

RESOLUTION NO. 5558

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

Grantor

Purpose

Mary Morris in her capacity as Trustee of the Evelyn F. Brandis Family Charitable Trust #1 and Charitable Trust #2; John S. Brandis, Jr.; Trinity O. Lind, fka Gail Brandis Jacob, Gail Brandis Yarborough, and Gail Brandis Coleman; Susan B. Decker; and Timberhill Corporation, an Oregon Corporation collectively as their interests in the property may appear (collectively herein, "Timberhill")

To dedicate the rights-of-way necessary for the construction of a new combined elementary and middle school for the Greater Albany Public School District north of Knox Butte Road.

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 13TH DAY OF FEBRUARY 2008.



Mayor

ATTEST:



City Clerk

LINN COUNTY

Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON
E-ROW
Cnt=1 Stn=1 COUNTER
\$45.00 \$11.00 \$10.00

2008-03978

02/28/2008 03:12:12 PM

\$66.00



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 - Exempt _____

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

RIGHT-OF-WAY DEDICATION

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

Mary Morris in her capacity as Trustee of the Evelyn F. Brandis Family Charitable Trust #1 and charitable Trust #2; John S. Brandis, Jr.; Trinity O. Lind, fka Gail Brandis Jacob, Gail Brandis Yarborough, and Gail Brandis Coleman; Susan B. Decker; and Timberhill Corporation, an Oregon Corporation collectively as their interests in the property may appear (collectively herein, "Timberhill")

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

\$1.00 _____

RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that *Mary Morris in her capacity as Trustee of the Evelyn F. Brandis Family Charitable Trust #1 and Charitable Trust #2; John S. Brandis, Jr.; Trinity O. Lind, fka Gail Brandis Jacob, Gail Brandis Yarborough, and Gail Brandis Coleman; Susan B. Decker; and Timberhill Corporation, an Oregon Corporation collectively as their interests in the property may appear (collectively herein, "Timberhill")*, 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 deeds recorded in Linn County, Oregon, Deed Records 305-313, MF153-732, MF1134-785 & 787, MF1612-374, and MF1612-378 and being more particularly described as follows:

See legal descriptions on attached Exhibits A and B, and maps on attached Exhibits C and D

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:

Mary Morris, Trustee
Mary Morris, Trustee of the Evelyn F. Brandis
Family Charitable Trusts #1 and #2

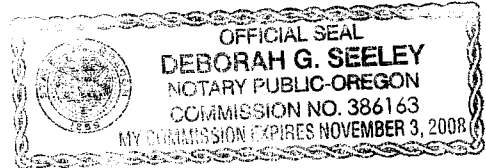
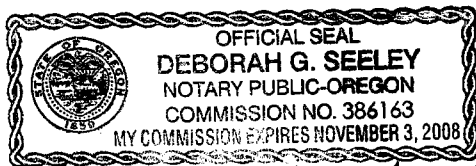
John Brandis, Jr.
3

STATE OF OREGON)
County of Benton) ss.
City of Corvallis)

STATE OF OREGON)
County of Benton) ss.
City of Corvallis)

The instrument was acknowledged before me this
12th day of December, 2007, by
Mary Morris, Trustee of the Evelyn F. Brandis
Family Charitable Trusts #1 and #2 as a
representative of the trusts.

The instrument was acknowledged before me this
12th day of December, 2007,
by John Brandis Jr.
3.



Deborah G. Seeley
Notary Public for Oregon
My Commission Expires: 11-3-08

Deborah G. Seeley
Notary Public for Oregon
My Commission Expires: 11-3-08

Trinity O. Lind
Trinity O. Lind, fka Gail Brandis Jacob, Gail Brandis Yarborough, and Gail Brandis Coleman.

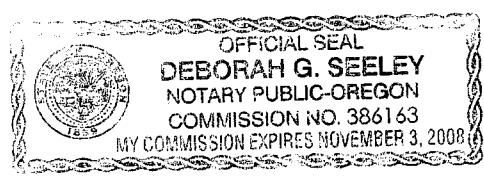
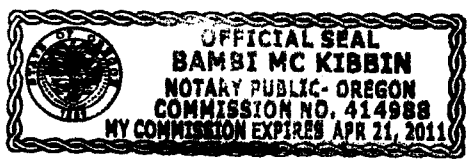
Susan B. Decker
Susan B. Decker

STATE OF OREGON)
County of Deschutes ss.
City of Bend

STATE OF OREGON)
County of Benton ss.
City of Corvallis

The instrument was acknowledged before me this 27th day of Dec., 2007, by Trinity O. Lind.

The instrument was acknowledged before me this 13 day of December, 2007, by Susan B. Decker.



Bambi Mc Kibbin
Notary Public for Oregon
My Commission Expires: 4-21-11

Deborah G. Seeley
Notary Public for Oregon
My Commission Expires: _____

Tanya Durkee
Tanya Durkee

President, Timberhill Corporation

STATE OF OREGON)
County of Multnomah) ss.
City of Portland)

The instrument was acknowledged before me this
17th day of December, 2007,
by Tanya Durkee, President, as a representative of
Timberhill Corporation.



Elizabeth L. Pinkley
Notary Public for Oregon
My Commission Expires: 8/7/2011

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 5338 do hereby
accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof of this 18 day
of February, 2008.

Wes Hare
City Manager

ATTEST:

Betty Langmuir
City Clerk

Exhibit A

Dedication North of Knox Butte Road

A strip of land 73.00 feet wide, over, across and upon Parcel 2 of Partition Plat 2007-74, Linn County Survey Records, the sidelines of said strip being 36.50 feet on each side of the following described centerline:

Beginning at a point at the Southerly terminus of Brandis Avenue, as dedicated and shown on said plat, said point also being coincident with the North line of Parcel 2 thereof, and the north terminus of the centerline being described herein; thence southerly on the prolongation of said Brandis Avenue, a distance of 52.72 feet on a 500.50 foot radius curve to the left whose chord bears S 05°43'31" E a distance of 52.69 feet to a point of compound curvature; thence 262.07 feet on a 1500.00 foot radius curve to the left whose chord bears S 13°54'36" E, a distance of 261.73 feet to a point of reverse curvature; thence 247.59 feet on a 750.00 foot radius curve to the right whose chord bears S 09°27'28" E, a distance of 246.47 feet; thence S 00°00'02" E, a distance of 244.73 feet to point designated as "Point A" for the purpose of this description and the South terminus of the centerline being described herein.

Together with:

Beginning at "Point A" as previously designated herein; thence S 89°59'58" W, a distance of 36.50 feet to a non-tangent curve; thence 156.04 feet on a 95.00 foot radius curve to the right whose chord bears S 47°03'18" W, a distance of 139.08 feet to a point of tangency of said curve with the North line of Knox Butte Road, said point bears S 85°53'22" E, a distance of 600.37 feet from the intersection of the West line of H. Nickerson D.L.C. No. 39 with the North line of said Knox Butte Rd; thence S 85°53'22" E, on the North line of said road, a distance of 247.71 feet to a point of curvature; thence continuing on said North line, 10.63 feet on a 676.25 foot radius curve to the left, whose chord bears S 86°20'23" E, a distance of 10.63 feet; thence leaving said North line, 40.23 feet on a 50.00 foot radius curve to the right whose chord bears N 63°44'21" W, a distance of 39.15 feet; thence N 40°41'18" W, a distance of 51.00 feet; thence 42.61 feet on a 60.00 foot radius curve to the right whose chord bears N 20°20'40" W, a distance of 41.72 feet; thence N 00°00'02" W, a distance of 18.08 feet; thence S 89°59'58" W, a distance of 36.50 feet to the point of beginning.

END OF THIS DESCRIPTION

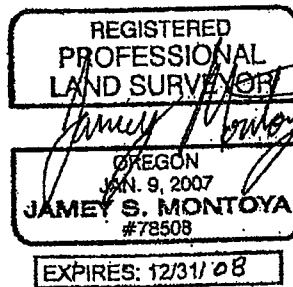


Exhibit B

Dedication South of Knox Butte Road

A tract of land located in the Northeast quarter of Section 3, Township 11 South, Range 3 West, Willamette Meridian, in the City of Albany, Linn County, Oregon, said tract also lies within Parcel 1 of Partition Plat 2007-73, Linn County Survey Records, and is more particularly described as follows:

Commencing at the point of intersection of the West line of H. Nickerson D.L.C. No. 39 with the North line of Knox Butte Road; thence S 00°01'17" W, on the West line of said D.L.C. No. 39, a distance of 80.20 feet to the South line of said Knox Butte Rd.; thence S 85°53'22" E, on said South line, a distance of 640.03 feet to the True Point of Beginning; thence leaving said South line, 19.78 feet on a 25.00 foot radius curve to the right whose chord bears S 63°13'24" E, a distance of 19.27 feet; thence S 40°33'26" E, a distance of 28.69 feet; thence 77.86 feet on a 110.00 foot radius curve to the right whose chord bears S 20°16'44" E, a distance of 76.25 feet; thence S 00°00'02" E, a distance of 24.24 feet; thence N 89°59'58" E, a distance of 73.00 feet; thence N 00°00'02" W, a distance of 39.23 feet; thence 117.34 feet on a 72.00 foot radius curve to the right whose chord bears N 46°41'11" E, a distance of 104.78 feet to a point of tangency with the South line of Knox Butte Rd.; thence 9.73 feet on said South line, on a 756.25 foot radius curve to the right whose chord bears N 86°15'29" W, a distance of 9.73 feet; thence continuing on said South line, N 85°53'22" W, a distance of 202.33 feet to the Point of Beginning.

END OF THIS DESCRIPTION

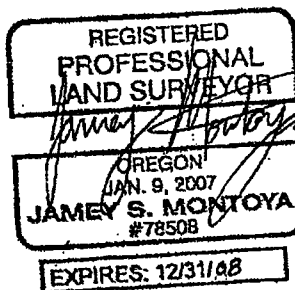
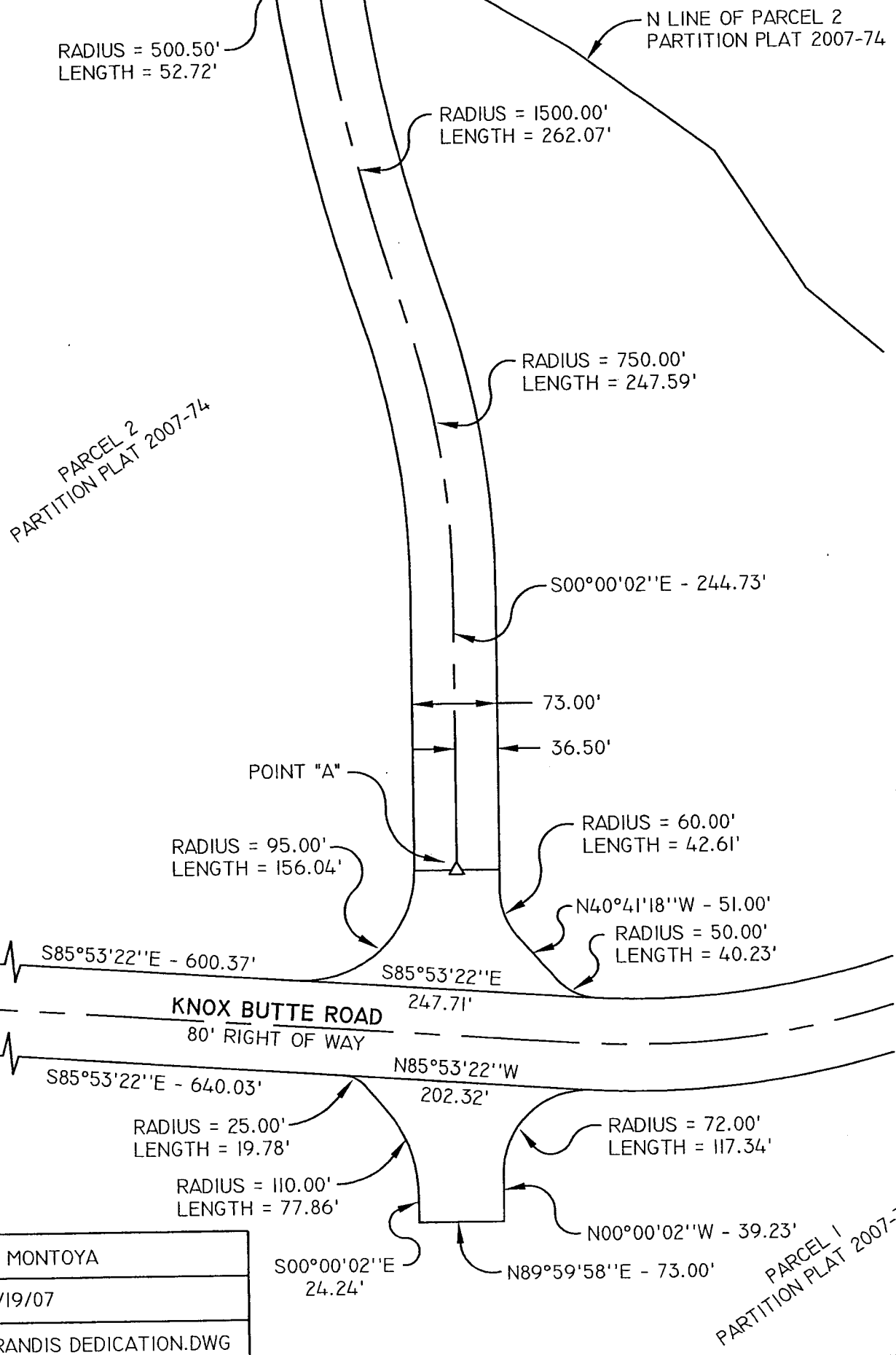


EXHIBIT "C"



DRAWN BY: J. MONTOYA
DATE: 12/19/07
DRAWING: BRANDIS DEDICATION.DWG

EXHIBIT D

11S03W03B 00101 and
11S03W03C 00100

Right-of-way dedication for the
construction of a new school.



Geographic Information Services

