

RESOLUTION NO. 961

A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER/  
CITY RECORDER OF THE CITY OF PRINEVILLE TO EXECUTE A QUIT  
CLAIM DEED FOR WATER LINE EASEMENTS ON DARYL OWENS  
PROPERTY.

WHEREAS, in February 2001 by Ordinance 1090, the City of Prineville obtained a sewer system and two water line easements over property owned by Daryl Owens. Said easements are described in Deed MF 161361 recorded in the Records of the County of Crook on March 28<sup>th</sup>, 2001.

AND WHEREAS, in July 2001 the City undertook and completed a project for construction of a sewer main across the easement as obtained.

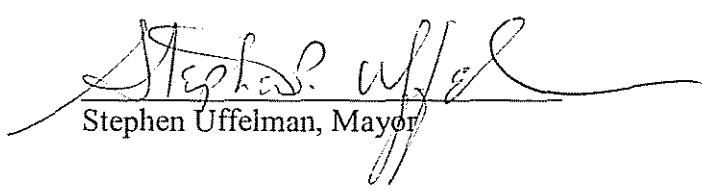
AND WHEREAS, in August 2001, the City conducted further study and exploration of the water main easement, determining they were unsuitable for the use intended. The City further has determined alternative routes for extensions of water main facilities in the area.

NOW THEREFORE, BE IT 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 water easements.

AND BE IT FURTHER RESOLVED that upon acceptance and recording of the Quit Claim Deed by Daryl Owens, the City shall have no further rights or responsibilities for the water easements.

Approved by the City Council this 23<sup>rd</sup> day of March 2004.

Signed by the Mayor this 23<sup>rd</sup> day of March 2004.

  
Stephen Uffelmann, Mayor

ATTEST:

  
Henry Hartley, City Manager/City Recorder

After recording return to: City of Prineville  
Cindy MacDonald 400 East 3<sup>rd</sup>, 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 quitclaim, to Daryl Owns, hereinafter referred to as Grantee, and unto grantee's heirs, successors and assigns 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 Easement 2 (Water Easement) on file and of record in the office of the County Clerk for Crook County at MF 161361, recorded on March 28, 2001.

And

A strip of land described as Easement 3 (Water Easement) on file and of record in the office of the County Clerk for Crook County at MF 161361, recorded on March 28, 2001.

The purpose of this Deed is to release all rights to Water Easements previously granted to Grantor by Grantee as recorded at MF 161361 above.

By recording this deed, Grantee accepts responsibility for the property described in the public easement.

To Have and to Hold unto the Grantee and Grantee's heirs, successors and assigns forever.

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. 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 TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

In Construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

Tax Account:

IN WITNESS WHEREOF, the Grantor has executed this instrument this \_\_\_\_\_ day of March, 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 March, 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** for the City of Prineville, a Municipal Corporation, and acknowledged the foregoing instrument to be the voluntary act and deed on behalf of the City this \_\_\_\_\_ day of March, 2004.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

GRANTEE ACCEPTANCE

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

By \_\_\_\_\_

Daryl Owens

STATE OF OREGON            )  
  ) ss.  
County of Crook            )

Personally appeared the above-named **Daryl Owens** acknowledged the foregoing instrument to be his voluntary act and deed on behalf of himself this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_