

RESOLUTION NO. 3721

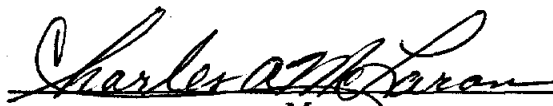
A RESOLUTION TO EXECUTE A QUITCLAIM DEED FOR A WATERLINE EASEMENT FOR PROPERTY LOCATED IN THE 34TH AVENUE INDUSTRIAL PARK SUBDIVISION.

WHEREAS, on July 8, 1987, the Albany City Council passed Resolution No. 2800 accepting a waterline easement for public utilities recorded in Linn County Deed Records Volume 478, Page 896, and located across Lots 2, 3, 4, and 5 of 34th Avenue Industrial Park subdivision of record in Linn County, Oregon, in Section 18, Township 11 South, Range 3 West, Willamette Meridian, said easement also being located in portions of the vacated 31st Court SW, a vacated right-of-way 50.00 feet in width.; and

WHEREAS, it has been determined that the same waterline is to be abandoned and that the requirement for the waterline easement by the City is not necessary and that the same should be deeded to the adjoining property owner.

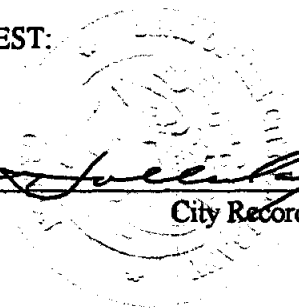
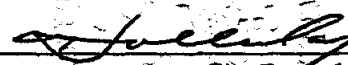
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Albany that the City Manager and the City Recorder execute a quitclaim deed to Panolam Industries, Inc., an Oregon corporation, as the abutting property owner.

DATED THIS 18TH DAY OF DECEMBER 1996.



Mayor

ATTEST:

City Recorder

<p>The City of Albany Grantor</p> <p>Panolam Industries Grantee</p>	<p>✓ <u>After Recording Return to:</u> City of Albany, Recorder P.O. Box 490 Albany, OR 97321</p> <p><u>Until requested otherwise send all tax statements to:</u> Panolam Industries, Inc. 3030 Calapooia SW Albany, OR 97321</p>
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QUITCLAIM 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 remise, release and quitclaim unto PANOLAM INDUSTRIES, INC., an Oregon corporation, 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:

A waterline easement located in Lots 2, 3, 4 and 5 of "34th Avenue Industrial Park," in the City of Albany, subdivision of record in Linn County, Oregon, in Section 18, Township 11 South, Range 3 West, Willamette Meridian, said easement also being located in portions of the vacated 31st Court SW, a vacated right-of-way 50.00 feet in width, said easement being more particularly described as follows:

Beginning at the Southwest corner of said Lot 4, said point being located on The Easterly right-of-way line of the Southern Pacific Railroad; thence along said Easterly right-of-way line on the arc of a 1879.86-foot radius curve to the right (long chord bears North 29° 31' 11" West 8.24 feet) a distance of 8.24 feet; thence North 66° 33' 29" East 15.15 feet, thence North 1° 01' 25" West 8.24 feet; thence North 88° 58' 35" East 10.00 feet; thence South 1° 01' 25" East 7.00 feet; thence North 86° 58' 35" East 114.03 feet; thence North 45° 56' 10" East 108.87 feet; thence North 86° 55' 51" East 153.14 feet; thence North 1° 03' 00" West 48.67 feet; thence North 88° 57' 00" East 10.00 feet; thence South 1° 03' 00" East 48.32 feet; thence North 86° 55' 51" East 11.75 feet; thence North 41° 56' 44" East 94.21 feet; thence North 88° 57' 00" East 366.77 feet to the point on the Westerly right-of-way line of Calapooia Street SW, (a 60.00 foot wide right-of-way) which point is North 17° 45' 00" West 171.16 feet from the Southeast corner of Lot 2; thence South 17° 45' 00" East, along said Westerly right-of-way line, 10.44 feet; thence South 88° 57' 00" West 365.42 feet; thence South 41° 56' 44" West 94.00 feet; thence South 86° 55' 51" West 175.30 feet; thence South 45° 56' 10" West 109.08 feet; thence South 88° 58' 35" West 122.98 feet; thence South 73° 10' 55" West 15.65 feet to the point of beginning. The basis of bearings for the above described easement is the plat of said subdivision.

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.

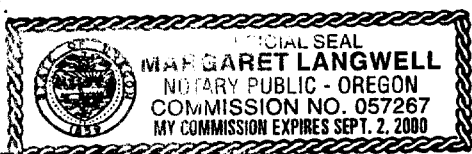
IN WITNESS WHEREOF, the Grantor has executed this instrument this 18 day of December, 1996.

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, City Recorder

STATE OF OREGON, County of Linn) ss.

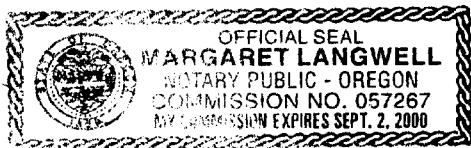
This instrument was acknowledged before me on December 24, 1996, by STEVE BRYANT as City Manager for the City of Albany.



Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-2-2000

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on December 24, 1996, by Gary Holliday, as City Recorder for the City of Albany.



Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-2-2000

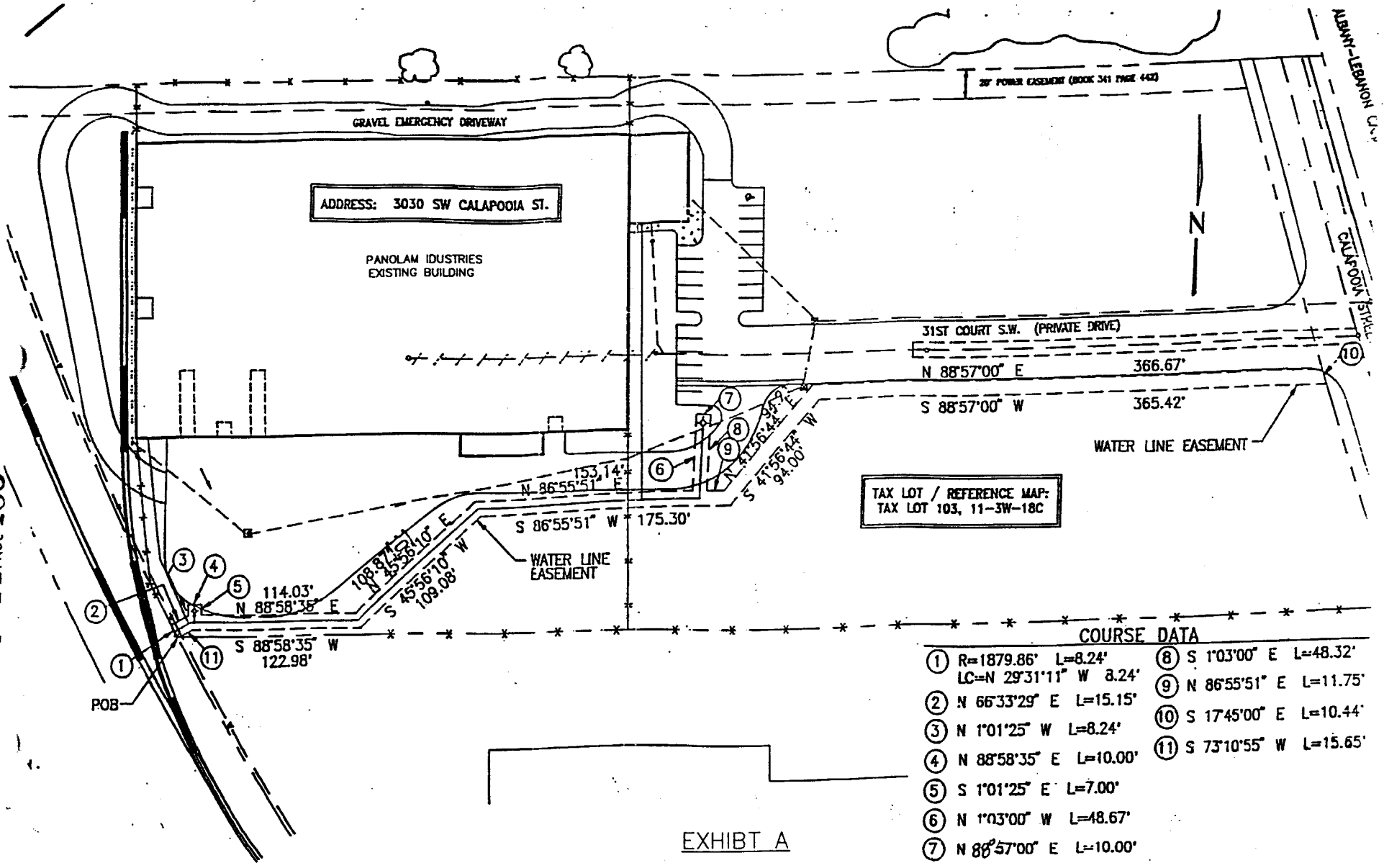
OWNER:

Panolam Industries

WATERLINE EASEMENT TO BE VACATED:

A waterline easement located in Lots 2, 3, 4, and 5 of "34th Avenue Industrial Park," in the City of Albany, a subdivision of record in Linn County, Oregon, in Section 18, Township 11 South, Range 3 West, Willamette Meridian, said easement also being located in portions of the vacated 31st Court SW, a vacated right-of-way 50.00 feet in width, said easement being more particularly described as follows:

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TAX LOT / REFERENCE MAP:
TAX LOT 103, 11-3W-18C

COURSE DATA

- ① R=1879.86' L=8.24' ⑧ S 1°03'00" E L=48.32'
- LC=N 29°31'11" W 8.24'
- ② N 66°33'29" E L=15.15' ⑨ N 86°55'51" E L=11.75'
- ③ N 1°01'25" W L=8.24' ⑩ S 17°45'00" E L=10.44'
- ④ N 88°58'35" E L=10.00' ⑪ S 73°10'55" W L=15.65'
- ⑤ S 1°01'25" E L=7.00'
- ⑥ N 1°03'00" W L=48.67'
- ⑦ N 88°57'00" E L=10.00'

EXHIBIT A

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

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M
R 10
S 70
A 20
O
DEC 30 2 39 PM '96
MF 844
PAGE 404

By *cm*, Deputy

Resolution No. 3721

Recorded Document Recorder File No. 2877