

RESOLUTION NO. 4682

A RESOLUTION ACCEPTING THE FOLLOWING DEDICATION DEED:

Grantor

Cummings Transfer Co.

Purpose

A dedication deed as described in EXHIBIT A and shown on the attached map labeled EXHIBIT B.

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

DATED THIS 24TH DAY OF APRIL 2002.



Mayer

ATTEST:



City Recorder

DEDICATION DEED

KNOW ALL MEN BY THESE PRESENTS, that Cummings Transfer Co., hereinafter referred to as the Grantor, does dedicate to the City of Albany for street and utility right-of-way purposes a portion of that real property situated in Benton County, State of Oregon, conveyed to Grantor by deed recorded in Microfilm Volume M-310204-01, Benton County Deed Records, said dedication being more particularly described as follows:

A portion of that tract of land identified above, as described in the attached legal description labeled "Exhibit A" and shown on the attached map labeled "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 \$4,176.00, 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 that may result from the improvements.

IN WITNESS WHEREOF, Grantor has hereunto affixed their signatures this 4th day of April 2002.

GRANTOR Cummings Transfer Co.

Richard Mikesell, President

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

The foregoing instrument was acknowledged before me this 4th day of April, 2002, by Richard Mikesell, President, for Cummings Transfer Co., as his voluntary act and deed.

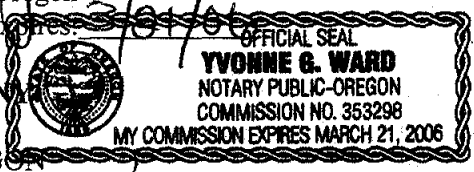
Shelli Mikesell, Secretary

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

The foregoing instrument was acknowledged before me this 4th day of April, 2002, by Shelli Mikesell, Secretary, for Cummings Transfer Co., as her voluntary act and deed.

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

Notary Public for Oregon
My Commission Expires 3/21/06



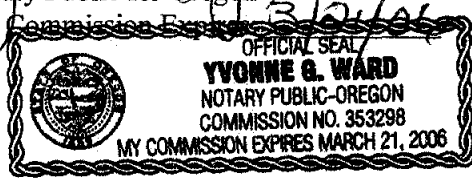
CITY OF ALBANY

STATE OF OREGON)
Counties of Linn and Benton) ss.
City of Albany)

I, Steve Bryant, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 4682, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 29th day of April 2002.

Steve Bryant
City Manager

Notary Public for Oregon
My Commission Expires 3/21/06



ATTEST:

Ken Thompson
City Recorder

K & D ENGINEERING, Inc.

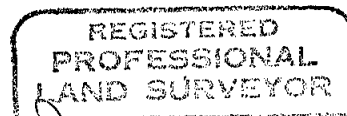
Engineers • Planners • Surveyors

EXHIBIT "A"

R-O-W Dedication In North Albany Fuel Station Tract (Tax Lot 400-Map 11-4-1DA)

A portion of Parcel 1 of Partition Plat No. 94-63, a partition of record in Benton County, Oregon that is more particularly described as follows:

Beginning at a point on the north line of and being North 86°01'16" West 198.21 feet from the northeast corner of said Parcel 1: thence along the boundary line of said Parcel the following three (3) courses: (1) North 86°01'16" West 33.83 feet to a 5/8 inch rod; (2) thence along the arc of a 15.00 foot radius curve to the left (chord bears South 40°26'47" West 24.13 feet) a distance of 28.03 feet to a 5/8 inch rod on the west line of said Parcel 1; (3) thence South 13°05'10" East, along said west line 33.83 feet; thence along the arc of a 40.00 foot radius curve to the right (chord bears North 40°26'47" East 64.34 feet) a distance of 74.75 feet to the Point of Beginning. Containing 576 square feet of land, more or less.



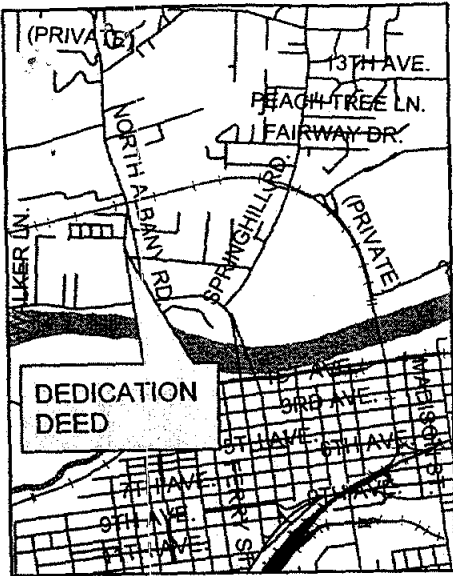
Jack R. Burrell
OREGON
JACK R. BURRELL
1630

RENEWAL DATE 12/31/03

March 27, 2002
EXHIBIT "A"
ROW NA FUEL STATION
(01-130-A) JRB:nm
File: nm\legal\01130a-row na fuel sta.doc

EXHIBIT B

INTERMEDIARY INC. TRACT
 LOCATED IN
 PARCEL OF PARTITION PLAT
 NO. 94-63 IN THE E. 1/2 SEC. 1,
 T. 11 S., R. 4 W., W.M. CITY OF
 ALBANY, BENTON COUNTY
 OREGON



0 100 200 FT.



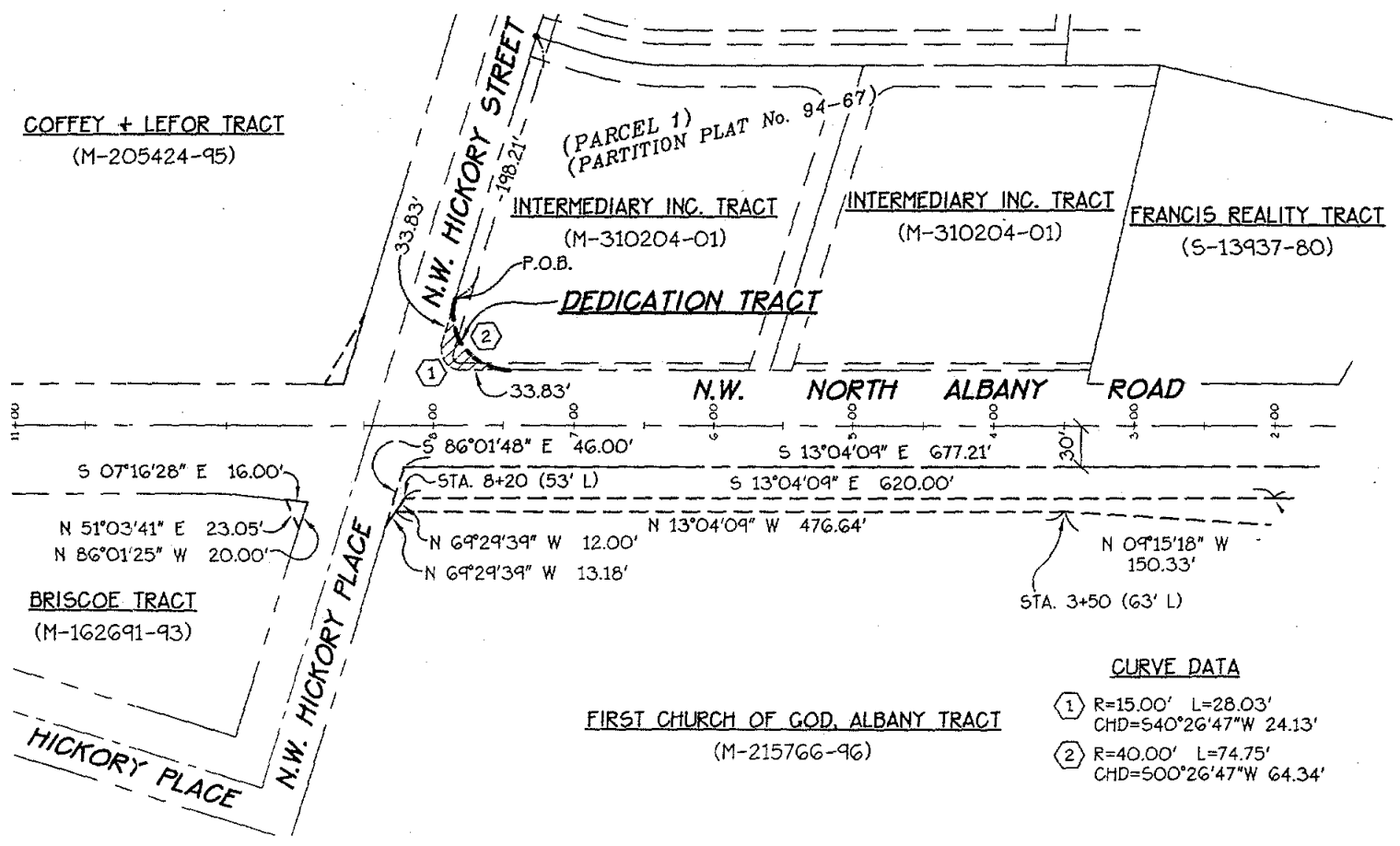
ORIG. SCALE: 1" = 100'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Jack R. Burrell

OREGON
 JULY 16, 1972
 JACK R. BURRELL
 1630

RENEWAL DATE 2/3/03



STATE OF OREGON } ss.
County of Benton }

318093

AM 10:23 '02 MAY 23

I hereby certify that the within
instrument was received for record

M318588

20 02

In the microfilm records of said county

Witness My Hand and Seal of
James V. Morales, County Clerk

By

41
15 GRS

Deputy

4

Resolution No. 4682

Recorded Document Recorder File No. 3985