

RESOLUTION NO. 5443

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

Grantor

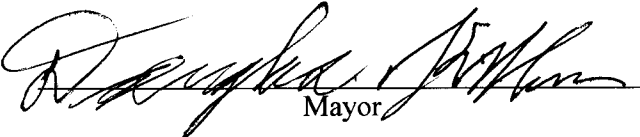
Purpose

Larry T. Matthews

Right-of-Way Dedication

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 MAY 2007.



Mayor

ATTEST:



City Clerk

RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Larry T. Matthews, 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 MF Volume 736, Page 568, Linn County deed records, and being more particularly described as follows:

See attached Legal Description labeled Exhibit A, attached Right-of-Way Map labeled Exhibit B, and attached Vicinity Map labeled Exhibit 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 \$2000.00, 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.

RECEIVED

APR 10 2007

PUBLIC WORKS/ENGINEERING

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

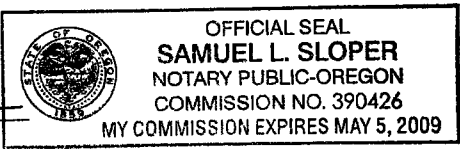
GRANTOR:

Larry T. Matthews
Larry T. Matthews

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

The foregoing instrument was acknowledged before me this 9th day of April, 2007 by Larry T. Matthews as his/her voluntary act and deed.

[Signature]
Notary Public for Oregon
My Commission Expires: 5/5/09



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 5443, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 29 day of May 2007.

Wes Hare
City Manager

ATTEST:
Betty Langwell
City Clerk

EXHIBIT A

2nd Avenue Crossing of Periwinkle Creek
October 18, 2006
Page 1 of 2

City Project No. BR-06-01
Map & Tax Lot No. 11 3W 5CC-4500
File No. 001

PARCEL 1 (Right-Of-Way Dedication)

A parcel of land lying in the Southwest One-Quarter of the Southwest One-Quarter of Section 5 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon and being a portion of that property described in Warranty Deed to Stuart Smith as described in MF Volume 610, Page 809, recorded August 26, 1992, and Land Sale Contract to Larry T. Mathews, as described in MF Volume 736, Page 568, recorded February 17, 1995, Linn County Deed Records, said parcel being that portion of said property included in a strip of land variable in width, lying northerly and easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

The widths in feet of said strip of land above referred to are as follows:

Station	to	Station	Width on Southerly Side of Center Line
14+30.01		14+31.67	33.00 in a straight line to 59.18
14+31.67		14+66.67	59.18 in a straight line to 69.06

EXCEPTING therefrom that portion lying within the existing right-of-way of S.E. Second Avenue.

Bearings based on C.S. 24272 filed on April 6, 2006, Linn County, Oregon.

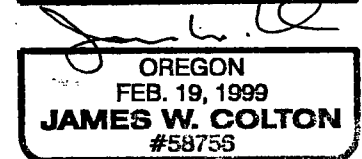
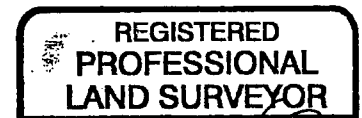
The parcel of land contains 233 square feet, more or less.

The stationing used to describe this parcel is based on the retraced centerline of S.E. Second Avenue, being more particularly described as follows:

Beginning at a point on the retraced centerline of S.E. Second Avenue Station 10+00.00 as recorded under Survey Number C.S. 24272, Linn County Survey Records, said point bears N 07°05'29" W, 33.00 feet from a found 3/4" iron bolt at the southwest corner of Hackelmans 4th addition to Albany, Oregon, Section 5, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon;

Thence N 82°54'31" E, 700.00 feet to Station 17+00.00 POT and the terminus of this retraced centerline.

(CONTINUED ON PAGE 2)



RENEWAL DATE: 12/31/07

10/18/06

EXHIBIT "B"
PAGE 2 OF 2

S.E. SECOND AVENUE

Right of Way
Dedication
233 ft²± (1)

① 1,114 ft²±
Right of Way
Dedication!

333 ft²± (2)
Temporary
Construction
Access

② 554 ft²±
Temporary
Construction
Access

MF VOL. 1488 - 123

MF VOL. 610-809
MF VOL. 736-568

SCHMEE
ADDITION TO

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
FEB. 19, 1999
JAMES W. COLTON
#58756

RENEWAL DATE: DEC. 31, 2007
SIGNED: 10/12/06

BASIS OF BEARINGS PER COUNTY SURVEY NO. 24272,
LINN COUNTY SURVEYOR'S OFFICE

CITY OF ALBANY			
SECTION	BR-06-01, 2ND AVENUE CROSSING OF PERIWINKLE CREEK		
DRG. NO.	FILE 001	KEY NO.	N/A
HIGHWAY	N/A		
COUNTY	LINN COUNTY		
SCALE :	1"=20'		
DATE :	OCTOBER 18, 2006		

SCALE 1" = 20'



CONSULTING ENGINEERS
www.obec.com

Corporate Office: 920 COUNTRY CLUB ROAD, SUITE 100B EUGENE, OREGON 97401-8089
2235 MISSION STREET SE, SUITE 100 SALEM, OREGON 97302-1295
1335 POPLAR DRIVE MEDFORD, OREGON 97504-3207

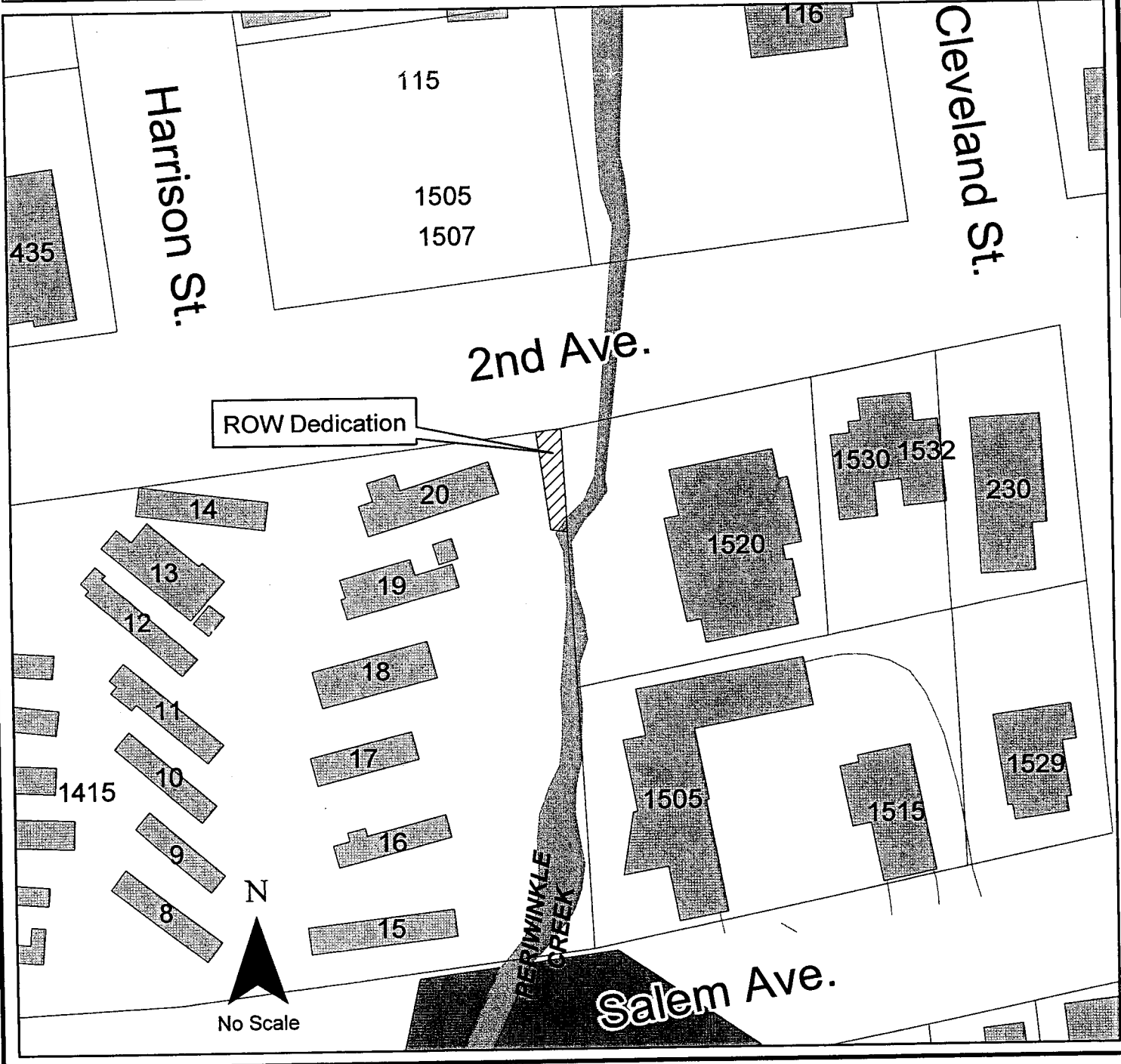
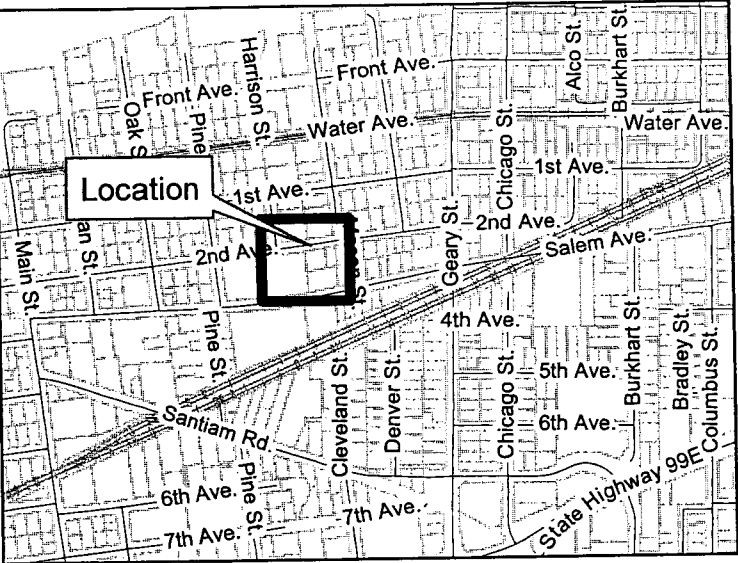
EXHIBIT C

11S03W05CC04500

Right of Way dedication for BR-06-01
2nd Avenue crossing of Periwinkle Creek



Geographic Information Services



LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2007-13423**
E-ROW
Cnt=1 Stn=1 COUNTER **06/01/2007 02:31:05 PM**
\$30.00 \$11.00 \$10.00 **\$51.00**



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

After Recording Return To:

City of Albany City Clerk _____

PO Box 490 _____

Albany, OR 97321 _____

All Tax Statements Should Be Sent To:

City of Albany Assessment Clerk _____

PO Box 490 _____

Albany, OR 97321 _____

1. Name/Title of Transaction - by ORS 205.234 (a)

Right-of-Way _____

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

Larry T. Matthews _____

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

City of Albany _____

4. True and Actual Consideration (if there is one), ORS 93.030

\$2,000.00 _____

Resolution No. 5443

Recorded Document Recorder File No. 4907