

RESOLUTION NO. 5312

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

Grantor

Purpose

North Pointe Homeowners Association

Right-of-way dedication for the extension of North  
Pointe Drive NW

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

DATED AND EFFECTIVE THIS 9TH DAY OF AUGUST 2006.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

## **RIGHT-OF-WAY DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, that North Pointe Homeowners Association, 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 Benton County, Oregon, conveyed to Grantors by deed recorded in M276319, Benton, County deed records, and being more particularly described as follows:

See legal description on attached Exhibit A and maps on attached Exhibits B and C.

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.

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

**GRANTOR:**

North Pointe Homeowners Association

James C. Goode  
By  
Chair  
Title

Monte Preston  
By  
Secretary  
Title

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

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

The instrument was acknowledged before me this 18th day of July, 2006, by By James C. Goode, Title Chair, as a representative of North Pointe Homeowners Association.

The instrument was acknowledged before me this 18th day of July, 2006, by By Monte Preston, Title Secretary, as a representative of North Pointe Homeowners Association.



Laura C Grant  
Notary Public for Oregon  
My Commission Expires: 5.10.07

Laura C Grant  
Notary Public for Oregon  
My Commission Expires: 5.10.07

**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 <sup>5312</sup> ~~60~~ hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 9th day of August, 2006.

Wes Hare  
City Manager

**ATTEST:**

Betty Langmuir  
City Clerk

## Exhibit A



TED J. LANGTON - REGISTERED SURVEYOR

720 NW 4<sup>th</sup> Street, Corvallis, Oregon 97330 Phone 541-757-9050; FAX 541-757-7578

### RIGHT OF WAY DEDICATION

### LEGAL DESCRIPTION

for

### MATRIX DEVELOPMENT

June 9, 2006

#### PORTION TL 2500

A portion of the North Pointe Drive right-of-way, as platted for North Pointe Subdivision – Phase 1, located in the Northwest 1/4 of Section 6, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Benton County, Oregon, being more particularly described as follows:

*Beginning at a point on the southerly line of said right-of-way, lying N 88°07'20"E 41.94 feet from a 5/8" iron rod at the most northerly corner of Parcel 1, Partition Plat No. 2004-05, said Township and Range; thence along said southerly line, on the arc of a 125.00 foot radius curve right (long chord: N 30°50'29"W 14.60 feet) 14.61 feet; thence leaving said line S 65°08'41"E 28.40 feet; thence S 88°07'20"W 18.29 feet to the point of beginning; containing 119 square feet, more or less.*

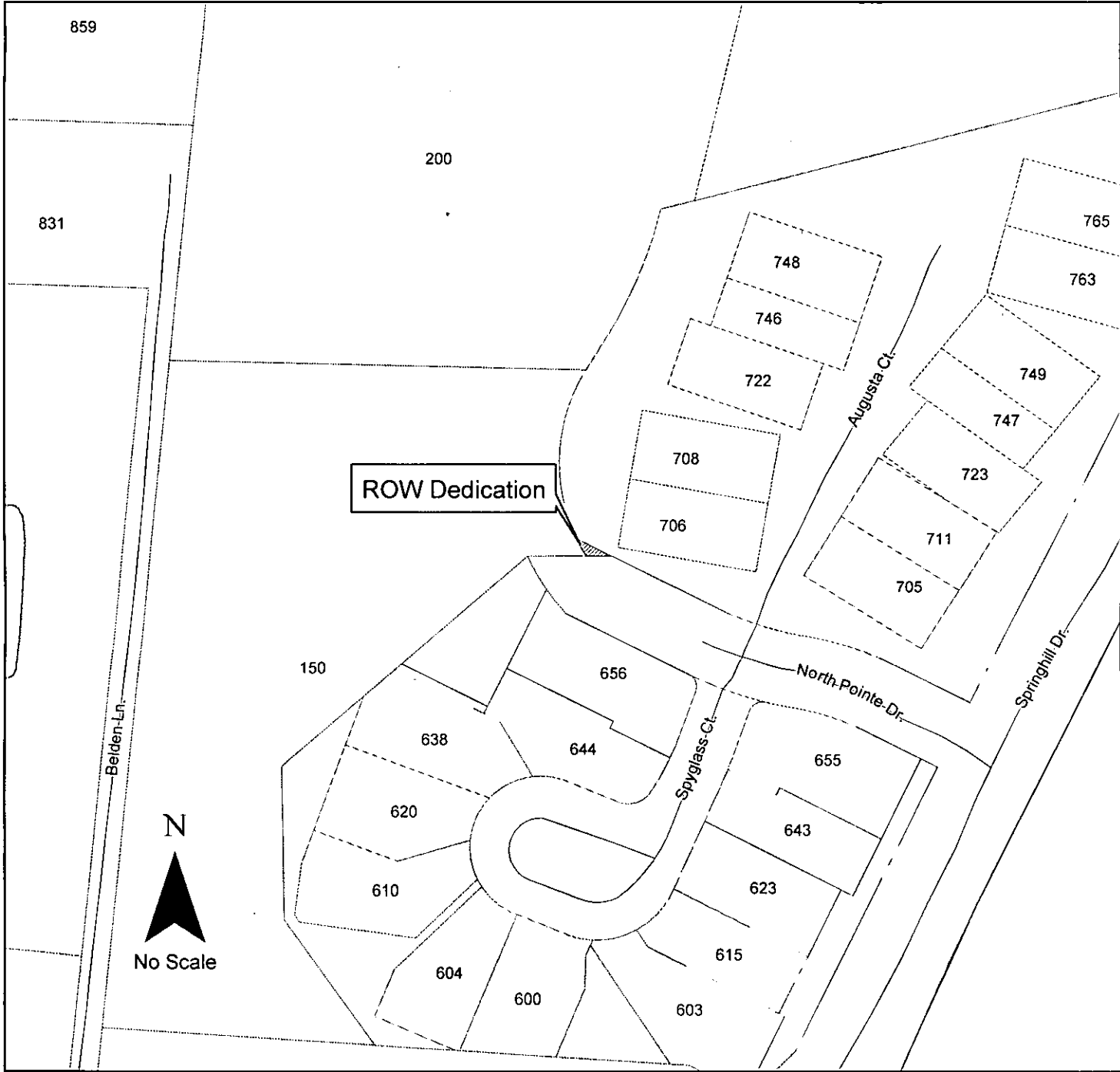
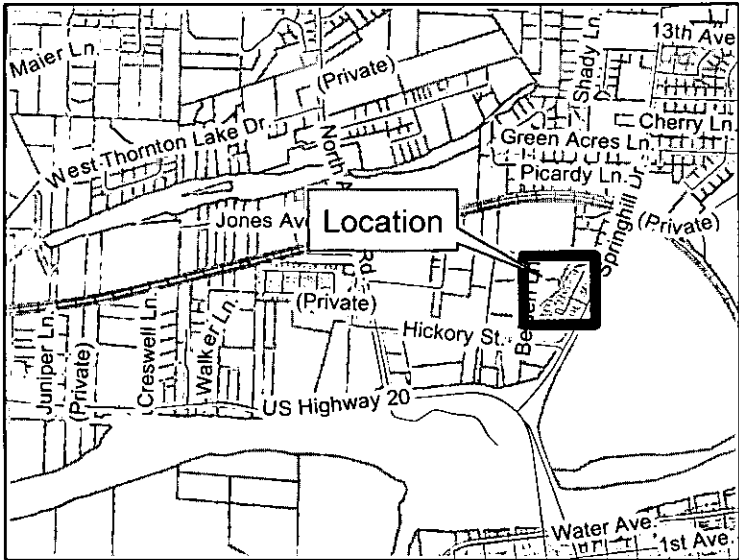
# EXHIBIT B

11SO3W06BC02500

Right-of-way dedication  
for the extension of North  
Point Drive NW



Geographic Information Services



**Exhibit C**

RIGHT-OF-WAY  
DEDICATION  
NORTH POINTE

A=14.61' R=125.00'  
DELTA=6°41'46"  
CH=14.60'  
N 30°50'29"W

S 65°08'41"E 28.40'

S 88°07'20"W 18.29'

AREA = 119 SQFT.

20

**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 **2006-409378**  
DE-EAS  
Cnt=1 Str=5 MR **08/25/2008 11:18:18 AM**  
\$30.00 \$11.00 \$10.00 \$15.00 **\$88.00**



CO 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

**PRINT or TYPE ALL INFORMATION**

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

*North Pointe Homeowners Assoc.*

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

*\$1.00*

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

*Exempt- Governmental*

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** \_\_\_\_\_

Resolution No. 5312

Recorded Document Recorder File No. 4760