

RESOLUTION NO. 5578

A RESOLUTION AUTHORIZING THE RELIQUISHMENT OF TITLE TO SURPLUS REAL PROPERTY TO HABITAT FOR HUMANITY FOR LOW INCOME HOUSING PURPOSES.

WHEREAS, the City of Albany owns a parcel of real property of approximately 0.37 acres at 3437 Adah Street, Albany, Oregon, which is surplus to the City's needs; and

WHEREAS, Albany Area Habitat for Humanity is a qualifying non-profit corporation pursuant to the terms of ORS 271.330(2); and

WHEREAS, Albany Area Habitat for Humanity has requested that the City relinquish title to the surplus property to enable Albany Area Habitat for Humanity to utilize the property for low income housing; and

WHEREAS, the City Council of the City of Albany determines that it is in the public interest of the City to allow the surplus property to be utilized for low income housing purposes.

NOW, THEREFORE, BE IT RESOLVED that:

1. The property described in Exhibit "A," attached hereto, is hereby declared to be surplus and not needed for public use.

BE IT FURTHER RESOLVED that the City Manager of the City of Albany is authorized to relinquish title to the surplus property described in Exhibit "A" to Habitat for Humanity for low income housing purposes.

DATED AND EFFECTIVE THIS 12th DAY OF March, 2008.



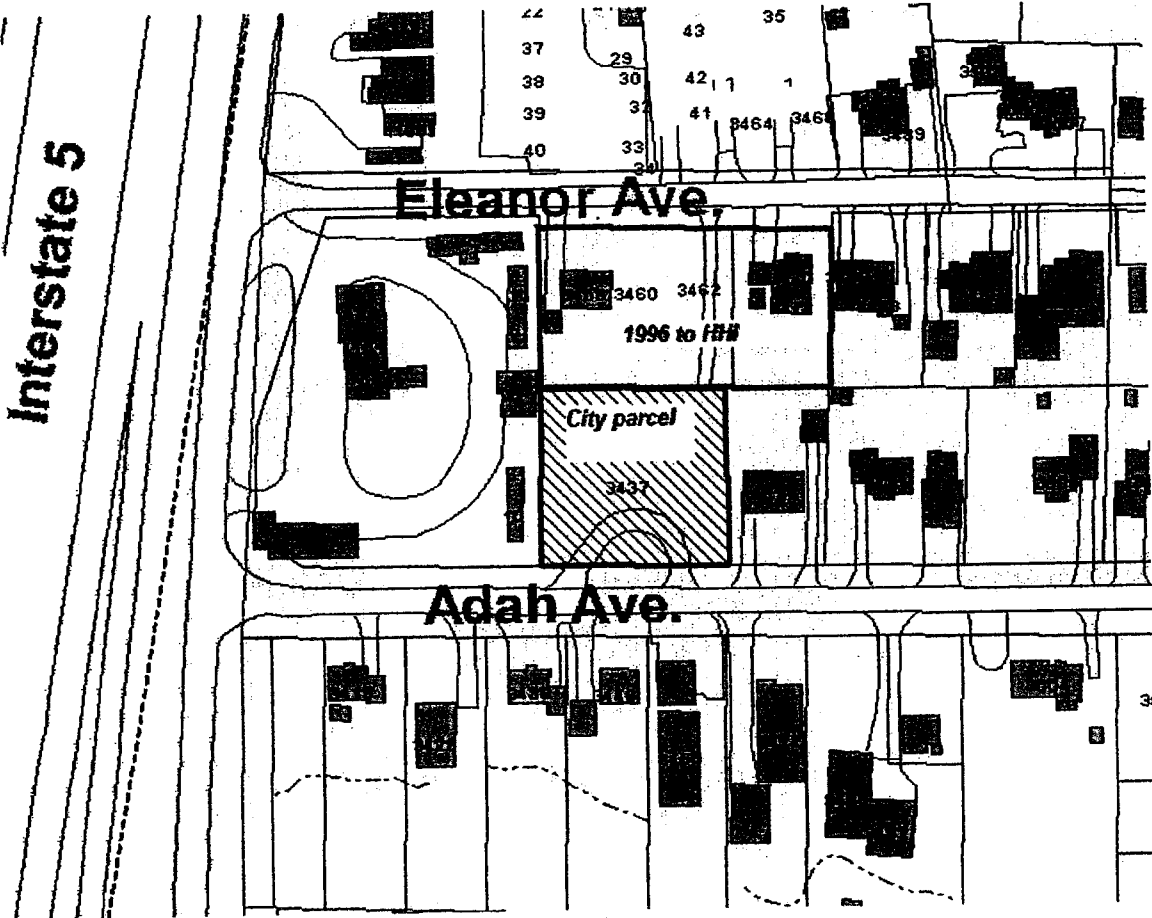
Mayor

ATTEST:



City Clerk

SITE MAP
Exhibit A



City of Albany, Oregon
Grantor

Albany Area Habitat for Humanity
Grantee

~~After Recording Return to:~~

~~Albany Area Habitat for Humanity
1538 Queen Avenue SE
Albany, OR 97322~~

Until requested otherwise send all
tax statements to:

Albany Area Habitat for Humanity
1538 Queen Avenue SE
Albany, OR 97322

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that *City of Albany, Oregon*, hereinafter called *Grantor*, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto *Albany Area Habitat for Humanity*, 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:

Parcel 3 of Partition Plat 1996-49, a partition plat of record in Section 33 of Township 10 South, Range 3 West of the Willamette Meridian, Linn County, Oregon.

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.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

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 THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO VERIFY THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 21 day of May, 2008.

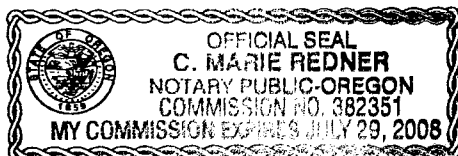
Diane Taniguchi-Dennis

City of Albany - Grantor

By: Diane Taniguchi-Dennis, City Manager Pro Tem

STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on May 21, 2008, by Diane Taniguchi-Dennis, City Manager Pro Tem.



C. Marie Redner
NOTARY PUBLIC FOR OREGON

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON 2008-10392
D-BS
Cnt=1 Stn=1 COUNTER 05/22/2008 02:33:45 PM
\$20.00 \$11.00 \$10.00 \$41.00



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 _____

*Original given to
Habitat for Humanity*

All Tax Statements Should Be Sent To:

City of Albany - Exempt _____

1. Name/Title of Transaction - by ORS 205.234 (a)

BARGAIN AND SALE DEED

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

CITY OF ALBANY

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

ALBANY AREA HABITAT FOR HUMANITY _____

4. True and Actual Consideration (if there is one), ORS 93.030

\$0.00 _____

Resolution No. 5578

Recorded Document Recorder File No. 5079