

RESOLUTION NO 4788

A RESOLUTION AUTHORIZING STAFF TO EXECUTE THE FOLLOWING QUITCLAIM DEED:

Grantor

City of Albany

Purpose

A quitclaim deed to release right-of-way easement for a water line see attached EXHIBIT A.

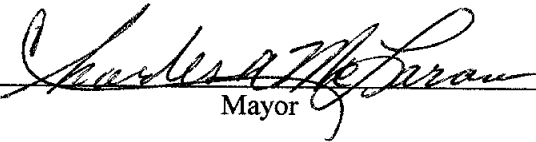
Grantees

Metropolitan Life Insurance Company

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby authorize staff to execute this quitclaim deed; and

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 22 DAY OF JANUARY 2003.



Mayor

ATTEST:



City Recorder

CITY OF ALBANY

Grantor

Metropolitan Life Insurance Company

Grantees

After Recording Return to:

City of Albany

PO Box 490
Albany, OR 97321

Until requested otherwise send

All tax statements to:

QUITCLAIM DEED

KNOW ALL PEOPLE BY THESE PRESENTS, that THE CITY OF ALBANY, a municipal corporation, hereinafter GRANTOR, as holder of the original grantee's interests in the easement attached as Exhibit A, hereto, such interests being subsequently transferred to the Grantor by way of that certain "Deed and Bill of Sale" dated December 31, 1984 and recorded in the real property records of Linn County, Oregon, on June 27, 1985 at Volume 388, Page 163, does hereby remise, release and quitclaim unto Metropolitan Life Insurance Company, 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

Granted to PACIFIC POWER AND LIGHT COMPANY, in November 1969. A 20.00-foot waterline easement recorded in Linn County, Vol. 21 pages 7 & 8, see attached Exhibit A. Part of the Northeast 1/4 of Section 8, Township 11 South, Range 3 West of the Willamette Meridian.

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.

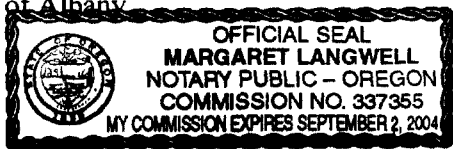
IN WITNESS WHEREOF, the Grantor has executed this instrument this 22 day of January, 2003.

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 COUNTING PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES

STATE OF OREGON, County of Linn) ss.

Steve Bryant
Steve Bryant, City Manager

This instrument was acknowledged before me on January 27, 2003, by Steve Bryant, City Manager for the City of Albany



Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires Sept. 2, 2004

Ken Thompson
Ken Thompson, Assistant City Manager/Administrative Services Director

This instrument was acknowledged before me on January 27, 2003, by Ken Thompson, Assistant City Manager/Administrative Services Director, City Manager for the City of Albany.



Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires Sept 2, 2004

EXHIBIT A

VOL 1379 PAGE 141

VOL 21 PAGE 7

File 108-3106
ER/NO 33- -186

RIGHT OF WAY EASEMENT
WATER LINE
(Corporate)

For value received the undersigned Grantor does hereby grant to PACIFIC POWER & LIGHT COMPANY, a corporation, its successors and assigns, Grantee, an easement for a right of way for a water transmission and distribution pipe line and all necessary or desirable appurtenances (including valves, valve boxes, vents, props and other supports) at or near the location and along the general course now located and staked out by the Grantee over, across and upon the following described real property in LINN County, State of OREGON to wit:

Part of the Northeast 1/4 of Section 8, Township 11 South, Range 3 West of the Willamette Meridian

As more particularly described and shown on Exhibit "A" attached hereto and made a part hereof:

Said right of way to be 20 feet in width.

Together with the right of ingress and egress over the adjacent lands of the Grantors for the purpose of constructing, reconstructing, maintaining, removing and replacing such water line and appurtenances, and exercising other rights hereby granted.

Grantee shall pay to Grantor reasonable compensation for any damage caused by Grantee, or its agents, to any property or crops (growing or to be grown) on the above-described real property, arising out of the construction, reconstruction, operation, maintenance and replacement of said water line

At no time shall any building or any other structure be erected within 5 feet of said pipe line by Grantor or by the heirs, successors or assigns thereof

All such rights hereunder shall cease if and when such line shall have been abandoned.

Dated this 8th day of November, 1969

Kenneth Properties Inc
By: [Signature]
PRESIDENT (Title)

Attest: [Signature]
SECRETARY (Title)

STATE OF _____ }
County of _____ } ss

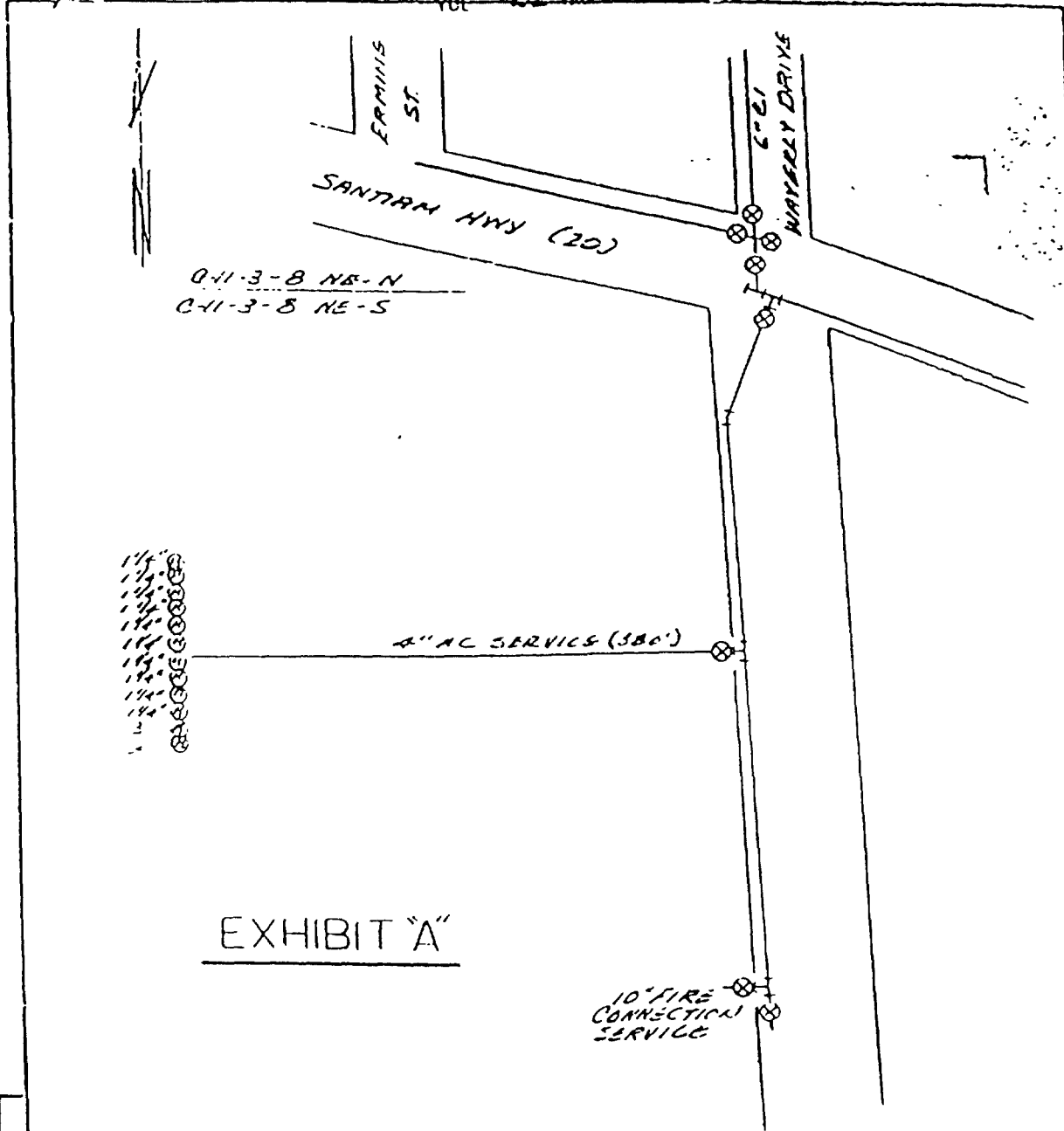
On this _____ day of _____, 1969, before me personally appeared _____, to me personally known to be the PRESIDENT of the corporation that executed the within and foregoing instrument, who, duly sworn, on oath did say: that he is the PRESIDENT of the corporation that executed the within foregoing instrument, that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and he acknowledged said instrument to be the free act and deed of said corporation for the uses and purposes therein mentioned

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year above written.

[Signature]
Notary Public for _____



VOL 21 PAGE 8



0-11-3-B NE-N
0-11-3-B NE-S

4" AC SERVICE (380')

10" FIRE CONNECTION SERVICE

EXHIBIT "A"

CLASS	LOG	
	ER	
	DESIGN	13
	DRAWN	10
	CHECKED	10
APPROVED	10	

REVISED

T.H.S. R.S.W.

ALBANY- 4" WATER SERVICE
FOR FRED MEYER STORE
COMPLEX
SCALE 1" = 100'

PACIFIC POWER & LIGHT COMPANY
PORTLAND OREGON

APPROVED _____
HEAD OF ELEC. ENGRS.

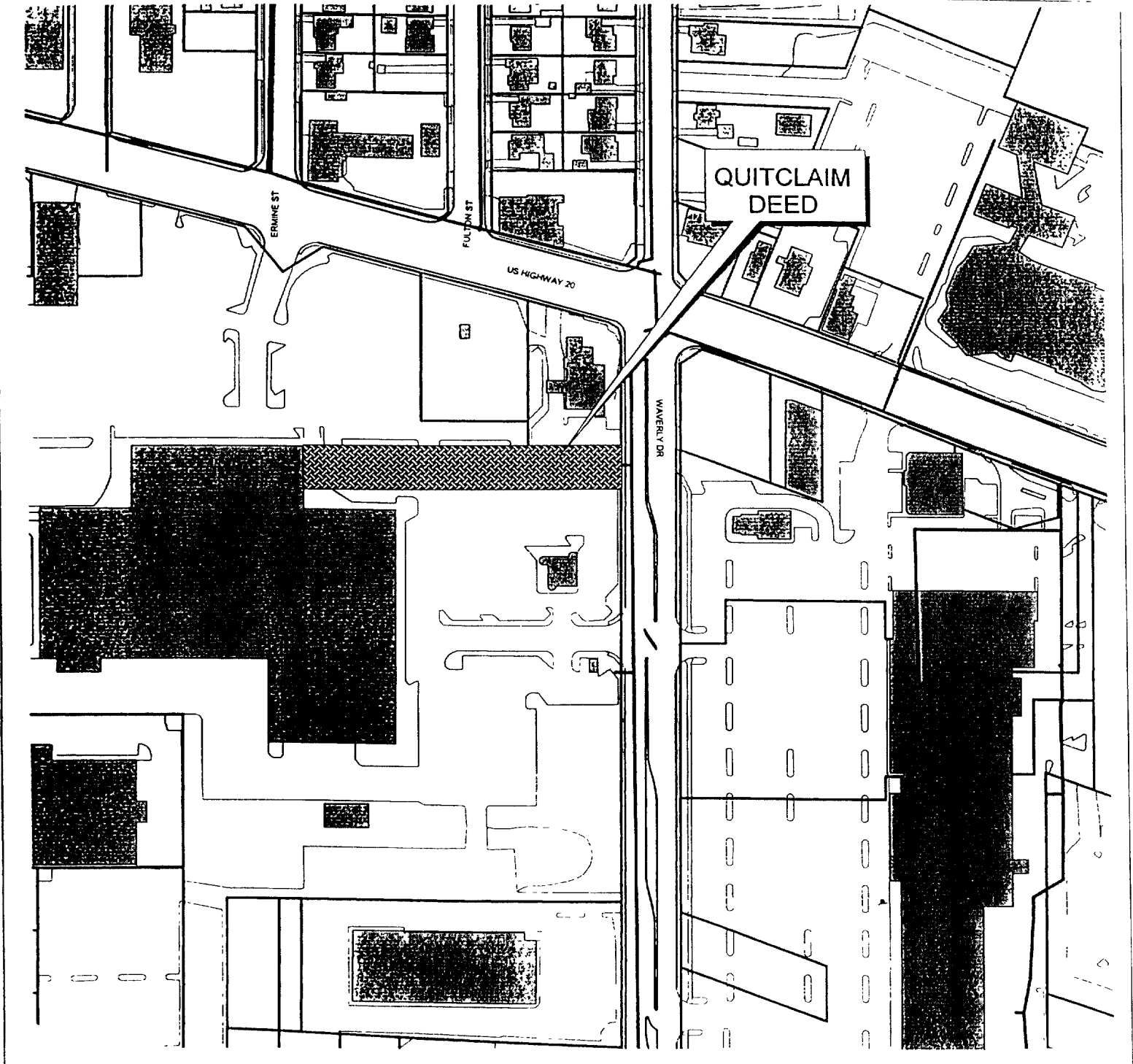
SHEET OF PA

the within recorded y records
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lock P. H.
ST. ARTH. BERGER
[Signature]



VICINITY MAP

Part of the Northeast 1/4 of Section 8, Township 11 South, Range 3 West of the Willamette Meridian.



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 SW, Deputy

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MF 1379
PAGE 140

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2003 JAN 27 P 1:54

Resolution No. 4788

Recorded Document Recorder File No. 4194