

RESOLUTION 970

A RESOLUTION DEDICATING PROPERTY AS PUBLIC STREET ON N.W.
PINKARD LN, NE SUNRISE LN AND QUIT CLAIM A PORTION OF A SEWER
EASEMENT.

WHEREAS, certain real property described in Exhibit "A" was obtained by Quit Claim Deed MF 132019 from Floreine Hudspeth adjacent to and part of Sunrise LN to clear title as public street in 1997.

AND WHEREAS said property as described in Exhibit "A" has been included in Sunrise LN but not dedicated as public street;

AND WHEREAS, certain real property described in Exhibit "B" MF 178181 was obtained from Crook County in March of 2003 for the purposes of providing public street, public utility and drainages as an extension of NW Pinkard Ln. Said street segment was an unimproved segment of County property prior to coming to the City.;

AND WHEREAS, said property as described in Exhibit "B" provided access to developed and undeveloped properties abutting it but was not dedicated as public street;

AND WHEREAS, certain real property described in Exhibit "C" MF184855 was obtained from Crook County in October of 2003 for the purposes of providing public street, public utility and drainages as an extension of NW Pinkard Ln and a drainage system in the area. Said street segment was an unimproved segment of County property prior to coming to the City.;

AND WHEREAS, said property as described in Exhibit "C" provided access to developed and undeveloped properties abutting it but was not dedicated as public street;

AND WHEREAS, an encroachment into a public sewer easement recorded in Volume 57, page 447, as described in Exhibit "D" was granted by conditional use. The encroachment has been determined to be a cloud on the property.

AND WHEREAS, abandoning by quit claim the portion of the easement with the encroachment would not adversely affect the City's use of the easement;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Prineville that the property as described in Exhibit "A" be dedicated for public street purposes as part of existing NE Sunrise Ln..

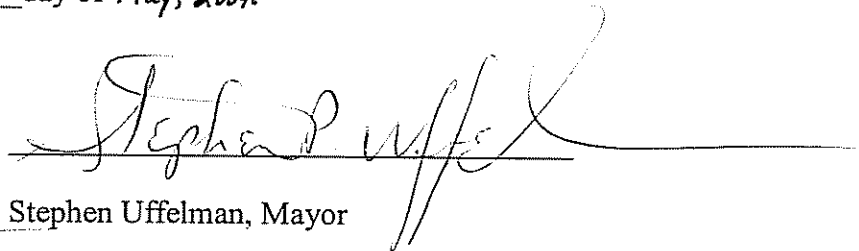
AND BE IT FURTHER RESOLVED by the City Council of the City of Prineville that the property as described in Exhibit "B" be dedicated for public street purposes as an extension of NW Pinkard LN.

AND BE IT FURTHER RESOLVED by the City Council of the City of Prineville that the property as described in Exhibit "C" be dedicated for public street purposes as an extension of NW Pinkard LN.

AND BE IT FURTHER RESOLVED by the City Council of the City of Prineville that the Mayor and City Recorder are hereby authorized to execute a Quit Claim Deed substantially in accordance with the attached to relinquish all rights and responsibilities relative to the south 1 foot of the sewer easement provided in volume 57 page 447.

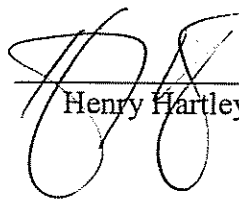
Approved by the City Council this 25th day of *May 2004*.

Signed by the Mayor this 25th day of *May, 2004*.

A handwritten signature in cursive script, appearing to read "Stephen Uffelman", is written over a horizontal line. The signature is fluid and extends to the right of the line.

Stephen Uffelman, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Henry Hartley", is written over a horizontal line. The signature is fluid and extends to the right of the line.

Henry Hartley, City Manager/City Recorder

EXHIBIT "A"

Property Description MF 132019:

A parcel of land located in the Northwest one-quarter Southeast one-quarter (NW1/4SE1/4) of Section 32, Township 14 South, Range 16 East, W.M., Crook County, Oregon more particularly described as follows: Beginning at the Center $\frac{1}{4}$ corner of Said Section 32, thence South $89^{\circ}24'42''$ East along the North line of Sunrise Lane as platted a distance of 1216.42 feet to the Northeast corner of Ochoco Heights Extension Subdivision, also being the Northeast corner of Tyler's Subdivision Unit II, Records of Crook, Oregon, thence North $36^{\circ}29'32''$ West a distance of 4.7 feet to the North line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ of section 32; thence North $89^{\circ}35'18''$ West along said North line a distance of 1213.60 feet to the point of beginning.

14-16-32DB TL 12,800

EXHIBIT "B"

Property Description MF 178181

Steve W. Yancey Second Subdivision beginning at Southeast corner tract 24; thence West 50'; thence North 150'; thence West 355'; thence North 10.5'; thence East 405'; thence South to the Southeast corner said tract to the point of beginning

14-16-31B TL 3200

EXHIBIT "C"

Property Description MF 184855

The North 50' of Tract 23 in the Steve W. Yancey second Subdivision of Prineville,
Crook County Oregon.

14-16-31CA TL 2399:

EXHIBIT "D"

Property Description Volume 57, Page 447

A strip of land six feet in width, the said strip of land being the north six feet of tract No. 26 adjoining Newsom Addition to the City of Prineville

Quit Claim Description:

A strip of land described as the south 1 foot of the north six feet of tract No. 26, adjoining Newsome Addition to the City of Prineville described in Volume 57, Page 447.

After recording return to: City of Prineville
Cindy MacDonald 400 East 3rd, Prineville, OR 97754

Quit Claim Deed

KNOW ALL THOSE BY THESE PRESENT: That the **City of Prineville, an Oregon Municipal Corporation**, hereinafter called Grantor, does hereby remise, release, and quite claim all of the Grantor's right, title and interest in that certain real property within the tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, situated in the County of Crook, State of Oregon, described more fully below:

A strip of land described as the south 1 foot of the north six feet of tract No. 26, adjoining Newsome Addition to the City of Prineville described in Volume 54, page 447.

The purpose of this deed is to release Grantor's rights to that portion of the sewer easement previously granted to Grantor in Easements recorded in Volume 54, page 447.

The true and actual considerations paid for this transfer, stated in terms of dollars is \$-0- but other good and valuable consideration which is the entire consideration.

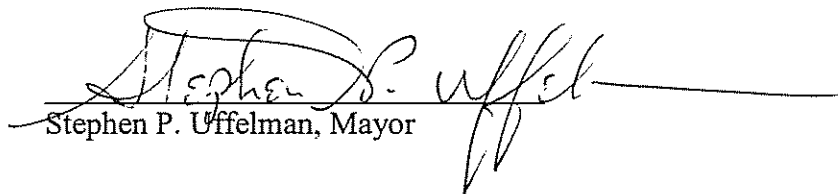
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS.

IN WITNESS WHEREOF, the Grantor has executed this instrument this ____ day of _____ 2004 if a corporate Grantor it has caused its name to be signed and its seal, if any affixed by an officer or other person duly authorized thereto by order of its board of Directors.

Dated this _____ day of _____, 2004.

City of Prineville

BY _____
Henry Hartley, City Recorder


Stephen P. Uffelman, Mayor

STATE OF OREGON)
) ss.
County of Crook)

Personally appeared the above named **Henry Hartley, City Manager and Stephen P. Uffelman, Mayor** of the City of Prineville, a Municipal Corporation, and acknowledged the foregoing instrument to be the voluntary act and deed of the City this ____ day of _____, 2004