

RESOLUTION NO. 5640

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

Grantor

KCH ENTERPRISES

Purpose

A variable width street right-of-way dedication along Geary Street as required by a condition of approval for an apartment complex site plan.

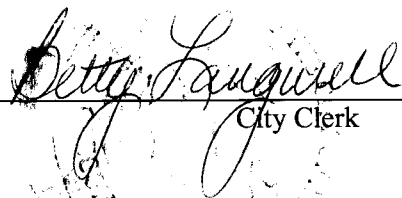
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this right-of-way dedication deed.

DATED AND EFFECTIVE THIS 23RD DAY OF JULY 2008.



Mayor

ATTEST:



City Clerk

RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that KCH ENTERPRISES, 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 DN2008-2143, LINN County deed records, and being more particularly described as follows:

A variable width strip of land in Section 8 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.

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

GRANTOR:

Kevin Harrison
Kevin Harrison for KCH Enterprises

STATE OF OREGON)
County of ~~Linn~~ **MARION**) ss.
City of ~~Albany~~ **SALEM**)

The foregoing instrument was acknowledged before me this 30 day of JUNE, 2008, by **Kevin Harrison for KCH Enterprises** as his/her voluntary act and deed.

Susan J Ryan
Notary Public for Oregon
My Commission Expires: 9-30-09



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 5640, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 23 day of July 2008.

Wes Hare
City Manager

ATTEST:
Betty Laquell
City Clerk

EXHIBIT A
(Road Right-of-way)

A strip of land varying in width, for road right-of-way purposes over and across two tracts of land described in Document Number 2008-02143, Parcel 1 and Parcel 2, Linn County, Oregon deed records, said tracts are located in the Southwest Quarter of Section 08, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon, and more particularly described as follows:

The easterly 4.20 feet of Parcel 2, of Document Number 2008-02143, and the easterly 1.20 feet of Parcel 1, of Document Number 2008-02143, Linn County, Oregon Deed Records.

Containing 681 Square feet more or less

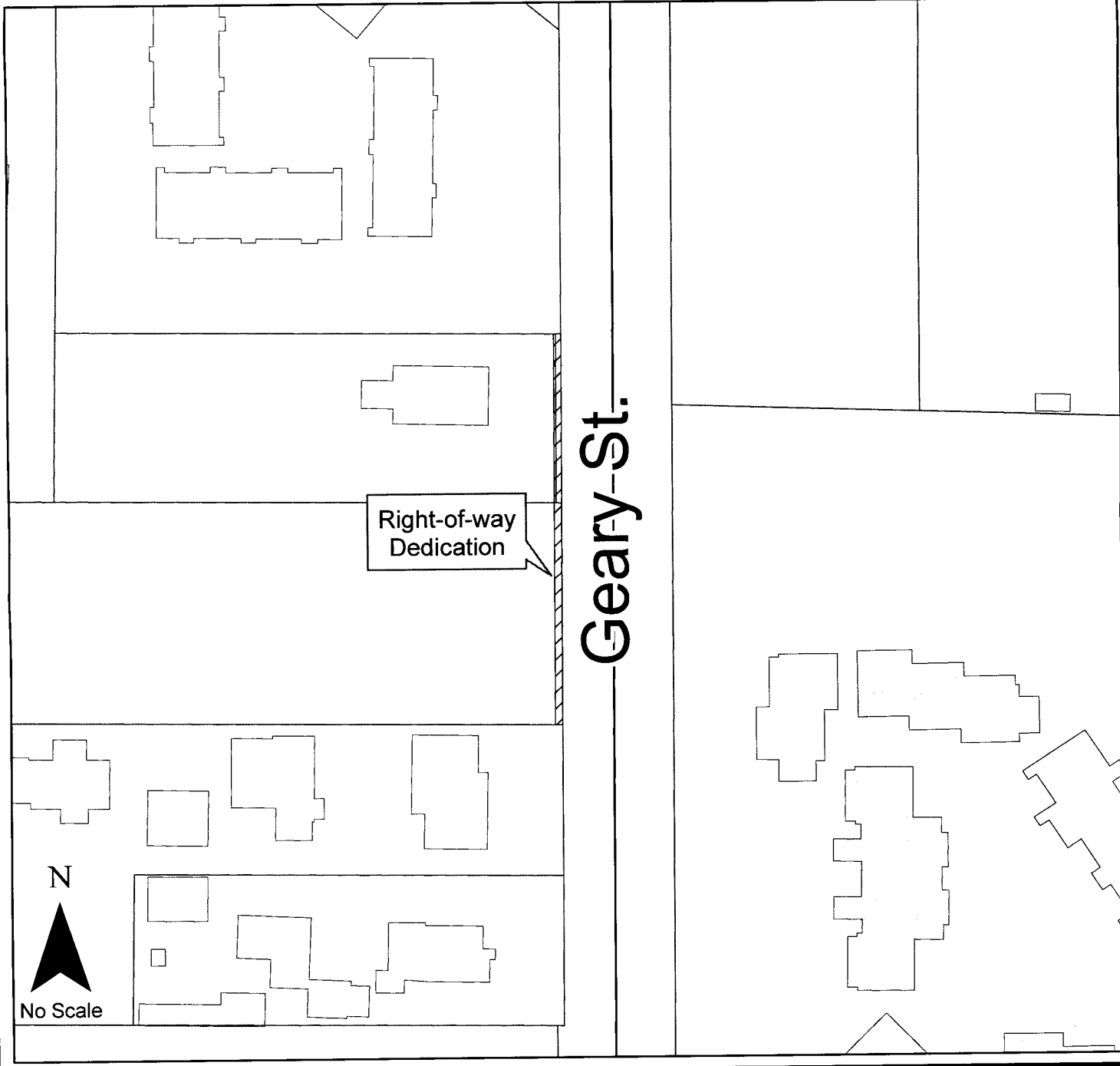
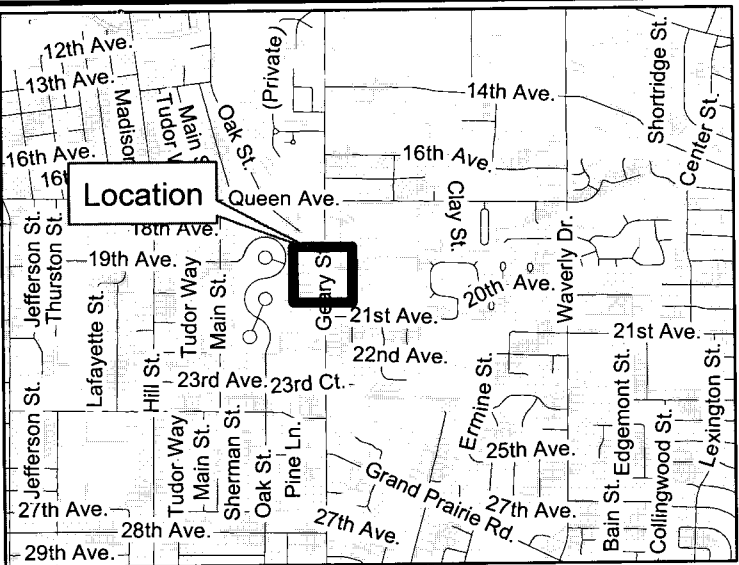
EXHIBIT B

11SO3W08CC; TL 00400 and 00500

Right-of-way dedication for
Geary Street Apartment
Project.



Geographic Information Services



LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2008-15242**
E-ROW
Cnt=1 Stn=1 COUNTER **07/31/2008 02:27:37 PM**
\$25.00 \$11.00 \$10.00 **\$46.00**



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

KCH Enterprises

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

Resolution No. 5640

Recorded Document Recorder File No. 5133