

RESOLUTION NO. 3735

A RESOLUTION DEEDING RIGHT-OF-WAY BACK TO PROPERTY OWNERS.

WHEREAS, on Linn County Microfilm Volume 86, Page 119, as recorded on May 13, 1974, there was reserved to the Public a 20-foot by 100-foot easement for road purposes (see attached Exhibit A); and

WHEREAS, it has been determined that the easement for road purposes is not needed by the Public, and that the same should be deeded to the owner of the property on which it lies.

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 James W. McKee and Ruth A. McKee as the property owners, granting all of the reservation rights to provide the aforementioned easement for road purposes.

DATED THIS 8TH DAY OF JANUARY 1997.



Mayor

ATTEST:



City Recorder



The City of Albany
Grantor

James W. and Ruth A. McKee
Grantee

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

Until requested otherwise send
all tax statements to:
James and Ruth McKee
3275 Knox Butte Ave.
Albany, OR 97321

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 **JAMES W. McKEE and RUTH A. McKEE**, 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:

All those rights reserved in that document recorded in Linn County Microfilm Volume 86, Page 119, and as recorded on May 13, 1974. The rights reserved in said document consisted of a grant of an easement for roadway purposes to the public. (See Attached 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 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 9th day of January 1997 ^{DW} ~~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.

[Signature]
Steve Bryant, City Manager

[Signature]
Gary Holliday, City Recorder

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on January 9th 1997 ^{DW} ~~December~~, 1996, by STEVE BRYANT as City Manager for the City of Albany.



[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6-23-99

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on January 10 1997 ^{me} ~~December~~, 1996, by Gary Holliday, as City Recorder for the City of Albany.



[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 9-2-2000

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

State of Oregon, described as follows, to wit:
Beginning at the southeast corner of that parcel described in contract recorded in Vol. 14, page 658, Linn County Microfilm Records which point is 10.35 chains N. 88 deg. 42' E., 3615.98 ft. N. 1 deg. 27' W. and 652.08 ft. N. 88 deg. 42' E. of the southwest corner of The Hiram N. Smead D.L.C. 53, T. 11 S., R. 3 W., W.B. & M., Linn County, Oregon; thence N. 1 deg. 27' W. along the east line of said parcel 140 ft.; thence S. 88 deg. 42' W. parallel with the south line of said parcel 140 ft.; thence S. 1 deg. 27' E. parallel with the east line of said parcel 140 ft. to the south line of said parcel; thence N. 88 deg. 42' E. 140 ft. to the point of beginning. Containing 0.45 acre.

Also the right of the public to use for road purposes a 20 ft. strip of land, the south line of which is described as follows; Beginning at the northeast corner of the above described parcel; thence S. 88 deg. 42' W. along the north line of said above described parcel 100 ft. and there terminating.

Note: THE ABOVE IS TO GRANT AN EASEMENT FOR ROAD PURPOSES TO THE PUBLIC

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 RV, Deputy

M
R
S
A
O

MF 846

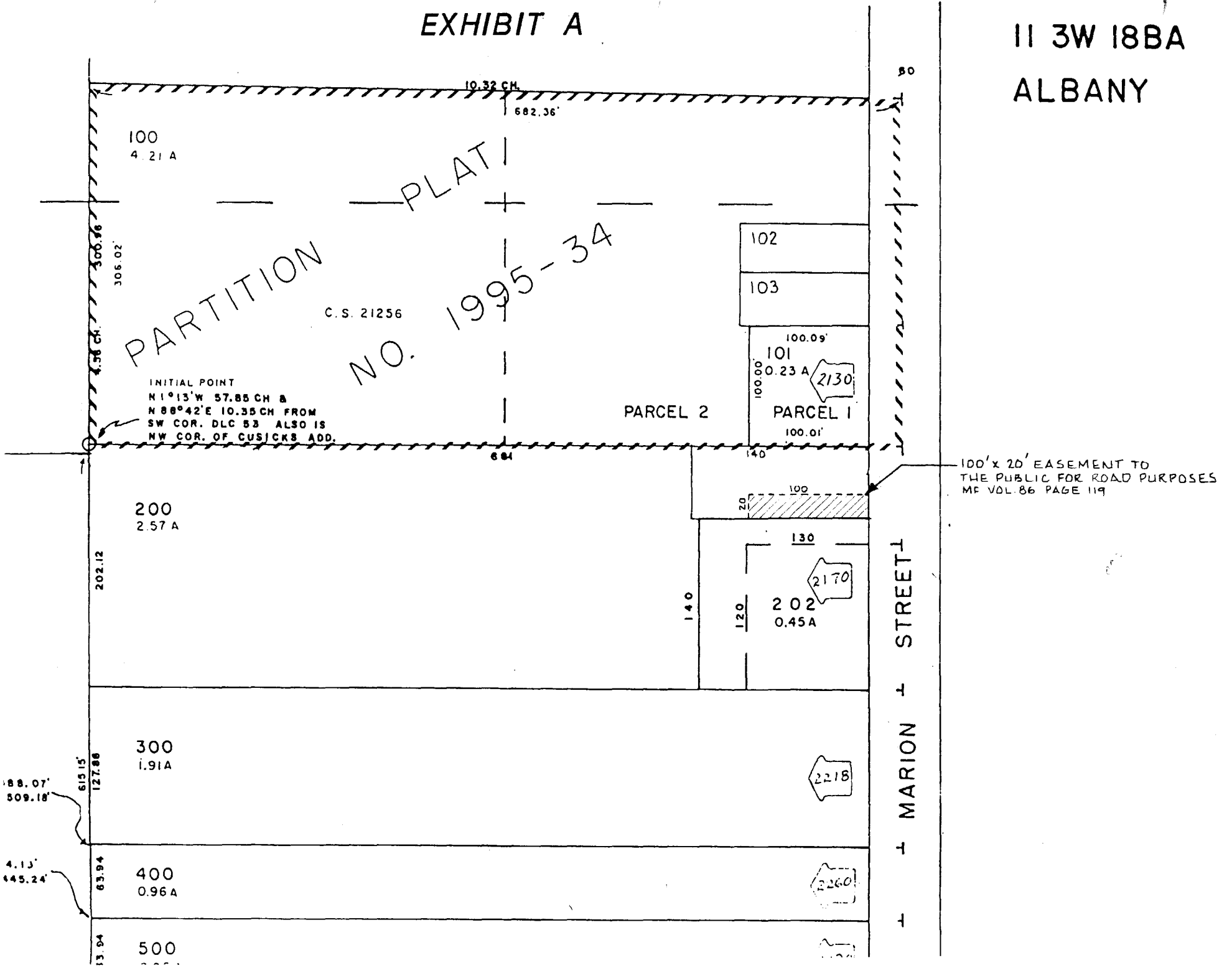
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EXHIBIT A

11 3W 18BA
ALBANY



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Recorded Document Recorder File No. 2909