

RESOLUTION NO. 5110

A RESOLUTION DIRECTING STAFF TO EXECUTE THE ATTACHED QUITCLAIM DEED:

Grantor:

City of Albany

Grantee:

Target Corporation f/k/a Dayton Hudson Corporation

Purpose:

Abandon a portion of the 15-foot wide Public Utilities Easement (Water) as described and as shown in the attached Quitclaim Deed. The water line has been abandoned and relocated to accommodate expansion of the Target store at the Heritage Mall.

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 13TH DAY OF APRIL 2005.


Mayer

ATTEST:


City Clerk

CITY OF ALBANY
Grantor

TARGET CORPORATION f/k/a
DAYTON HUDSON CORPORATION
Grantee

✓ After Recording Return to:
City of Albany, Recorder
PO Box 490
Albany, OR 97321

Until requested otherwise send
All tax statements to:
Dayton Hudson Corporation
c/o Prop Tax Dept T-0609
PO Box 9456
Minneapolis, MN 55440-9456

QUITCLAIM DEED

KNOW ALL PEOPLE BY THESE PRESENTS, that THE CITY OF ALBANY, a municipal corporation, hereinafter called Grantor, for the purpose of abandoning a portion of an existing waterline easement and for the consideration hereinafter stated, does hereby remise, release, and quitclaim unto TARGET CORPORATION f/k/a DAYTON HUDSON CORPORATION, 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:

A portion of the Easement for Public Utilities (Water) conveyed to the City of Albany and recorded in Volume 485, Page 480, and later re-recorded in Volume 502, Page 461, Linn County microfilm deed records, being more particularly described below and as shown on the attached map labeled Exhibit A:

That part of Lot 11 of the Heritage Mall subdivision, City of Albany, Linn County, Oregon, being described as follows; commencing at the northeast corner of said Lot 11 of the Heritage Mall; thence S 88°07'17" W 39.29 feet; then S 01°40'48" E 29.15 feet to the point of beginning; thence S 01°40'48" E 5.60 feet; thence S 87°52'10" E 39.51 feet; thence S 01°52'43" E 15.04 feet; thence N 87° 52'10" W 39.56 feet; thence S 01°40'48" E 57.82 feet; thence S 43°19'06" W 18.00 feet; thence S 01°40'51" E 171.51 feet; thence S 87°44'40" E 36.47 feet; thence S 02°15'20" W 15.00 feet; thence N 87°44'40" W 35.44 feet; thence S 01°40'51" E 10.15 feet; thence S 88°19'10" W 15.00 feet; thence N 01°40'40" W 202.91 feet; thence N 43°19'06" E 18.00 feet; thence N 01°40'48" W 72.24 feet; thence N 88°19'12" E 15.00 feet to the point of beginning and containing 5529.65 square feet or 0.1269 acres, more or less.

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.

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

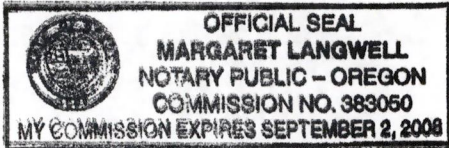
IN WITNESS WHEREOF, Grantor has executed this instrument on the 13 day of April, 2005.

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]
Susan Busbice, Assistant City Manager/
Chief Financial Officer

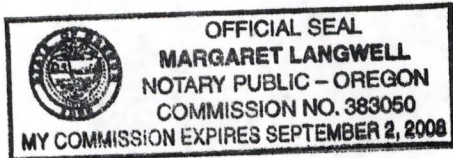
STATE OF OREGON)
County of Linn) ss.
City of Albany)

This instrument was acknowledged before me on April 13, 2005, by Steve Bryant, City Manager for the City of Albany.



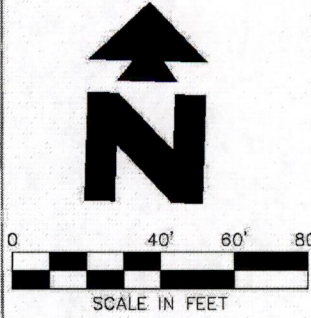
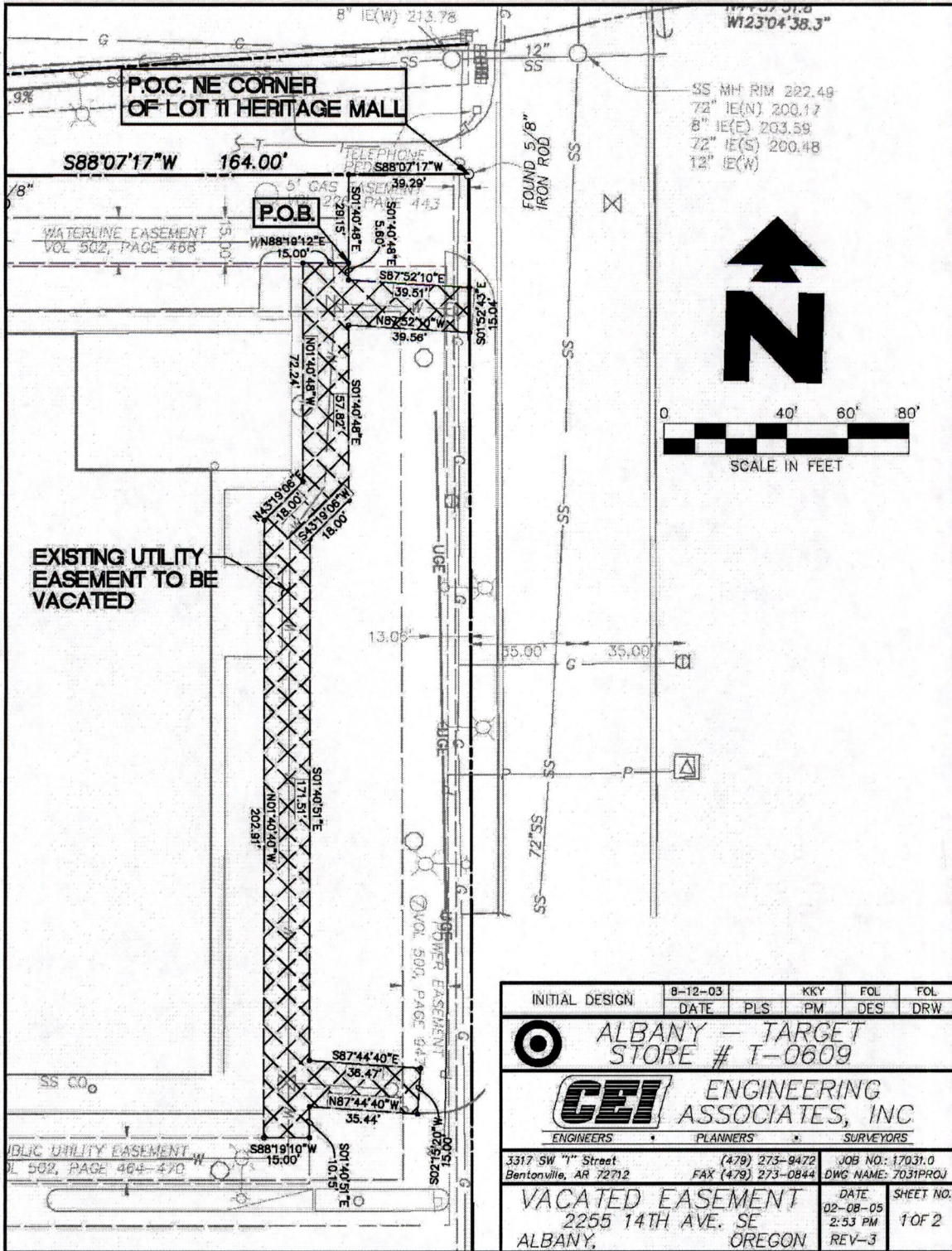
[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: Sept. 2, 2008

This instrument was acknowledged before me on April 15, 2005, by Susan Busbice, Assistant City Manager/Chief Financial Officer for the City of Albany.

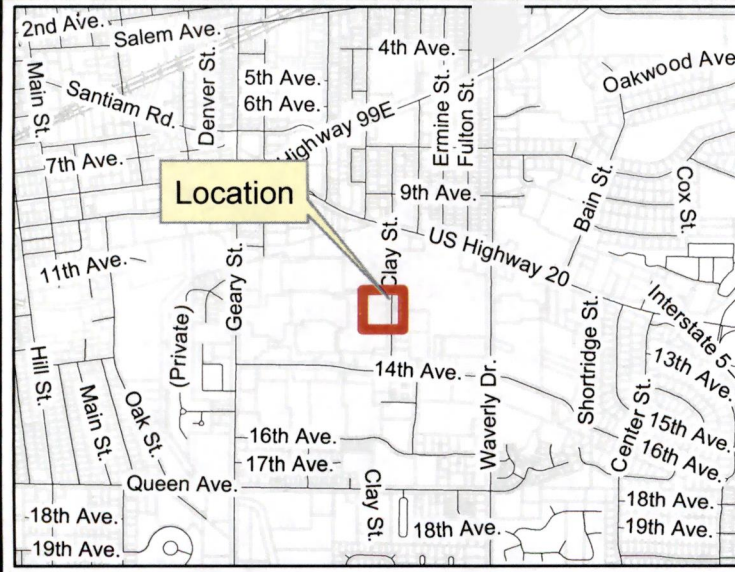


[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: Sept. 2, 2008

EXHIBIT A



INITIAL DESIGN	B-12-03	KKY	FOL	FOL
DATE	PLS	PM	DES	DRW
ALBANY - TARGET STORE # T-0609				
ENGINEERING ASSOCIATES, INC. ENGINEERS • PLANNERS • SURVEYORS				
3317 SW "I" Street Bentonville, AR 72712		(479) 273-9472 FAX (479) 273-0844	JOB NO.: 17031.0 DWG NAME: 7031PROJ	
VACATED EASEMENT 2255 14TH AVE. SE ALBANY, OREGON		DATE 02-08-05 2:53 PM	SHEET NO. 1 OF 2	
		REV-3		

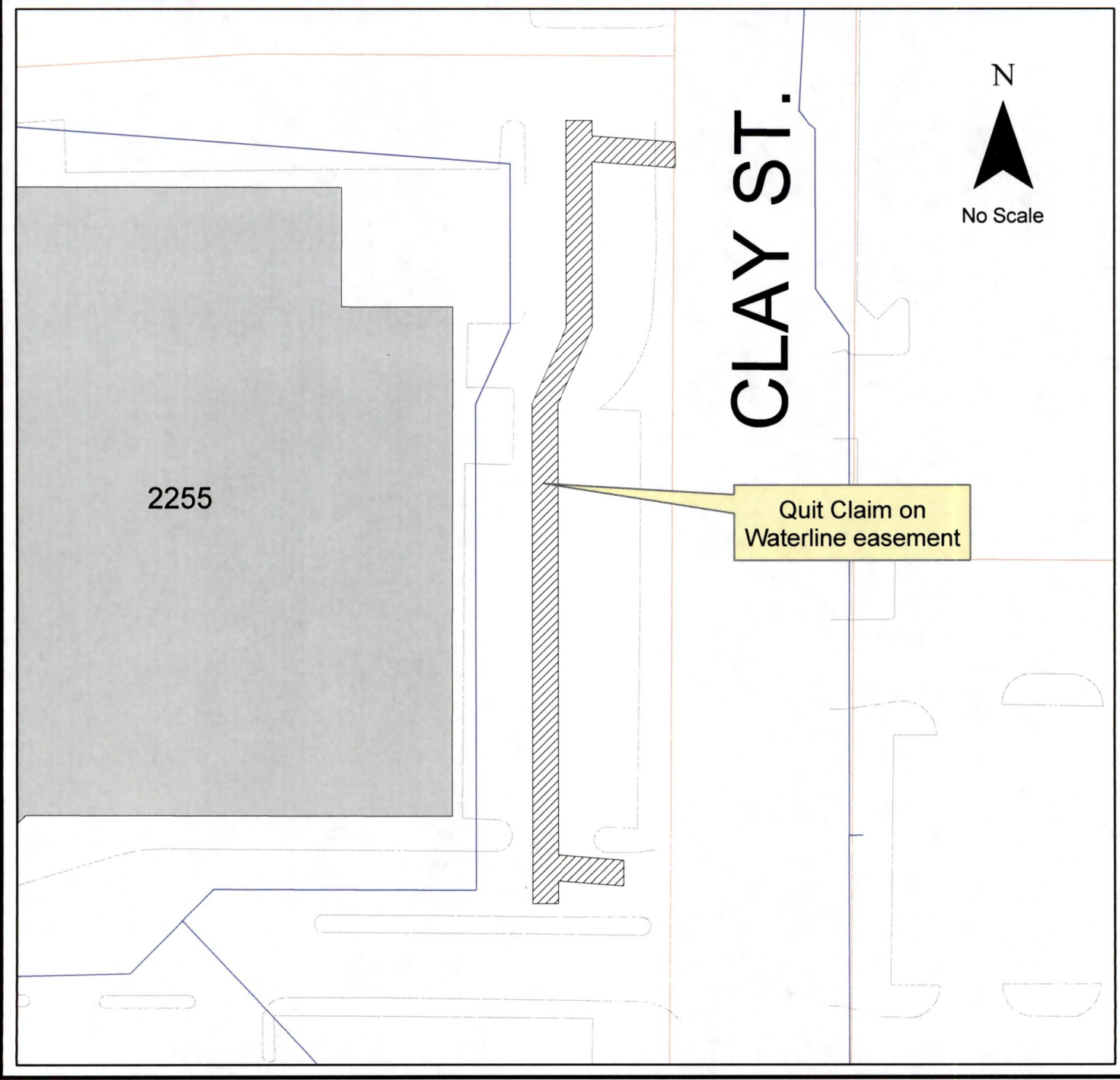


Vicinity Map

Quit Claim Deed Target Corporation Waterline Easement



Geographic Information Services



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

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S. 10
A. 2005
O. —

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By AD Deputy PAGE 501

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Recorded Document Recorder File 4534