

RESOLUTION NO. 5318

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

Grantor

Purpose

North Albany Community Church

Right-of-way along North Albany Road required for the construction of a traffic signal at the entrance to North Albany Middle School.

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 23RD DAY OF AUGUST 2006.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

## RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that North Albany Community Church, 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 Benton County, Oregon, conveyed to Grantors by deed recorded in Book 188, Page 275 and M-19259-80, Benton County deed records, and being more particularly described as follows:

A piece of land in Section 36 of Township 10 South in Range 4 West of Willamette Meridian, City of Albany, Benton County, Oregon as described in the attached Exhibit A, as shown on the attached map labeled Exhibit B and the attached vicinity map labeled Exhibit C.

The Grantor covenants that it is lawfully seized and possessed of the real property above described and that it has a good and lawful right to convey it or any part thereof and that it 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 \$40,392.00, 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.

*Grantor*

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

**GRANTOR:**

North Albany Community Church

Chris Erickson  
By  
PRESIDENT  
Title

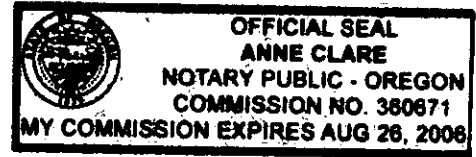
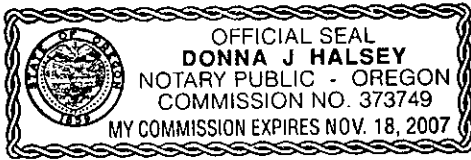
Dennis Halbert  
By  
Pastor  
Title

STATE OF OREGON )  
County of Marion ) ss.  
City of Salem )

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

The instrument was acknowledged before me this 8<sup>th</sup> day of August, 2006, by Chris Erickson, Title President, as a representative of North Albany Community Church.

The instrument was acknowledged before me this 10<sup>th</sup> day of August, 2006, by Dennis Halbert, Title Pastor, as a representative of North Albany Community Church.



Donna Halsey  
Notary Public for Oregon  
My Commission Expires: 11-18-07

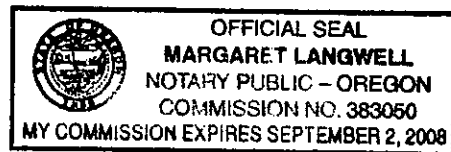
Anne Clare  
Notary Public for Oregon  
My Commission Expires: 8-26-2006

**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>5318</sup> do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 29 day of August, 2006.

Wes Hare  
City Manager



ATTEST:  
Betty Langwell  
City Clerk

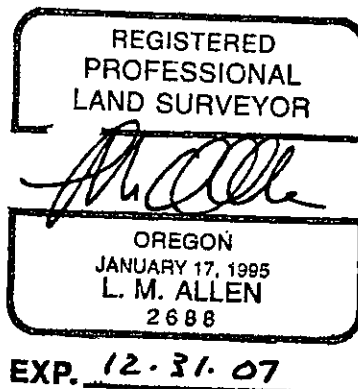
EXHIBIT "A"

All that portion of the parcels of land described in Book 188, Page 275 and M-19259-80 of Benton County Records; lying east of the following described line:

Beginning at a point opposite and 50.00 feet Westerly of Engineer's Station 35+75.12 on the centerline of North Albany Road (Benton County Road 14400); Thence Northwesterly in a straight line to a point opposite and 75.40 feet Westerly of Engineer's Station 35+97.30; Thence Northerly parallel to said centerline to Engineer's Station 36+59.22; Thence Easterly in a straight line to a point opposite and 62.90 feet Westerly of Engineer's Station 36+62.76; Thence Northeasterly in a straight line to a point opposite and 50.00 feet Westerly of Engineer's Station 36+85.05; Thence Northerly parallel with said centerline to Engineer's Station 39+25. The above described portion of land contains 6732 square feet, more or less.

The centerline of North Albany Road is described as follows:

Beginning at a point on the centerline of the State Highway, U.S. #20, which point is 1750.61 feet south and 1065.85 feet west of the Northeast corner of the A.M. Rainwater D.L.C. #39, T.11S., R.4W., W.B. & M. which point, for the purposes of this instrument, shall be called station 0+00.00, said point being also a point on the extension of the centerline of said North Albany Road as shown on C.S. 6242; Thence North  $13^{\circ}09'16''$  West along the centerline as shown on said survey 1885.98 feet to the beginning of a  $6^{\circ}$  curve to the left as shown on the December 1965 road plans for Route 40, Section A, (P.C. Station 18+85.98); Thence along the arc of said curve through a central angle of  $7^{\circ}18'20''$ , 121.76 feet (P.T. Station 20+07.74); Thence North  $20^{\circ}27'36''$  West 941.07 feet to the beginning of an  $8^{\circ}$  curve to the right, (P.C. Station 29+48.81); Thence along the arc of said curve, the P.I. of which is monumented by a  $\frac{3}{4}$ " iron rod as shown on C.S. 7508, through a central angle of  $14^{\circ}15'30''$ , 178.23 feet (P.T. Station 31+27.04); Thence North  $6^{\circ}12'06''$  West 74.86 feet to the beginning of a  $0^{\circ}30'$  curve to the right, (P.C. Station 32+01.90); Thence along the arc of said curve, the P.I. of which is monumented by a  $\frac{3}{4}$ " iron rod as shown on C.S. 7508, through a central angle of  $2^{\circ}18'56''$ , 463.10 feet (P.T. Station 36+65.00); Thence North  $3^{\circ}53'10''$  West 1083.05 feet to the beginning of a  $21^{\circ}$  curve to the left, (P.C. Station 47+48.05); Thence along the arc of said curve, the P.I. of which is monumented by a  $\frac{5}{8}$ " iron rod and plastic cap stamped "Benton County Survey" as shown on C.S. 7508, through a central angle of  $28^{\circ}32'52''$ , 135.94 feet (P.T. Station 48+83.99); Thence North  $32^{\circ}26'02''$  West 1.76 feet to the beginning of a  $32^{\circ}$  curve to the right, (P.C. Station 48+85.75); Thence along the arc of said curve, the P.I. of which is monumented by a  $\frac{5}{8}$ " iron rod and plastic cap stamped "Benton County Survey" as shown on C.S. 7508, through a central angle of  $17^{\circ}04'39''$ , 53.37 feet (P.T. Station 49+39.12); Thence North  $15^{\circ}21'23''$  West 160.06 feet to the beginning of a  $16^{\circ}$  curve to the right, (P.C. Station 50+99.18); Thence along the arc of said curve, the P.I. of which is monumented by a  $\frac{5}{8}$ " iron rod and plastic cap stamped "Benton County Survey" as shown on C.S. 7508, through a central angle  $27^{\circ}09'11''$ , 169.71 feet (P.T. Station 52+68.89); Thence North  $11^{\circ}47'48''$  East 30.37 feet to the beginning of a  $24^{\circ}$  curve to the left, (P.C. Station 52+99.26); Thence along the arc of said curve, the P.I. of which is monumented by a 1" iron pipe as shown on C.S. 7508, through a central angle of  $101^{\circ}49'48''$ , 424.29 feet (P.T. Station 57+23.55 = E.C. Station 60+91.74 per County Route 40 Road Resolution recorded in County Court Journal Book 25, Page 168).



M-12617-79

BOOK 188, PAGE 275

M-240247-98

BOOK 189, PAGE 343

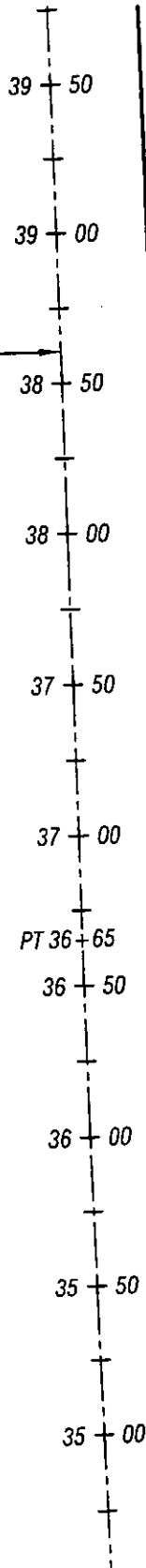
BOOK 126, PAGE 588

STA 36+85.05 - 50.00' LT  
STA 36+62.76 - 62.90' LT  
STA 36+59.22 - 75.40' LT

STA 35+97.30 - 75.40' LT

STA 35+75.12 - 50.00' LT

M-19259-80



50.00'



SCALE: 1" = 60'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 17, 1995  
L. M. ALLEN  
2688

RENEWAL 12/31/2007



**PacWest Engineering**  
1530 Ninth Avenue SE  
Albany, OR 97321  
Phone (541) 926-7634  
Fax (541) 926-7539

DWG: 05-066.DWG

DATE: 6/7/06

PROJECT: 05-066

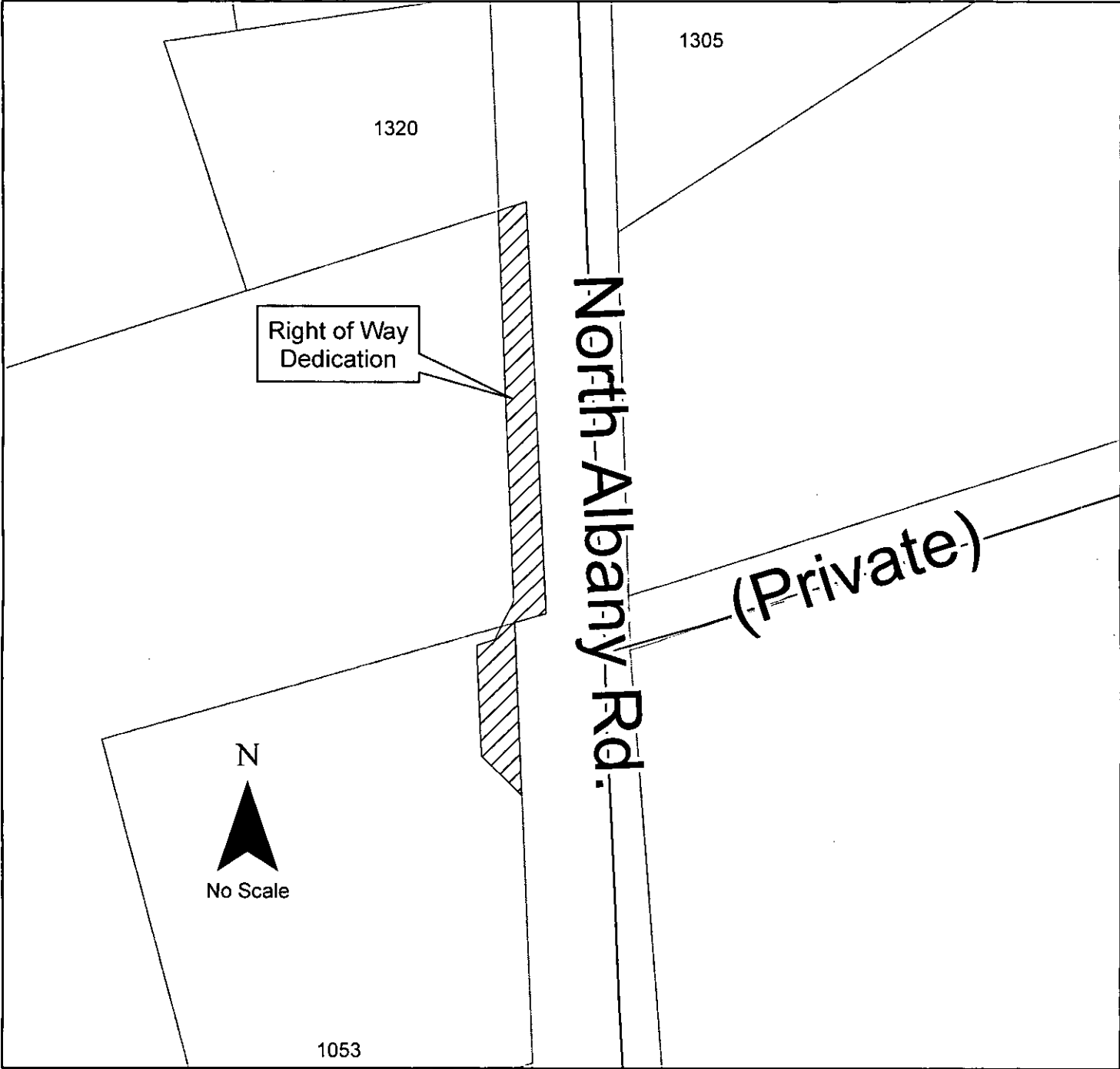
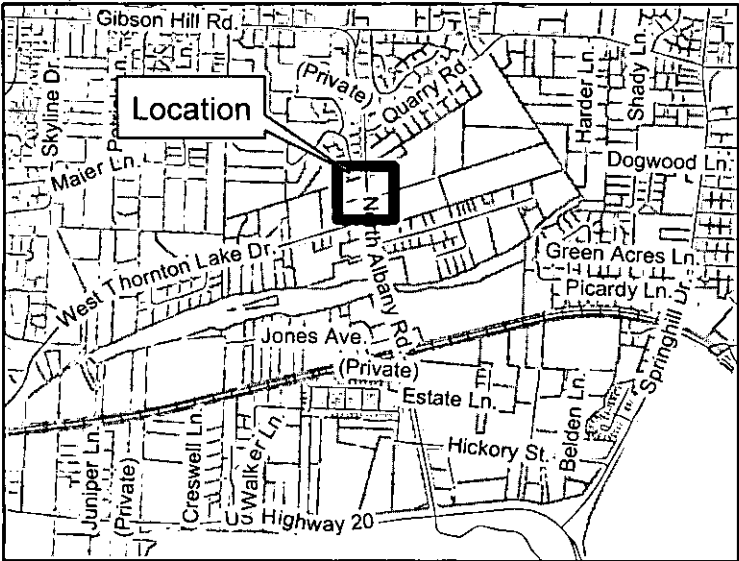
# EXHIBIT C

11SO4W36DC00100 and  
11S04W36DC00200

North Albany Road ROW  
Dedication for Traffic  
Signal at entrance to  
North Albany Middle School



Geographic Information Services



**RECORDING COVER SHEET (Please Print or Type)**

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

**AFTER RECORDING RETURN TO:**

City of Albany City Clerk

PO Box 490

Albany, Oregon 97321

BENTON COUNTY, OREGON **2006-412407**

DE-EAS

Cnt=1 Stn=6 MR

**10/27/2008 02:45:27 PM**

\$30.00 \$11.00 \$10.00 \$15.00

**\$88.00**



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



**1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)**

RIGHT-OF-WAY DEDICATION

**2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160**

North Albany Community Church

**3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160**

City of Albany

**4) TRUE AND ACTUAL CONSIDERATION**

ORS 93.030(5) – Amount in dollars or other

\$ 40,392.00

Other

**5) SEND TAX STATEMENTS TO:**

Exempt - Government

**6) SATISFACTION of ORDER or WARRANT**

ORS 205.125(1)(e)

CHECK ONE:  FULL

(If applicable)  PARTIAL

**7) The amount of the monetary obligation imposed by the order or warrant. ORS 205.125(1)(c)**

\$

**8) If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244: "RERECORDED TO CORRECT**

PREVIOUSLY RECORDED IN BOOK \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS FEE NUMBER \_\_\_\_\_."

Resolution No. 5318

Recorded Document Recorder File No. 4796