

RESOLUTION NO. 5128

A RESOLUTION ACCEPTING THE FOLLOWING RIGHT-OF-WAY DEDICATION:

Grantor

Purpose

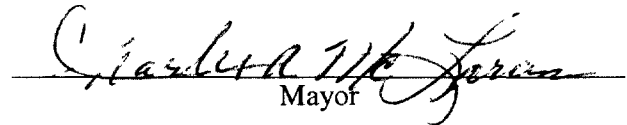
Michael K Brown

Dedicate Right-of-Way

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this right-of-way dedication deed.

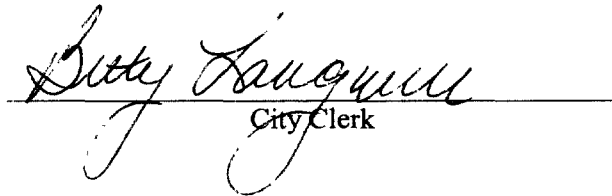
BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 11TH DAY OF MAY 2005.



Mayor

ATTEST:



City Clerk

**RECORDING COVER SHEET
ALL TRANSACTIONS, ORS: 205.234**

This cover sheet has been prepared by the person
Presenting the attached instrument for recording.
Any errors in this cover sheet DO NOT affect the
Transaction(s) contained in the instrument itself.

BENTON COUNTY, OREGON **2005-385518**
DE-D
Cnt=1 Stn=6 NE **05/19/2005 01:32:01 PM**
\$30.00 \$11.00 \$10.00 \$15.00 **\$66.00**



I, James V. Morales, County Clerk for Benton
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.



James V. Morales - County Clerk

AFTER RECORDING RETURN TO:

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

1.) NAME(S) OF THE TRANSACTION(S) required by ORS 205.234(a)

Right-of-Way Dedication

2.) DIRECT PARTY / GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160

Michael K. Brown

3) INDIRECT PARTY / GRANTEE, required by ORS 205.125(1)(a) and ORS 205.160

City of Albany

4) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

5) ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

6) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY
CLERKS LIEN RECORDS, ORS 205.121(1)(e)

7) THE AMOUNT OF THE CIVIL PENALTY or THE AMOUNT, INCLUDING PENALTIES,
INTEREST AND OTHER CHARGES FOR WHICH THE WARRANT, ORDER OR JUDGMENT
WAS ISSUED. ORS 205.125(1)(c) and ORS 18.325

8) Rerecorded to correct _____
Previously recorded as _____

RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Michael K Brown, hereinafter referred to as Grantor, hereby dedicates to the City of Albany, a Municipal Corporation, hereinafter called "City" for right-of-way purposes, portions of that real property situated in Linn County, Oregon, conveyed to Grantors by deed recorded in M-217982-96, Benton County deed records, and being more particularly described as follows:

See attached Legal Description labeled Exhibit A, attached Vicinity Map labeled Exhibit B, and attached Right-of-Way Map labeled Exhibit C.

The Grantor covenants that he is lawfully seized and possessed of the real property above described and that he has a good and lawful right to convey it or any part thereof and that he will forever warrant and defend the same against all persons who may lawfully claim the same.

The right-of-way dedicated herein is in consideration of \$1,200.00, 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 grantors may obtain therefrom.

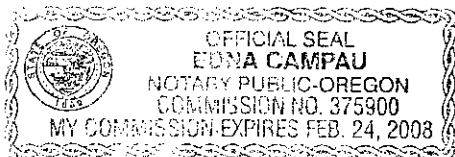
IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

GRANTOR:

Michael K Brown
Michael K Brown

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

The foregoing instrument was acknowledged before me this 13 day of March, 2005, by **Michael K Brown** as his voluntary act and deed.



Edna Campau
Notary Public for Oregon
My Commission Expires: Feb. 24, 2008

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 5128, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 11 day of May 2005.

Steve Bryant
City Manager

ATTEST: Bette Langwell
City Recorder Clerk

EXHIBIT "A"

CITY OF ALBANY
RIGHT-OF-WAY ACQUISITION
A PORTION OF THAT SIERRA CONSTRUCTION, INC. TRACT

A portion of that Sierra Construction, Inc. tract described by deed recorded in M-217982-96 of the Benton County, Oregon Deed Records on August 23, 1996 that is more particularly described as follows:

Beginning at the northwest corner of said Benton County tract which corner being South 88°05'59" East 1848.38 feet and South 01°54'01" West 30.00 feet of the southwest corner of the Gallatin Adkins Donation Land Claim No. 43 in Township 10 South, Range 4 West, Willamette Meridian; thence South 01°57'41" West, along the east line of said Sierra Construction, Inc. tract, 5.76 feet; thence along the arc of a 2065.67 foot radius curve to the right (long chord of which bears North 85°39'04" West 102.80 feet) a distance of 102.81 feet; thence along the arc of a 2004.33 foot radius curve to the left (long chord of which bears North 84°32'22" West 21.98 feet) a distance of 21.98 feet to a point on the north line of said Sierra Construction Inc. tract; thence South 88°05'59" East 124.66 feet to the Point of Beginning. Containing 424 square feet of land, more or less

March 21, 2005
RIGHT-OF-WAY
SIERRA CONSTRUCTION INC. TRACT
(03-180) JJC:nm
File: nm\shared\03-180 NA Rd\legal\Sierra Const.doc

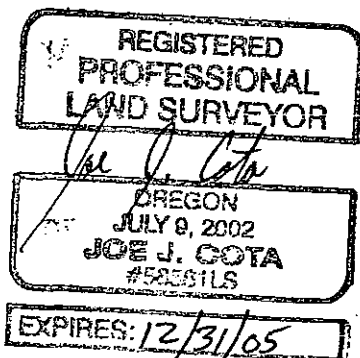


EXHIBIT B

Gibson Hill Road Right-of-Way Acquisition

ST-03-05 North Albany Rd. LID

A Portion of Benton County Tract
Described by Deed Reference
M-217982-92



Geographic Information Services

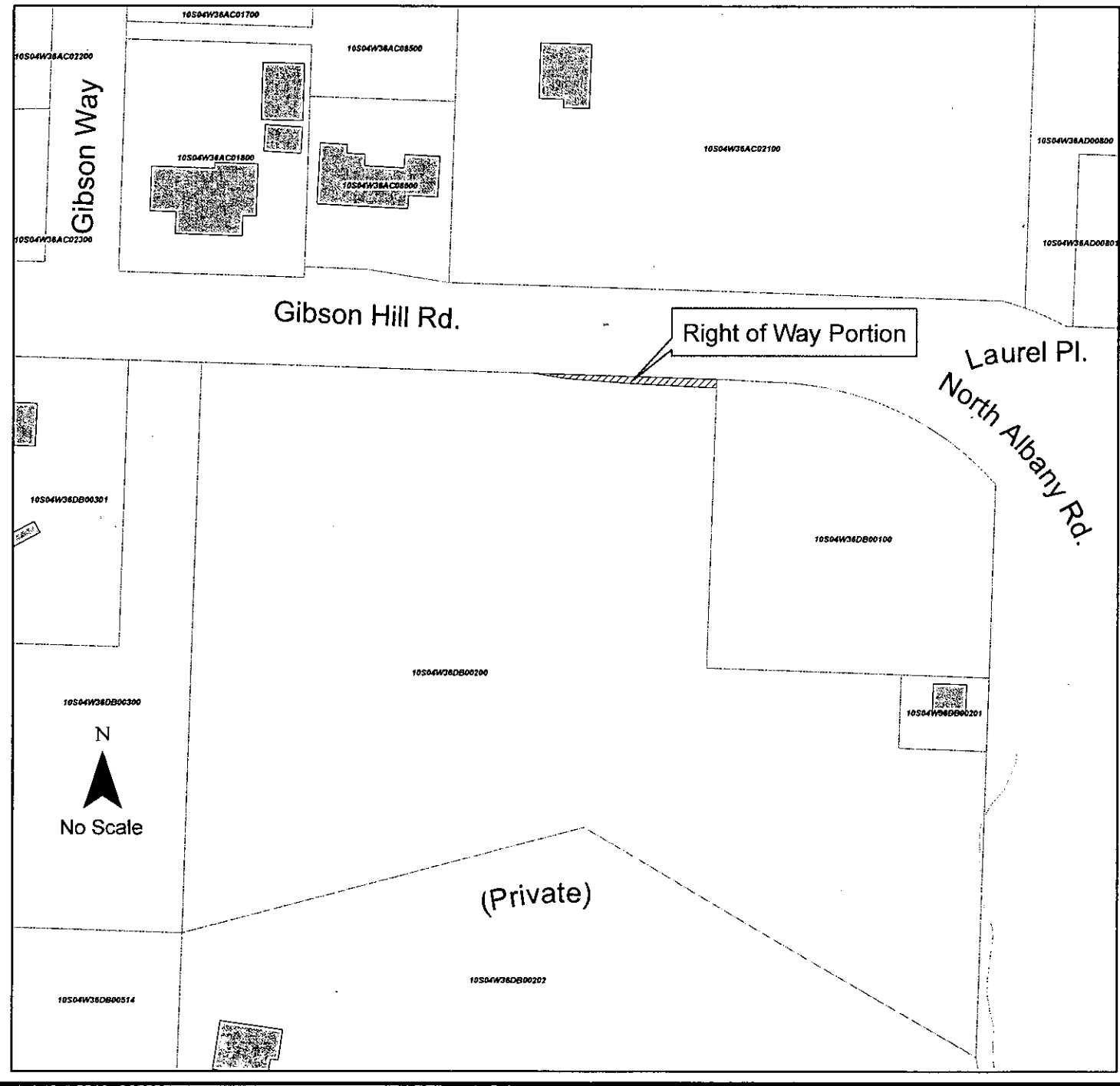
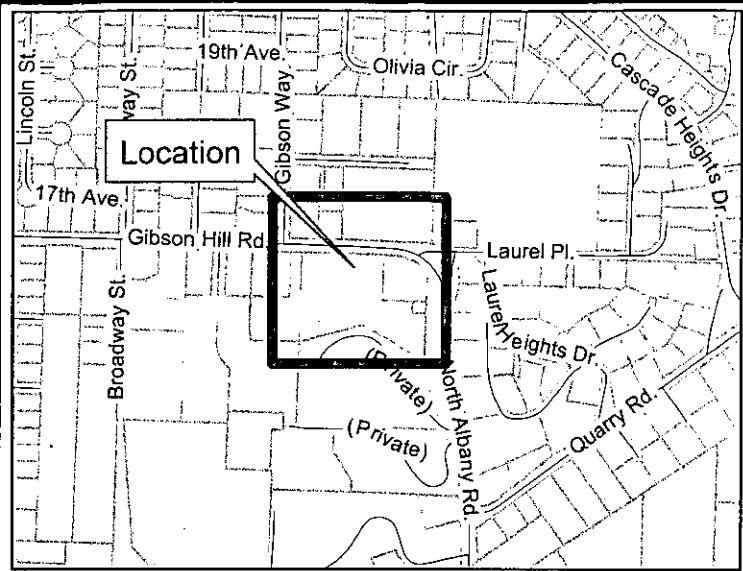
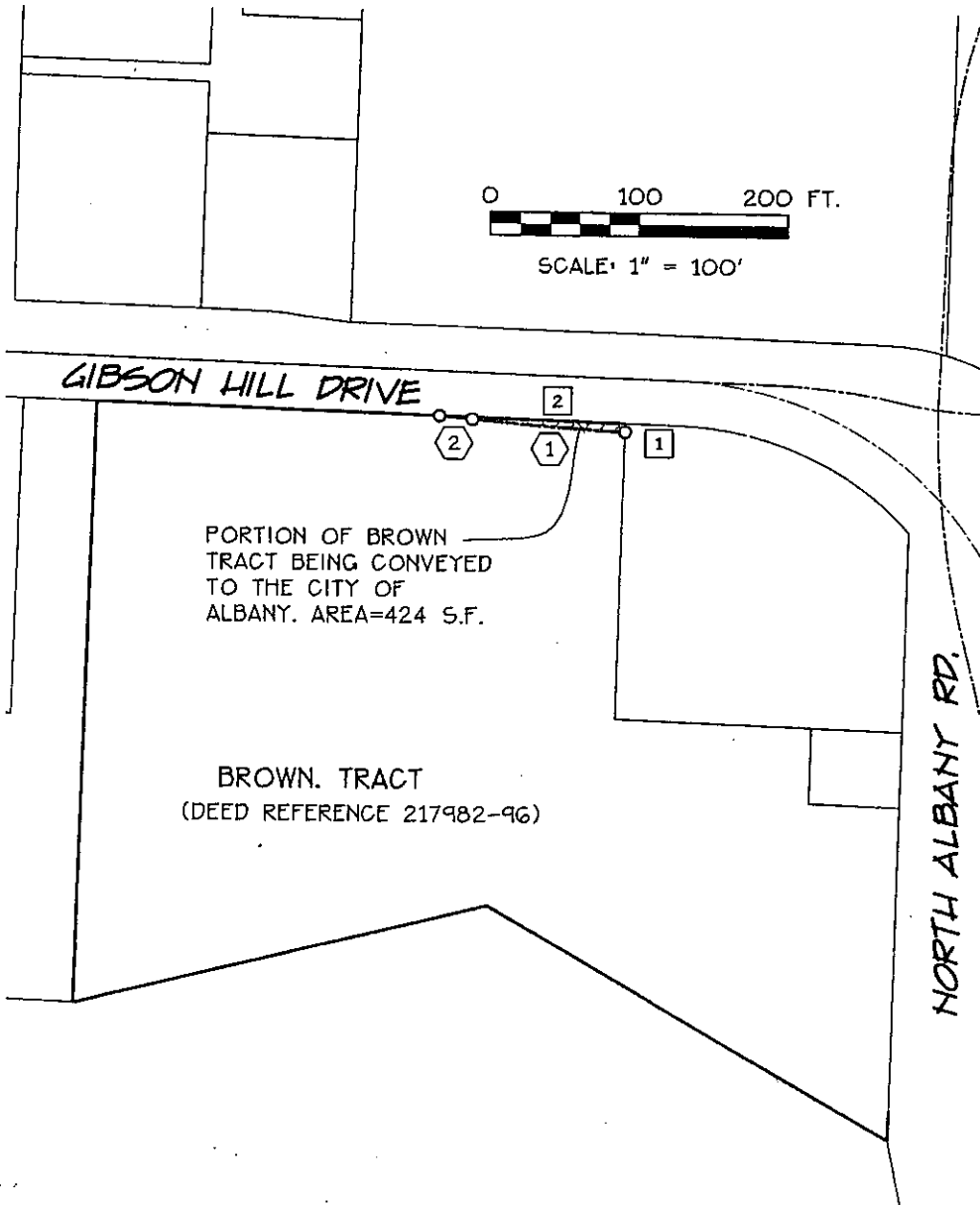
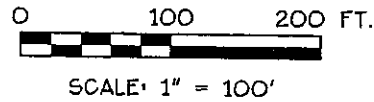
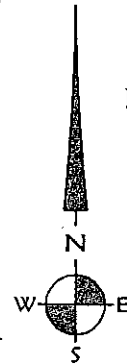


EXHIBIT "C"
 FOR
GIBSON HILL ROAD
RIGHT-OF-WAY ACQUISITION

A PORTION OF THAT BROWN TRACT DESCRIBED
 BY DEED REFERENCE 217982-92
 LOCATED IN
 SE 1/4 SECTION 36, T. 10 S., R. 4 W., W.M.
 CITY OF ALBANY, BENTON COUNTY, OREGON
 MARCH 19, 2005



LEGEND:

- 3 LINE REFERENCE (SEE LINE TABLE)
- 1 CURVE REFERENCE (SEE CURVE TABLE)

LINE TABLE

CURVE	LENGTH	BEARING
1	5.76	S01°57'41"W
2	124.66	S88°05'59"E

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	DELTA
1	102.81	2065.67	N85°39'04"W 102.80	02°51'06"
2	21.98	2004.33	N84°32'22"W 21.98	00°37'42"

Resolution No. 5128

Recorded Document Recorder File No. 4554