

RESOLUTION NO. 5560

A RESOLUTION ACCEPTING THE FOLLOWING WARRANTY DEED:

Grantor

Purpose

BBF DEVELOPMENT (CLOVER RIDGE) LLC; and  
Breadner Parker & Associates, (Clover Ridge), LLC

A warranty deed over a tract of land containing a  
drainageway and wetlands within Edgewater North  
at Clover Ridge subdivision, as required in the  
subdivision's conditions of approval.

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 13<sup>TH</sup> DAY OF FEBRUARY 2008.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

## WARRANTY DEED

**KNOW ALL PERSONS BY THESE PRESENTS, that BBF DEVELOPMENT (CLOVER RIDGE) LLC and BREADNER PARKER & ASSOCIATES (CLOVER RIDGE) LLC; 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 Edgewater North at Clover Ridge subdivision plat, a subdivision in Sections 3 and 4, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon. As described in the attached legal description labeled Exhibit "A" and as shown on the attached map labeled Exhibit "B".

**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 their hand and seal the day and year written below.

**GRANTORS:**

[Signature]  
Myles Breadner for Breadner Parker & Associates, (Clover Ridge) LLC

[Signature]  
Myles Breadner for BBF Development, (Clover Ridge) LLC

STATE OF OREGON )  
County of Linn ) ss.  
City of Albany )

STATE OF OREGON )  
County of Linn ) ss.  
City of Albany )

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of January, 2008, by Myles Breadner for Breadner Parker & Associates, (Clover Ridge) LLC as his/her voluntary act and deed.

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of January, 2008, by Myles Breadner for BBF Development, (Clover Ridge) LLC as his/her voluntary act and deed.



[Signature]  
Notary Public for Oregon  
My Commission Expires: 12/15/09

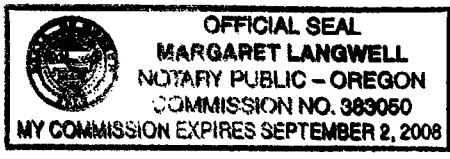
[Signature]  
Notary Public for Oregon  
My Commission Expires: 12/15/09

**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 5560, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 18 day of February 2008.

[Signature]  
City Manager



ATTEST:  
[Signature]  
City Clerk

## **EXHIBIT A**

(Legal Description of Tract "A" in Edgewater North at Clover Ridge subdivision)

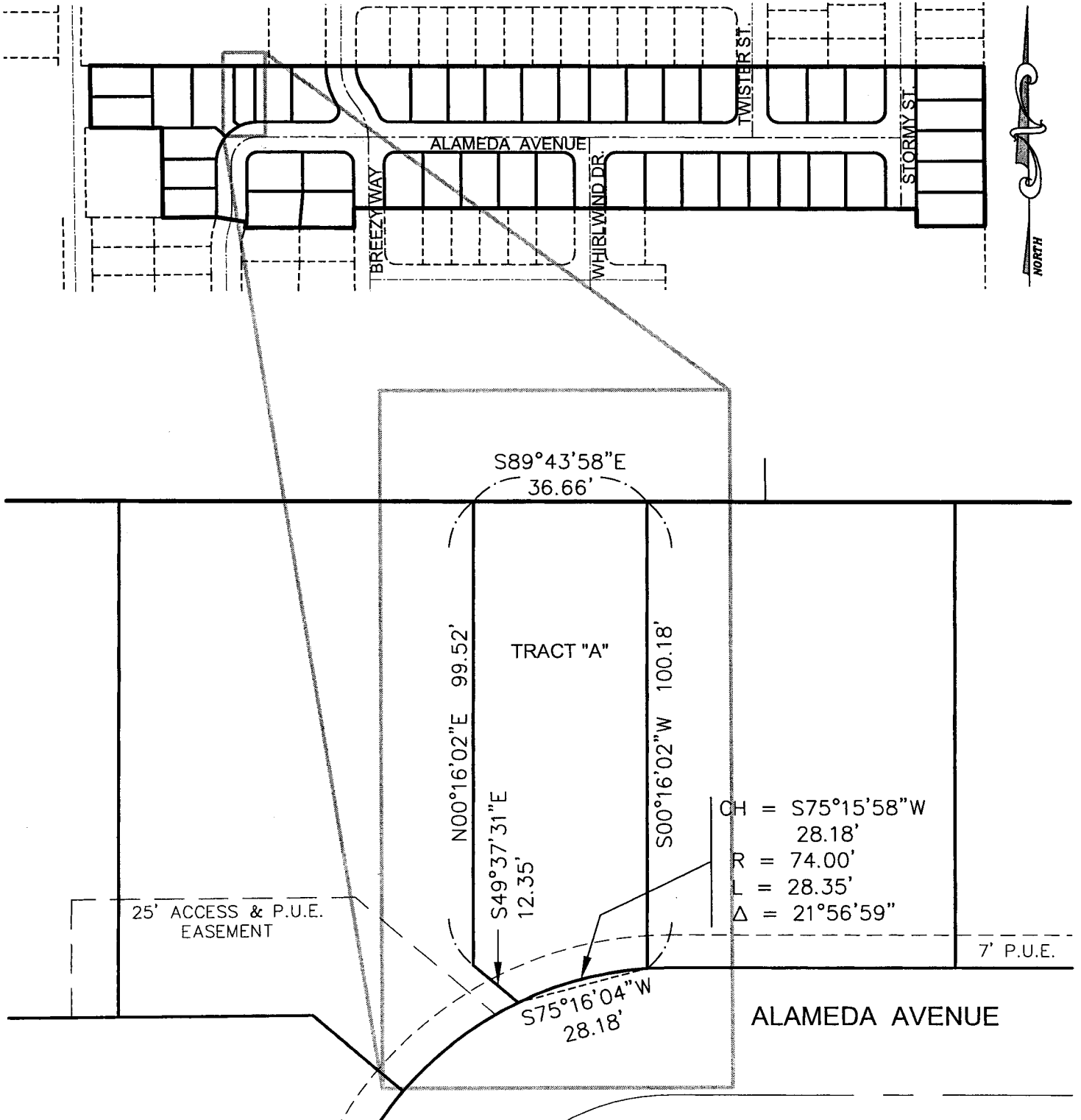
A portion of a tract of land described in Microfilm Volume 1730, Page 260, Linn County, Oregon Deed records, said tract is more particularly described as follows:

Beginning at a point on the south line of Document No. 2006-30271, Linn County, Oregon Deed Records, said point bears N 89°43'58" W, a distance of 25.00 feet from the Southwest corner of Lot 42, "Wind in the Willows", a subdivision, recorded as C.S. 23952, Linn County, Oregon Surveyor's Records; thence S 00°16'02" W, leaving said deed line, a distance of 100.18 feet; thence Southwesterly, along a curve to the left, with a Radius of 74.00 feet, (the chord of which bears S 75°16'04" W 28.18 feet) thence along the arc of said curve, a distance of 28.35 feet to a point; thence N 49°37'31" W, a distance of 12.35 feet, to a point; thence N 00°16'02" E, a distance of 99.52 feet, to a point on the southerly line of Document No. 2006-30271, Linn County, Oregon Deed Records; thence S 89°43'58" E, along said deed line, a distance of 36.67 feet, to the point of beginning.

Containing 3,779 Square Feet more or less

All being located in Section 03, and Section 04, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon.

# EXHIBIT "B"



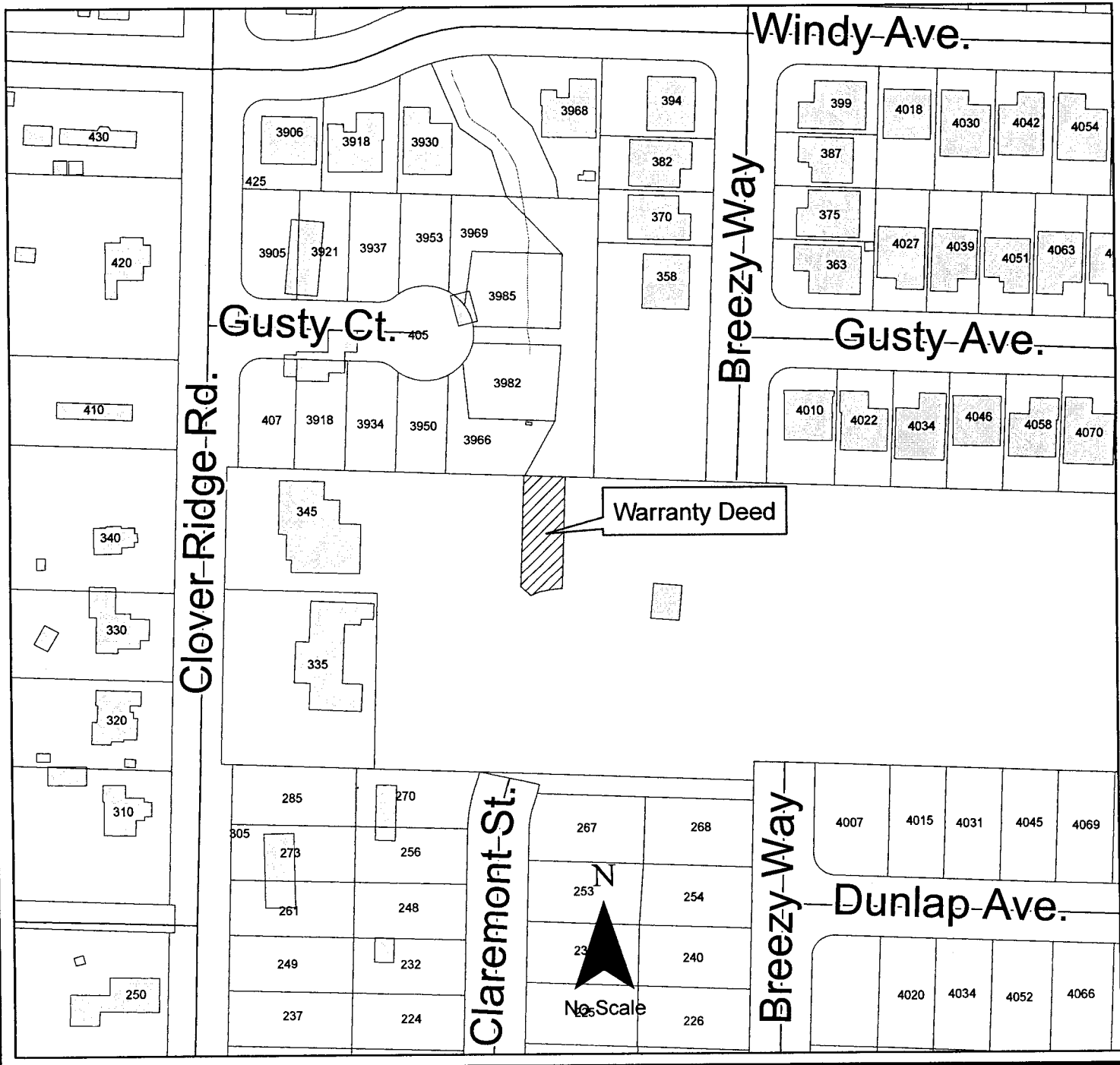
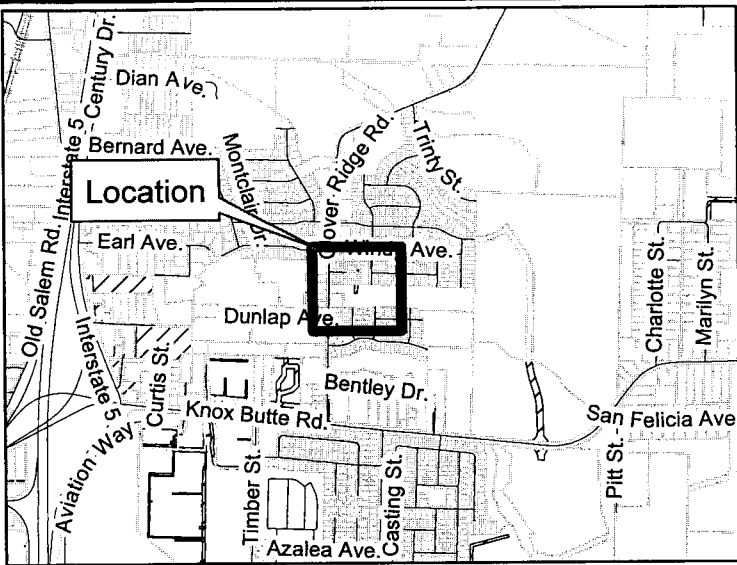
# EXHIBIT C

11SO3W03B 00400

A warranty deed transferring ownership of the tract containing a drainageway and wetlands. (Edgewater North at Clover Ridge Subdivision)



Geographic Information Services



**LINN COUNTY**

Recording Cover Sheet  
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2008-03980**  
D-WD  
Cnt=1 Str=1 COUNTER **02/28/2008 03:14:13 PM**  
\$30.00 \$11.00 \$10.00 **\$51.00**



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

BBF Development (Clover Ridge) LLC and Breadner Parker & Associates (Clover Ridge) 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. 5560

Recorded Document Recorder File No. 5033