

RESOLUTION NO. 5239

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

Grantor

Knox Butte, LLC

Purpose

A 19-foot radius right-of-way dedication at the northeast corner of Clover Ridge Road and Knox Butte Road as part of the Dari Mart development.

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 8TH DAY OF MARCH 2006.



Mayor

ATTEST:



City Clerk

RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Knox Butte, LLC, hereinafter referred to as Grantor, hereby dedicate 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 MF1372-897, Linn County deed records, and being more particularly described as follows:

A 19.00 foot radius strip of land in Section 4 of Township 11 South in Range 3 West of Willamette Meridian, City of Albany, Linn County, Oregon as described in the attached Exhibit A and as shown on the attached map labeled Exhibit B.

The Grantor covenants that they are lawfully seized and possessed of the real property above described and that they have a good and lawful right to convey it or any part thereof and that they 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 \$1.00, 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.

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

LINN COUNTY, OREGON **2006-06869**
E-EAS
Cnt=1 Stn=1 COUNTER **03/24/2006 03:00:32 PM**
\$20.00 \$11.00 \$10.00 **\$41.00**



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I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



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

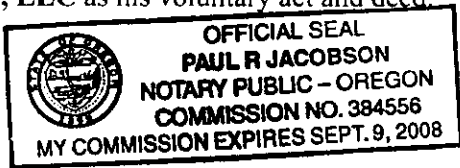
GRANTOR: KNOX BUTTE, LLC

Jock Gibson

Jock Gibson, Manager Member of Knox Butte, LLC

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

The foregoing instrument was acknowledged before me this 22nd day of February, 2006, by Jock Gibson, Manager Member of Knox Butte, LLC as his voluntary act and deed.



Paul R Jacobson

Notary Public for Oregon
My Commission Expires: 9/9/2008

CITY OF ALBANY:

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

I, Wes Hare as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5239, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 8th day of March 2006.

Wes Hare

City Manager

ATTEST:

Betty Lougwill

City Clerk

EXHIBIT "A"

RIGHT-OF-WAY DEDICATION
TO
CITY OF ALBANY

A portion of that Knox Butte, LLC Tract described by deed recorded in Volume 1372, Page 897 in the Linn County Deed Records on January 9, 2003 said portion being more particularly described as follows:

Beginning at a 5/8 inch rod at the southwest corner of said Knox Butte LLC Tract which rod being on east right-of-way of Clover Ridge Road and 45.00 feet easterly of the center line of Clover Ridge Road as shown on County Survey Number 23867 filed in the office of the Linn County Surveyor which rod also being on the north right-of-way line of Knox Butte Road; thence North 00°38'45" West, along the east right-of-way line of Clover Ridge Road, 17.47 feet; thence along the arc of a 19.00 foot radius curve to the left (long chord of which bears South 43°14'54" East 25.75 feet) a distance of 28.26 feet to a point on the north right-of-way line of Knox Butte Road; thence North 85°51'03" West, along said north right-of-way line, 17.47 feet to the Point of Beginning.

June 28, 2005
EXHIBIT "A"
ROW DEDICATION TO CITY OF ALBANY
(05-11) JJC:nm
File: nm\shared\legals\05-11 COA-EXH A.doc

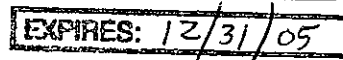
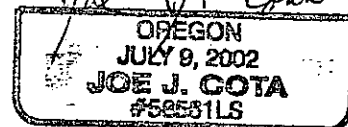
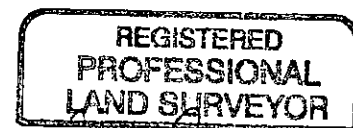


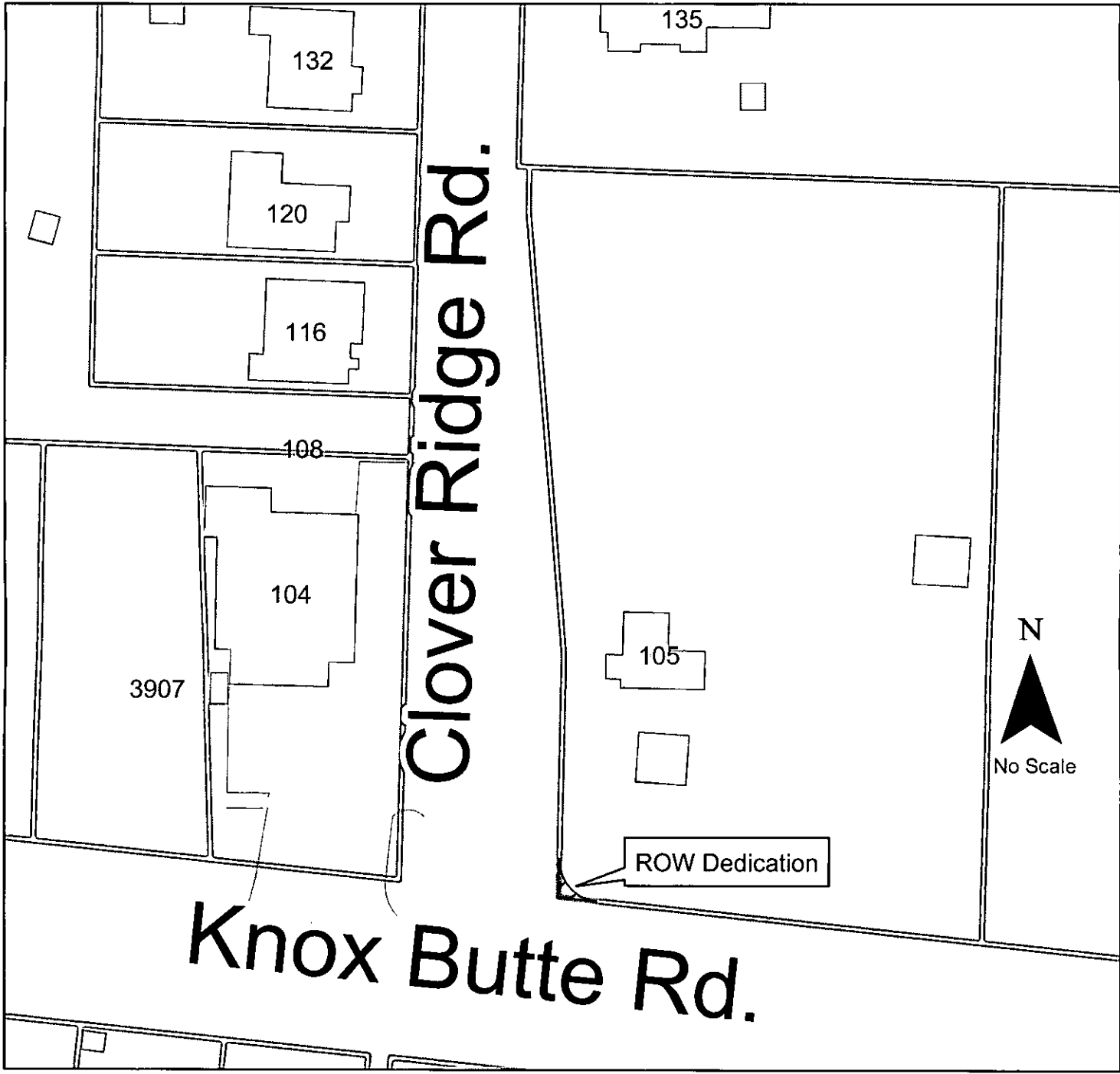
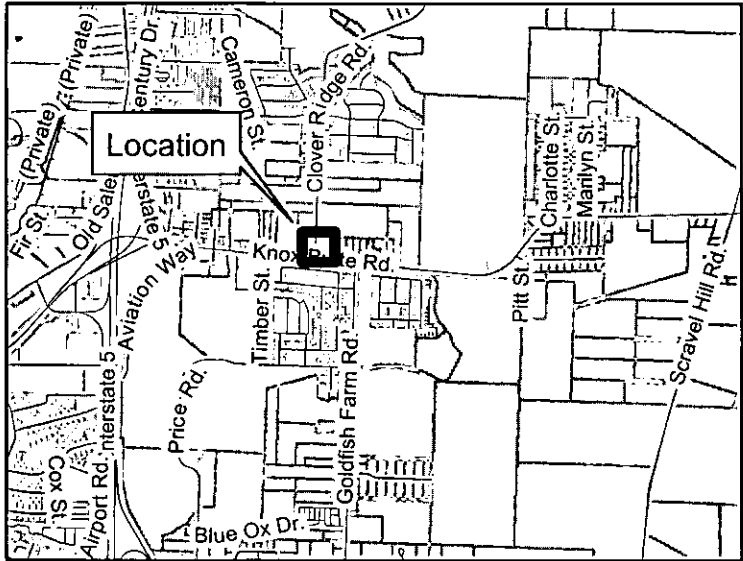
EXHIBIT B

11S03W03B 00900

A 19-foot radius right-of-way dedication at the northeast corner of Clover Ridge Road and Knox Butte Road as part of the Dari Mart development.



Geographic Information Services



Resolution No. 5239

Recorded Document Recorder File No. 4746