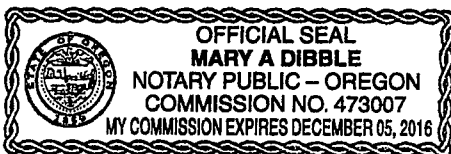
STATE OF OREGON, County of Linn ) ss.

This instrument was acknowledged before me on June 19, 2013, by Wes Hare, City Manager for the City of Albany.

Mary A Dibble  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 12/5/16

This instrument was acknowledged before me on June 19, 2013, by Stewart Taylor, Finance Director for the City of Albany.

Mary A Dibble  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 12/5/16



## Exhibit "A"

**HERITAGE MALL ALBANY  
WATER EASEMENT VACATION  
MAY 17, 2013**

A PORTION OF THE 15' WATER EASEMENT AS GRANTED PER DEED VOL. 502, PAGES 461-470, LINN COUNTY DEED RECORDS, LOCATED IN THE N 1/2 OF SECTION 8, TOWNSHIP 11 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, IN THE CITY OF ALBANY, LINN COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 15.00 FOOT WIDE STRIP OF LAND BEING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A POINT OF THE WEST RIGHT-OF-WAY LINE OF CLAY STREET, THAT IS NORTH 1°52'43" WEST, 388.12 FEET FROM THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE NORTH RIGHT-OF-WAY LINE OF 14<sup>TH</sup> STREET (SAID INTERSECTION POINT BEING 40 FEET NORTH OF THE 14<sup>TH</sup> STREET CENTERLINE AND 35 FEET WEST OF THE CLAY STREET CENTERLINE, WHEN MEASURED AT RIGHT ANGLES);

THENCE SOUTH 88°15'13" WEST, 8.48 FEET TO POINT A;

THENCE SOUTH 88°15'13" WEST, 125.15 FEET;

THENCE NORTH 41°54'18" WEST, 87.02 FEET TO POINT B;

THENCE SOUTH 45°01'02" WEST, 68.44 FEET;

THENCE SOUTH 88°19'10" WEST, 187.00 FEET TO POINT C;

THENCE SOUTH 88°19'10" WEST, 86.06 FEET TO POINT D;

THENCE SOUTH 88°19'10" WEST, 6.94 FEET;

THENCE SOUTH 43°13'12" WEST, 53.00 FEET TO POINT E;

THENCE NORTH 46°46'48" WEST, 42.50 FEET TO THE POINT OF BEGINNING OF THE PORTION OF WATERLINE EASEMENT TO BE VACATED;

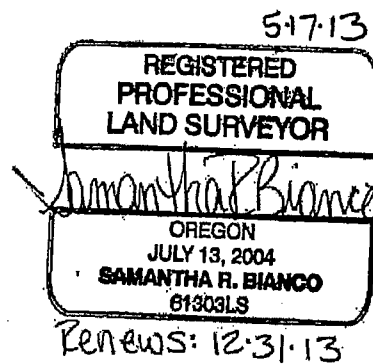
THENCE NORTH 46°46'48" WEST, 33.97 FEET;

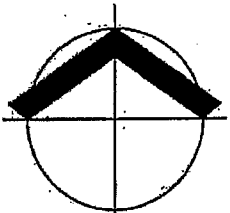
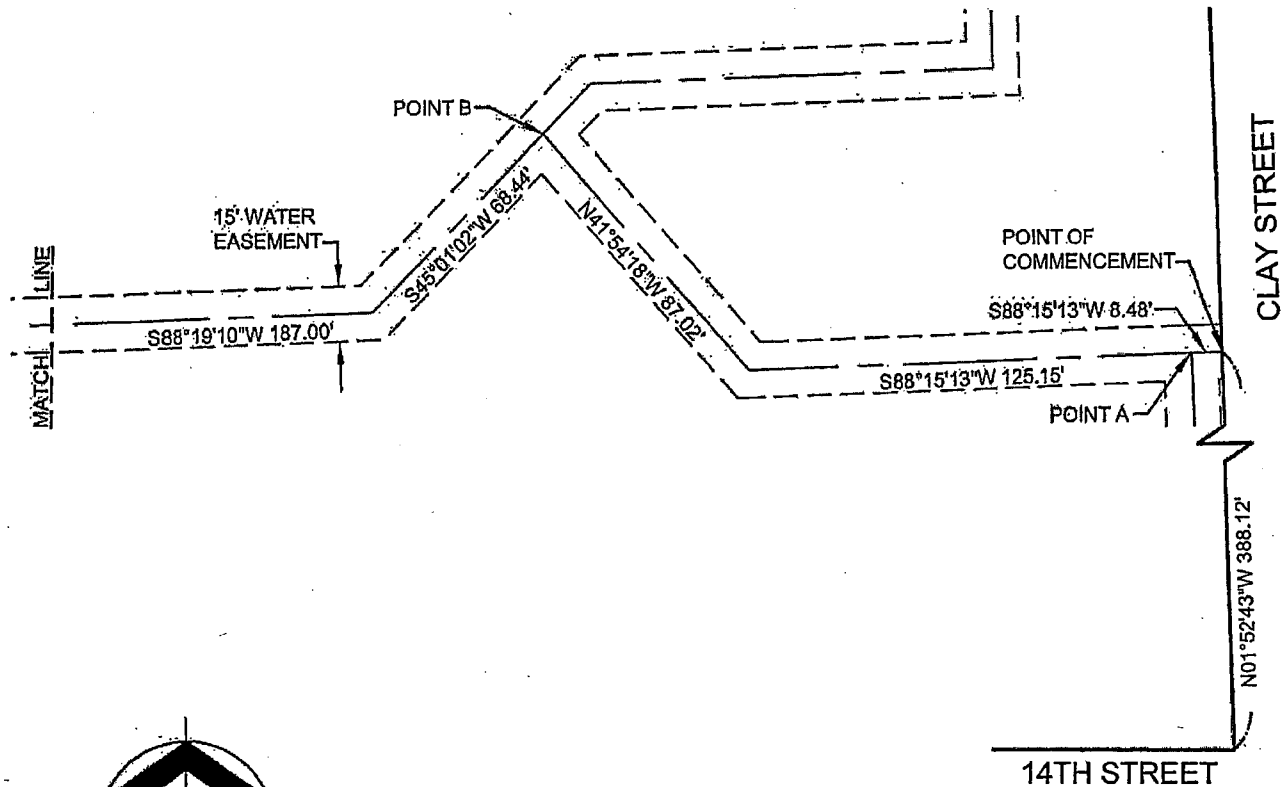
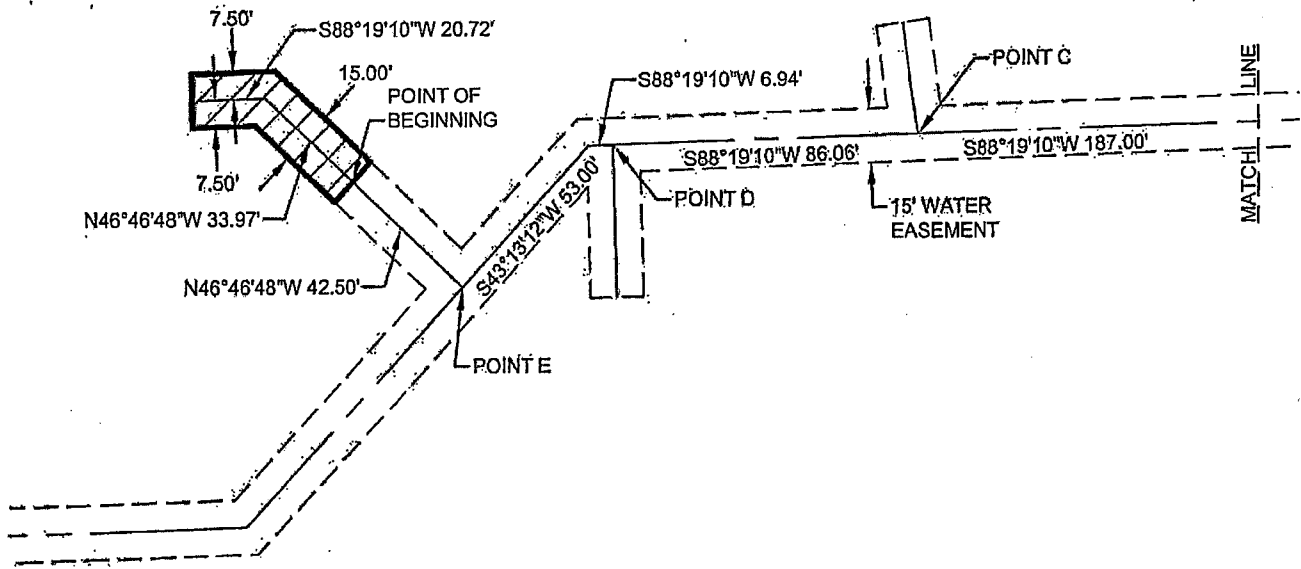
THENCE SOUTH 88°19'10" WEST, 20.72 FEET TO THE POINT OF TERMINUS OF THE PORTION OF WATERLINE EASEMENT TO BE VACATED.

THE SIDELINES OF SAID WATER EASEMENT THAT REMAIN WILL TERMINATE AT POINTS PERPENDICULAR TO SAID CENTERLINE.

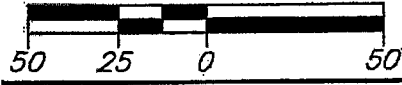
CONTAINS 820 SQUARE FEET OR 0.019 ACRES, MORE OR LESS.

THE ATTACHED EXHIBIT "B" ENTITLED "HERITAGE MALL ALBANY WATER EASEMENT VACATION" IS MADE A PART HEREOF.





SCALE: 1"=50'



**LEGEND:**

- AREA OF EASEMENT VACATION  
820 SQUARE FEET OR  
0.019 ACRES MORE OR LESS
- SEE ATTACHED LEGAL DESCRIPTION



5415 SW WESTGATE DR, SUITE 100  
 PORTLAND, OR 97221  
 TEL: (503) 419-2500 FAX: (503) 419-2600  
 www.cardno.com

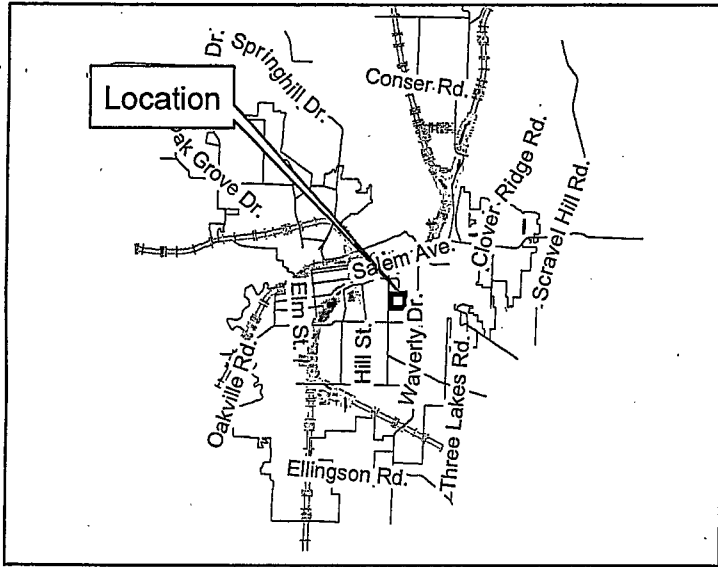
**EXHIBIT "B"**  
**HERITAGE MALL ALBANY**  
**WATER EASEMENT VACATION**  
 NE 1/2 OF S8, T11S, R3W, WILLAMETTE MERIDIAN  
 CITY OF ALBANY, LINN COUNTY, OREGON

PROJECT NO. 21302760  
 DATE: 05/17/2013  
 BY: TLB  
 SCALE: 1"=50'  
 PAGE NO. 3 OF 3

# EXHIBIT C

11S03W08BD00801

Releasing a portion of a waterline easement as part of the Heritage Mall remodel near the Ross store.



Geographic Information Services

