

RESOLUTION NO. 4114

A RESOLUTION ACCEPTING THE FOLLOWING DEDICATION:

Grantor

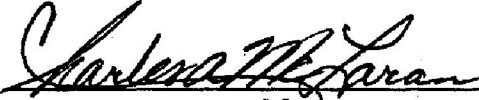
Donald Durst and Penni Durst

Purpose

A permanent dedication of a triangular piece of land to the City of Albany for drainage right-of-way purposes, shown in the attached "Exhibit A" and described in the attached "Exhibit B".

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this dedication.

^{26th 30}
DATED THIS ~~12TH~~ DAY OF MAY 1999.



Mayor

ATTEST:




City Recorder Clerk

Corrected Dedication Deed

PREVIOUSLY RECORDED IN BENTON COUNTY MICROFILM RECORDS M267948-99

RERECORDED TO CORRECT THE DOCUMENT TO INCLUDE THE FOLLOWING OMITTED RESERVATION:

Reserving thereon the right to ingress and egress and to construct and maintain a 20.00 (twenty) foot wide private road for access to the properties east of the easterly line of said dedication. Said road shall lie along the easterly 25 feet of the dedication and is also to provide Public maintenance access for the maintenance of the dedicated storm drainageway.

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

DEDICATION DEED

KNOW ALL MEN BY THESE PRESENTS, that Donald Durst and Penni Durst, hereinafter referred to as the Grantor, does dedicate to the City of Albany for Drainage right-of-way purposes a portion of that real property situated in Linn County, State of Oregon, conveyed to Grantor by deed recorded in Microfilm Volume M239751-98, Benton County Deed Records, said dedication being more particularly described as follows:

A triangular piece of land, a portion of that tract of land identified above, as shown on the attached map labeled "Exhibit A" and described in the attached legal description "Exhibit B", dedicated to the City of Albany for right-of-way uses.

and covenants that the Grantor is the owner of the above described properties free of all encumbrances save and except reservations in patents and easements of record, and will warrant and defend the same against all persons who may lawfully claim the same.

The deed granted herein is in consideration of \$1.00, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits Grantor may obtain therefrom. Nothing herein shall reduce or limit Grantor obligation to pay any costs or assessments which may result from the improvements.

IN WITNESS WHEREOF, Grantor has hereunto affixed their signatures this 22 day of MARCH, 1999.

GRANTOR: Donald Durst
Donald Durst

Penni Durst
Penni Durst

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

The foregoing instrument was acknowledged before me this 22 day of MARCH, 1999, by Don Durst and Penni Durst as their voluntary act and deed.

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

[Signature]
Notary Public for Oregon
My Commission Expires: 3-12-00



CITY OF ALBANY:

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

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 4114, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 26 day of May, 1999.

[Signature]
City Manager

ATTEST:
Betty Langwell
City Recorder Clerk

EXHIBIT "B"

JAMES F. UDELL
UDELL ENGINEERING & SURVEYING
63 EAST ASH STREET
LEBANON, OREGON 97355
PHONE (541) 451-5125
FAX (541) 451-1366

DON AND PENNI DURST
PROPERTY LINE ADJUSTMENT
AREA DEDICATED TO THE CITY OF ALBANY

LEGAL DESCRIPTION

A portion of that tract of land as described in Microfilm Volume M239751-98 of the Benton county Deed Records and more particularly described as follows:

Beginning at a 5/8" iron rod on the West boundary line of the aforementioned tract of land which is South 89°48'00" East 406.94 feet and North 0°22'24" west 209.40 feet from the Northwest corner of J.Q. Thornton Donation land Claim No. 37 in Section 36, Township 10 South, Range 4 West of the Willamette Meridian in Benton County, Oregon; thence North 0°22'24" West along said West line 108.49 feet to a 5/8" iron rod; thence South 59°00'24" East 53.57 feet to a 5/8" iron rod; thence South 29°12'00" West 92.68 feet to the point of beginning.

STATE OF OREGON } ss.
County of Benton } **270454**

I hereby certify that the within instrument
was received for record

'99OCT 22 PM 12:00

AND
ASSIGNED **M275257** 1999

In the microfilm records of said county

Witness My Hand and Seal of County Affixed
JOHN K. ANDERSON
County Administrative Officer

By 
35
15 GRS Deputy

STATE OF OREGON } SS.
County of Benton } **262740**

I hereby certify that the within instrument
was received for record

'99JUN01 PM 3:41

AND
ASSIGNED **M267948** 1999

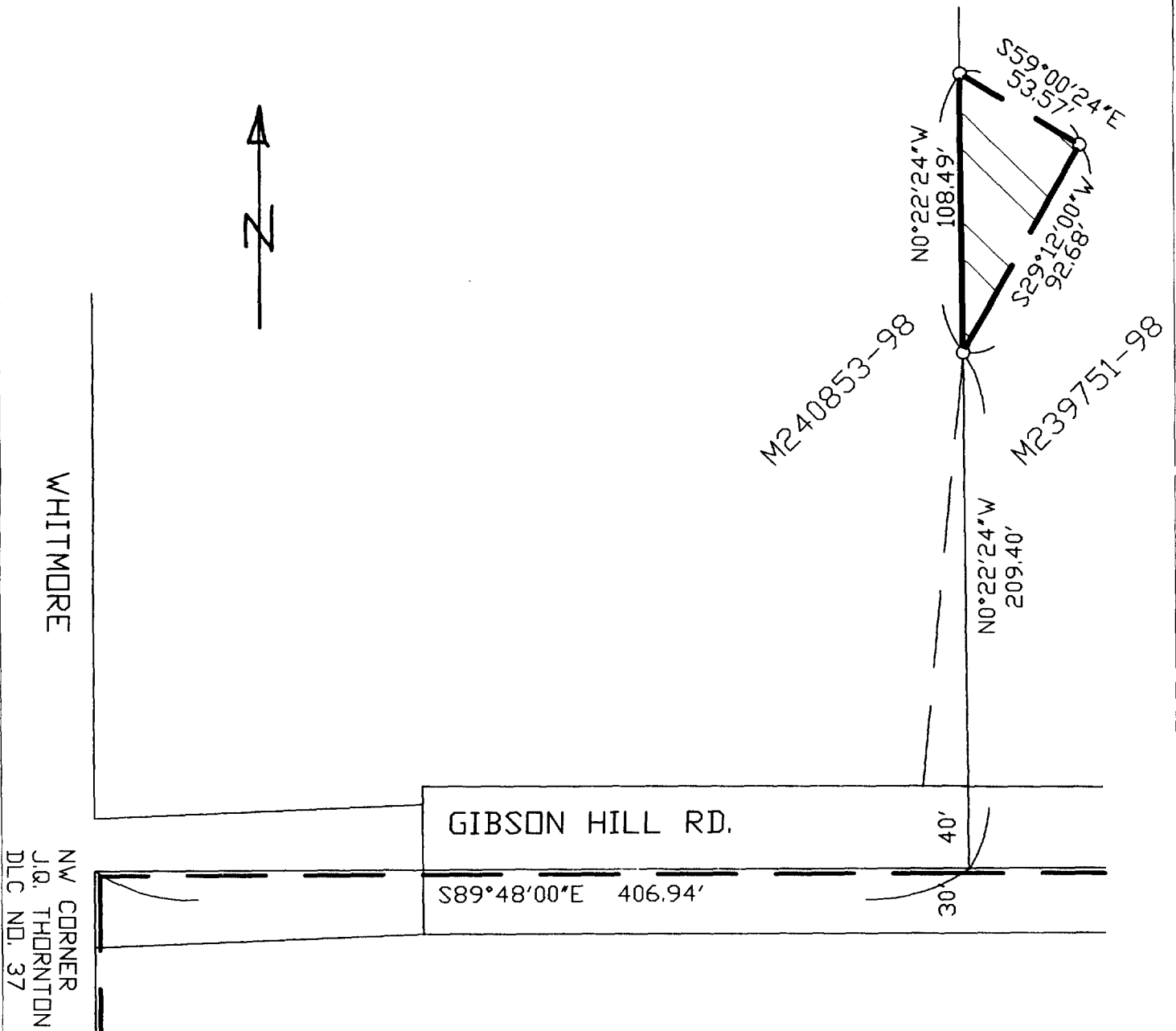
In the microfilm records of said county

Witness My Hand and Seal of County Affixed
JOHN K. ANDERSON
County Administrative Officer

By  Deputy
25
15675

EXHIBIT "A"

DON AND PENNI DURST
AREA DEDICATED TO THE CITY OF ALBANY
PROPERTY LINE ADJUSTMENT
NOT TO SCALE MARCH 16, 1999



There was a correction on this deed. The original was sent to Benton County w/ the correction on 10-8-99 to re-record.

FL

GIBSON HILL RD.

DURST

Resolution No. 4114

Recorded Document Recorder File No. 3384