

RESOLUTION NO. 5757

A RESOLUTION ACCEPTING THE CONVEYANCE OF CITY-OWNED REAL PROPERTY TO ALBANY MEDICAL SOLUTIONS, LLC.

WHEREAS, the City of Albany Library was in need of a new facility to provide growth and expanded services to the community; and

WHEREAS, the City of Albany Library received funding from a donor to purchase the property at 2450 14th Avenue SE, Albany and renovate the existing building; and

WHEREAS, T. Gerding Construction Company completed renovation of the building in January 2009 and Library staff finished moving the contents from 1390 Waverly Drive SE to 2450 14th Avenue SE, Albany in February 2009; and

WHEREAS, the building and adjacent property located at 1390 Waverly Drive SE, Albany, Oregon, also referred to as Linn County Assessor's Map 11S-03W-08AC, Tax Lots 103 and 106, shown on Exhibit "A", were listed for sale with Coldwell Banker Valley Brokers; and

WHEREAS, a sales agreement was negotiated with Albany Medical Solutions, LLC and the sale was recorded on February 13, 2009; and

WHEREAS, the City commissioned an appraisal from Steven Susmilch of Powell Valuation Inc. to obtain a fair market value of the property; and

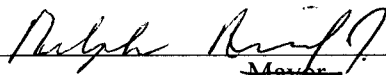
WHEREAS, the City received consideration for the property conveyance in the amount of \$1,580,000; and

WHEREAS, in addition to the sale of the library property, a 12-foot wide easement was negotiated for underground fiber optic lines; and

WHEREAS, the funds received for the sale of the library property at 1390 Waverly Drive SE will offset the cost of the Library Renovation project at 2450 14th Avenue SE.

NOW, THEREFORE, BE IT RESOLVED by the City of Albany Council to hereby accept the conveyance of city-owned property to Albany Medical Solutions, LLC, and the Warranty Deed attached as Exhibit "B".

DATED AND EFFECTIVE THIS 25TH DAY OF MARCH 2009.



Mayor
Council President

ATTEST:



City Clerk





Waverly Dr.

Subject Property

106

103

14th Ave.

14th Ave.

Waverly Dr.

2700

1505

Exhibit "A"

1 inch equals 100 feet

Parcel ID: 11S03W08AC00106
11S03W08AC00103



The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All the information provided represents current information on a timely available basis. While the information provided is generally believed to be accurate, occasionally this information proves to be incorrect, and thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the information provided, it is specifically advised that you independently field verify the information contained within our records.

Exhibit "B"




After recording return to:
Albany Medical Solutions, LLC
1430 Commercial St. SE
Salem, OR 97302

Until a change is requested all tax statements
shall be sent to the following address:
Albany Medical Solutions, LLC
1430 Commercial St. SE
Salem, OR 97302

File No.: 7091-1302919 (SCC)
Date: February 12, 2009

THIS SPACE RESERVED FOR RECORDER'S USE


LINN COUNTY, OREGON 2009-02664
D-WD
Cnt=1 Stn=1 COUNTER 02/13/2009 02:49:45 PM
\$15.00 \$11.00 \$10.00 \$36.00



00102618200900026640030033

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



STATUTORY WARRANTY DEED

City of Albany, a Municipal Corporation, Grantor, conveys and warrants to Albany Medical Solutions, LLC, an Oregon limited liability company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,580,000.00**. (Here comply with requirements of ORS 93.030)

First American Title 1302919

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Linn, State of Oregon, described as follows:

TRACT I:

BEGINNING AT A POINT WHICH IS NORTH 1° 39' W 3462.0 FEET AND NORTH 89° 05' WEST 50.0 FEET FROM THE SOUTHEAST CORNER OF DONATION LAND CLAIM 50, TOWNSHIP 11 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE CONTINUING NORTH 89° 05' WEST 248.0 FEET; THENCE NORTH 1° 28' 15" WEST 175.0 FEET; THENCE SOUTH 89° 05' EAST 248.0 FEET; THENCE SOUTH 1° 28' 15" EAST 175.0 FEET TO POINT OF BEGINNING.

TOGETHER WITH THAT PROPERTY CONVEYED IN DEED RECORDED VOLUME 157, PAGE 831 AND RE-RECORDED IN DEED VOLUME 258, PAGE 738, MORE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 1° 39' WEST 3462.0 FEET AND NORTH 89° 05' WEST 50.0 FEET FROM THE SOUTHEAST CORNER OF DONATION LAND CLAIM 50, TOWNSHIP 11 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON; THENCE CONTINUING NORTH 89° 05' WEST 248.0 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89° 05' WEST 60 FEET; THENCE NORTH 1° 28' 15" WEST 175.0 FEET; THENCE SOUTH 89° 05' EAST 60 FEET; THENCE SOUTH 1° 28' 15" EAST 175.0 FEET TO THE POINT OF BEGINNING.

TRACT II:

BEGINNING AT A POINT WHICH IS NORTH 1° 39' WEST 3462.0 FEET AND NORTH 89° 05' WEST 50.00 FEET FROM THE SOUTHEAST CORNER OF DONATION LAND CLAIM 50, TOWNSHIP 11 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON, THENCE CONTINUING NORTH 89° 05' WEST 308.0 TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 89° 05' WEST 80.00 FEET; THENCE NORTH 1° 28' 15" WEST 175.00 FEET; THENCE SOUTH 89° 05' EAST 80.00 FEET; THENCE SOUTH 1° 28' 15" EAST 175.00 FEET TO THE POINT OF BEGINNING.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 1, 2008.