

RESOLUTION NO. 5075

A RESOLUTION DIRECTING STAFF TO EXECUTE THE ATTACHED QUITCLAIM DEED:

Grantor: **City of Albany**

Purpose

Grantee: **Bobby and Denise Monigold**

Releasing a 20-foot-wide public utility easement for a water line, as described and as shown in the attached Quitclaim Deed. The water line has been abandoned and the easement is not being used and is not needed.

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

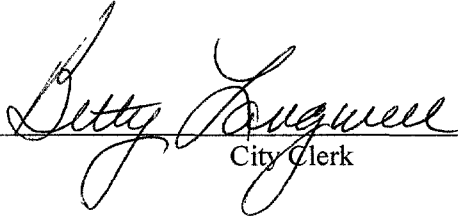
BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 1ST DAY OF DECEMBER 2004.



Council President

ATTEST:



City Clerk

CITY OF ALBANY
Grantor

After Recording Return to:
City of Albany

Bobby and Denise Monigold
Grantees

Until requested otherwise send
All tax statements to:

Bobby and Denise Monigold
6525 Looney Lane SW
Albany, OR 97321

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 **Bobby and Denise Monigold**, 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

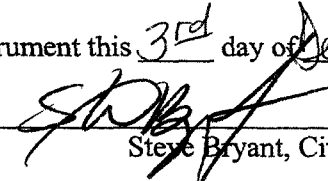
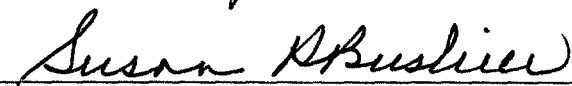
A portion of a 20-foot wide Public Utility Easement created by a deed recorded in Linn County Microfilm Deed Records Volume 768, Page 844. The portion of the easement being released lies over the southern 130 feet of Lot 12, Campbell Estates subdivision, a subdivision filed in Linn County Record Book of Plats Volume 20, Page 27, on July 12, 2000, as shown on the attached map labeled Exhibit A.

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.

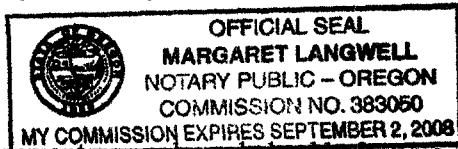
IN WITNESS WHEREOF, the Grantor has executed this instrument this 3rd day of December 2004.

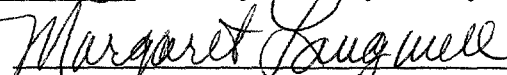
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST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

Susan Busbice, Assistant City Manager
Administrative Services Director

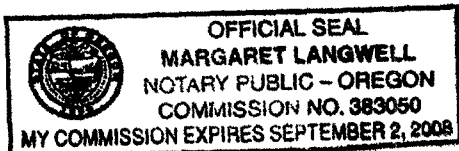
STATE OF OREGON, County of Linn) ss.


This instrument was acknowledged before me on December 3, 2004, by Steve Bryant, City Manager for the City of Albany.




Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires: Sept. 2, 2008

This instrument was acknowledged before me on December 3, 2004, by Susan Busbice, Assistant City Manager/Administrative Services Director for the City of Albany.




Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires: Sept. 2, 2008

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

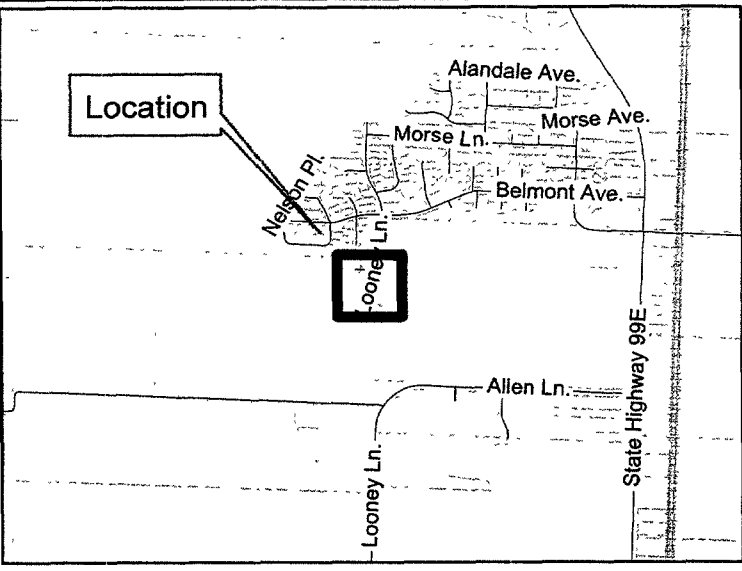


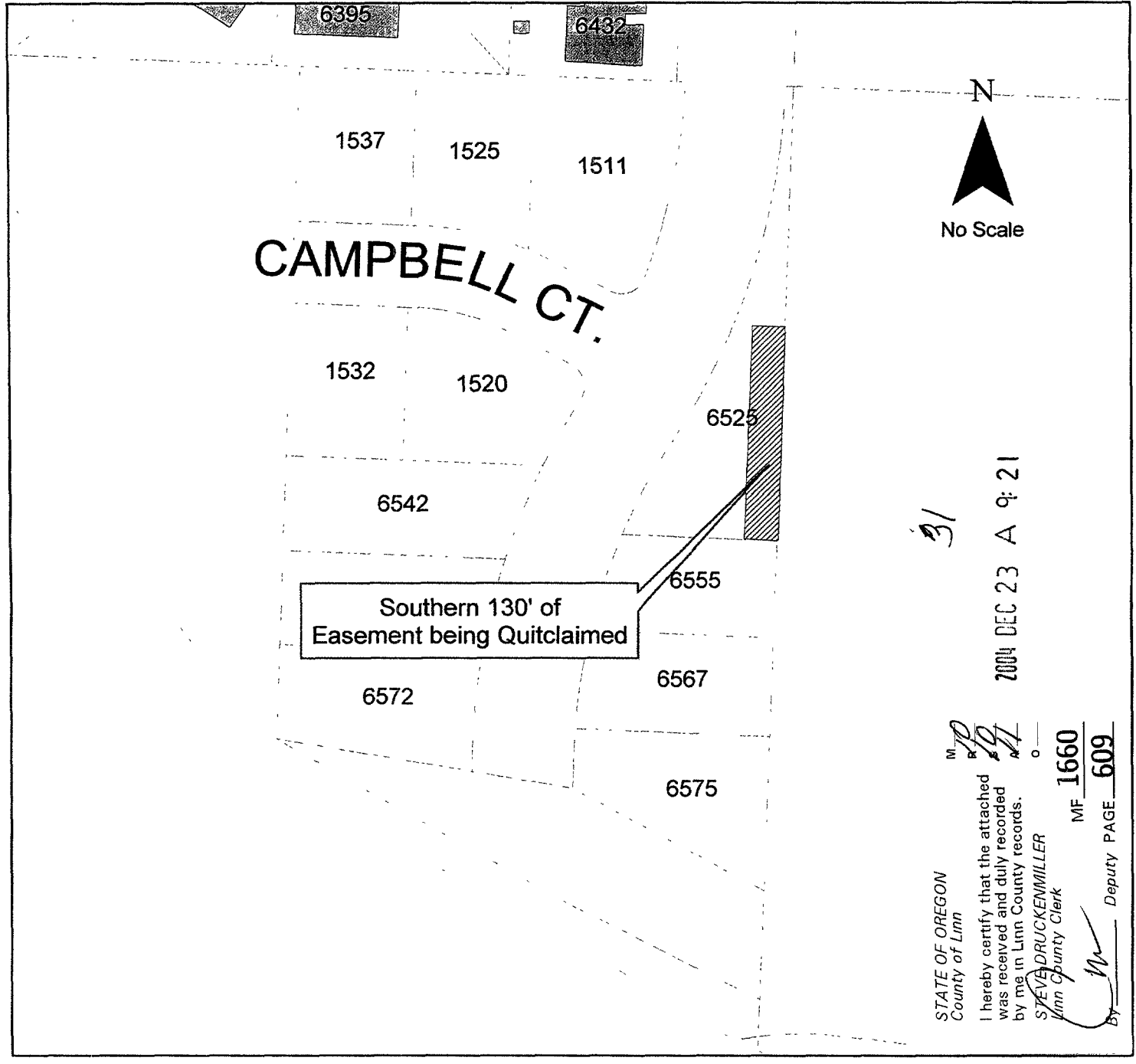
EXHIBIT A

**6525 Looney Lane SW
Bobby and Denise Monigold**

City of Albany
Quitclaim deed to release
the 20' wide easement over an
abandoned water line



Geographic Information Services



31
2004 DEC 23 A 9: 21

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 MF 1660
Deputy PAGE 609

Resolution No. 5075

Recorded Document Recorder File 4466