

RESOLUTION NO. 5109

A RESOLUTION DIRECTING STAFF TO EXECUTE THE ATTACHED BARGAIN & SALE DEED:

Grantee

Linn County, Oregon

Purpose

Convey any interest the City of Albany has in Berlin Road near the dam site on the South Santiam River to Linn County

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby direct staff to execute this Bargain and Sale 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 APRIL 2005.



Mayor

ATTEST:



City Clerk

FILED

APR 27 2005

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY

STEVE DRUCKENMILLER, CLERK
[Signature]
Clerk

IN THE MATTER OF ACCEPTING AND
RECORDING CERTAIN REAL PROPERTY
GRANTED TO LINN COUNTY FOR ROAD
PURPOSES (COUNTY ROAD NO. 20B,
BERLIN ROAD)

RESOLUTION &
ORDER NO. 2005-169
(Deed Acceptance)

COMES NOW, Darrin Lane, Linn County Roadmaster, and respectfully requests that the Board of County Commissioners for Linn County (Board) accept a certain deed conveying real property to Linn County (a copy of which is attached hereto and marked Exhibit 1):

Bargain and Sale Deed dated: April 14, 2005
Grantors: City of Albany

WHEREAS, Said property is planned to become a part of a county road system by further action of the Board, and having considered the matter; and, now, therefore, be it

RESOLVED, That the original deed be and is hereby accepted; and

ORDERED, That the original deed be recorded in the deed records.

Dated this 26th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY

[Signature]

Roger Nyquist, Chairman

[Signature]

John K. Hindley, Commissioner

[Signature]

Cliff Wooten, Commissioner

APPROVED AS TO CONTENT:

[Signature]

Darrin Lane
Linn County Roadmaster

APPROVED AS TO FORM:

[Signature]

Brad Anderson
Linn County Legal Counsel

BARGAIN AND SALE DEED

City of Albany, Grantor, conveys for county road purposes, to:

Linn County, a political subdivision of the State of Oregon, Grantee, the following described real property:

CR 20B, T12S, R1W, Section 19, Tax Lot 200

All that portion conveyed to the City of Albany in Deed MF Volume 388-163 as recorded in Linn County Deed Records lying within the following described property.

Continued on back

The true and actual consideration for this transfer, stated in terms of dollars, No Dollars \$0.00

However, the actual consideration consists of or includes other property or other value given or promised, which is part of the whole of the consideration [indicate which].

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.

Steve Bryant Printed Name

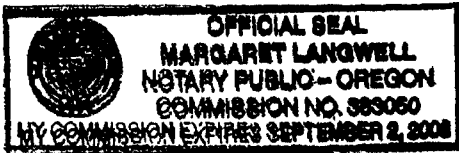
[Signature] Signature

City Manager Title

4/14/05 Date

State of Oregon) ss. County of Linn)

This instrument was acknowledged before me on this 14 day of April, 2005 by Steve Bryant, as City Manager of The City of Albany, whose identity was proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument; and acknowledged the foregoing instrument to be his/her voluntary act and deed.



[Signature] Notary Public for Oregon My Commission expires: Sept. 2, 2008

This property is accepted by the Linn County Board of Commissioners by Resolution and Order indicated hereinbelow pursuant to Linn County Policy No. 15.

Chairperson Commissioner Commissioner

COPY

Until further notice, all tax statements shall be sent to:

Linn County Road Department 3010 Ferry Street SW Albany, OR 97322-3998

After recording return copy to:

Linn County Road Department (Original retained by Linn County Clerk)

RESOLUTION & ORDER # DATE: VOLUME: PAGE: Assessor's Map T12S, R1W, Section 19, TL 200

Exhibit Page 1 of 2

Continued from front

A 60 foot strip of land for road right-of-way purposes, the centerline of which is described as follows:

Beginning at a point on CR 20-B (Berlin Road) Engineer's Centerline Station 129+00, said point being South 00° 09' 59" West 623.82 feet and North 82° 15' 40" West 22.92 feet from the Northwest corner of Section 19, of Township 12 South, Range 1 West of the Willamette Meridian, in Linn County, Oregon; thence South 82° 15' 40" East 61.94 feet; thence along the arc of a 2800.61 foot radius curve to the left a distance of 150.00 feet, (the long chord of which bears South 83° 47' 44" East 149.99 feet); thence South 85° 19' 48" East 700.17 feet; thence along the arc of a 2878.99 foot radius curve to the right a distance of 187.81 feet, (the long chord of which bears South 83° 27' 40" East 187.78 feet) to Engineer's Centerline PT Station 139+99.93 and the terminus of this description.

Exhibit 1
Page 2 of 2

APR 27 2005

BARGAIN AND SALE DEED

STEVE BRUCKENMULLER, CLERK
By [Signature] Clerk

City of Albany
conveys for county road purposes, to:

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Steve Bryant
Printed Name

[Signature]
Signature

City Manager
Title

4/14/05
Date

State of Oregon)
County of Linn) ss.

This instrument was acknowledged before me on this 14 day of April, 2005 by Steve Bryant, as City Manager of The City of Albany, whose identity was proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged the foregoing instrument to be his/her voluntary act and deed.



383050

9-2-08

Margaret Langwell
Notary Public for Oregon
My Commission expires: Sept. 2, 2008

This property is accepted by the Linn County Board of Commissioners by Resolution and Order indicated hereinbelow pursuant to Linn County Policy No. 15.

[Signature]
Chairperson
[Signature]
Commissioner
[Signature]
Commissioner

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After recording return copy to:

Linn County Road Department
3010 Ferry Street SW
Albany, OR 97322-3998

Linn County Road Department
(Original retained by Linn County Clerk)

RESOLUTION & ORDER # 2005-169 DATE: 4-27-05 VOLUME: 323 PAGE: 145
Assessor's Map T12S, R1W, Section 19, TL 200

Continued from front

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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 gh Deputy PAGE 772

M [Signature] N/C
S
A 2005 APR 28 P 1:30
O Return to
MF 1704 Linn County Clerk

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 gh Deputy PAGE 770

M [Signature] N/C
S
A 2005 APR 28 P 1:23
O Return to
MF 1704 Linn County Clerk

Resolution No. 5109

Recorded Document Recorder File 4529