

RESOLUTION NO. 5779

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

Grantor

Purpose

City of Albany

Converting a 20 foot by 15 foot area of land into Alco Street Right-of-way, to accommodate a larger parking area for the Eades Park development.

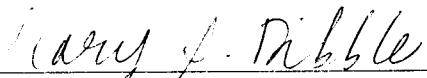
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this right-of-way dedication deed.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 27TH DAY OF MAY 2009.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

**DEDICATION DEED**

KNOW ALL MEN BY THESE PRESENTS, that the City of Albany, hereinafter referred to as Grantor, hereby dedicate to the City of Albany, a Municipal Corporation, hereinafter called "City" for right-of-way purposes, all that real property situated in Linn County, Oregon, conveyed to Grantors in a deed recorded in Linn County Deed Records Volume 1162, Page 193, and being more particularly described as follows:

See legal description on attached Exhibit A and maps on attached Exhibit B and 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 \$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 affixed their signature this 3 day of June 2009.

**GRANTOR:**

City Of Albany, Oregon

~~\_\_\_\_\_  
Wes Hare, City Manager~~

*Stewart Taylor*  
Stewart Taylor, Finance Director

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

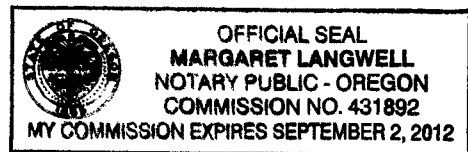
STATE OF OREGON )  
County of Linn ) ss.  
City of Albany )

~~The instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 2009, by Wes Hare, City Manager, as a representative of the City Of Albany.~~

The instrument was acknowledged before me this 3rd day of June 2009, by Stewart Taylor, Finance Director, as a representative of the City Of Albany.

~~\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_~~

*Margaret Langwell*  
Notary Public for Oregon  
My Commission Expires: September 2, 2012



**CITY OF ALBANY:**

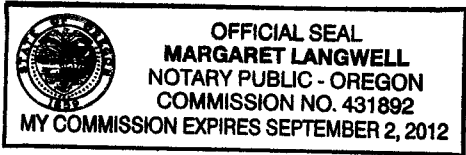
STATE OF OREGON            )  
County of Linn             ) ss.  
City of Albany             )

I, Wes Hare, as City Manager of the City of Albany, Oregon, pursuant to Resolution No. 5779  
do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this  
3<sup>rd</sup> day of June 2009.

Wes Hare  
\_\_\_\_\_  
City Manager

ATTEST:

Margaret Langwell  
\_\_\_\_\_  
City Recorder



# Exhibit A

K & D ENGINEERING, Inc.

Engineers • Planners • Surveyors

## Right-of-Way Dedication to City of Albany

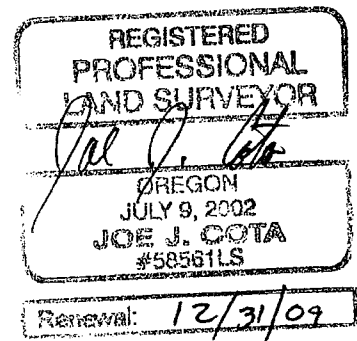
A tract of land located in Section 5, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon said tract being a portion of Parcel 2 of Partition Plat 2009-10, a partition recorded in Linn County, Oregon said tract being more particularly described as follows:

Beginning at a point on the west line of said Parcel 2 that is South  $01^{\circ}08'55''$  East 205.15 feet from the northwest corner of said Parcel 2; thence South  $01^{\circ}08'55''$  East, along the west line of said Parcel 2, a distance of 15.00 feet to a 5/8 inch rod which point being the north line of a Right-Of-Way Dedication to the City of Albany described by deed recorded in Document Number 2008-19307 in the Linn County, Oregon Deed Records; thence North  $88^{\circ}58'58''$  East, along said north line, 20.00 feet to a 5/8 inch rod; thence North  $01^{\circ}08'55''$  West 15.00 feet; thence South  $88^{\circ}58'58''$  West 20.00 feet to the Point of Beginning.

Basis of Bearings of the above described tract was established by Partition Plat 2009-10, a partition recorded in Linn County, Oregon.

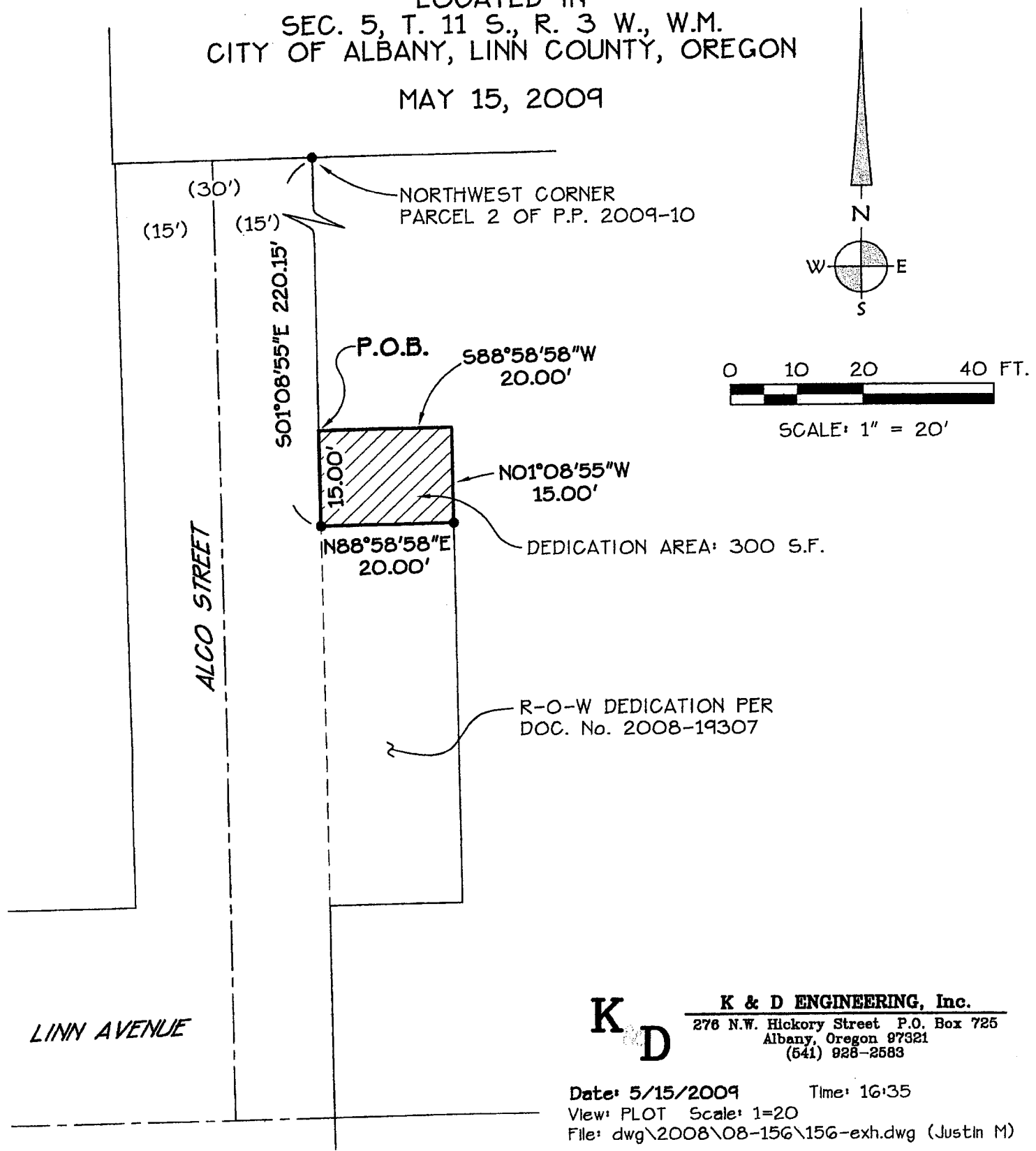
END DESCRIPTION

May 14, 2009  
Eades Park r-o-w dedication  
(08-156) JJC  
File Ref: titan/projects/08-156/Surveying/Documents/r-o-w dedication.doc



# EXHIBIT MAP OF PROPOSED RIGHT-OF-WAY DEDICATION

FOR THE  
CITY OF ALBANY  
LOCATED IN  
SEC. 5, T. 11 S., R. 3 W., W.M.  
CITY OF ALBANY, LINN COUNTY, OREGON  
MAY 15, 2009



LINN AVENUE



**K & D ENGINEERING, Inc.**  
276 N.W. Hickory Street P.O. Box 725  
Albany, Oregon 97321  
(541) 928-2583

Date: 5/15/2009 Time: 16:35  
View: PLOT Scale: 1=20  
File: dwg\2008\08-156\156-exh.dwg (Justin M)

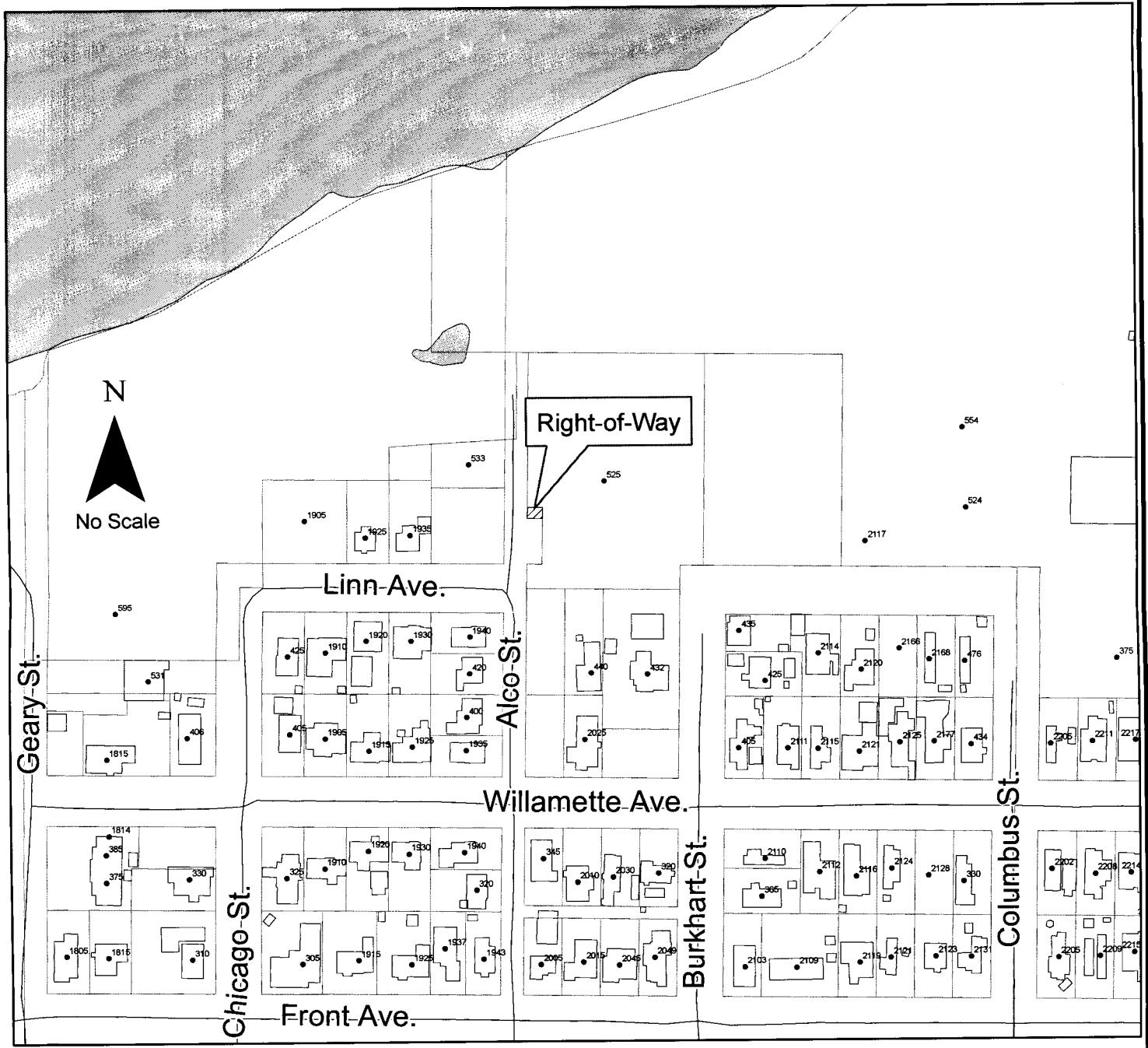
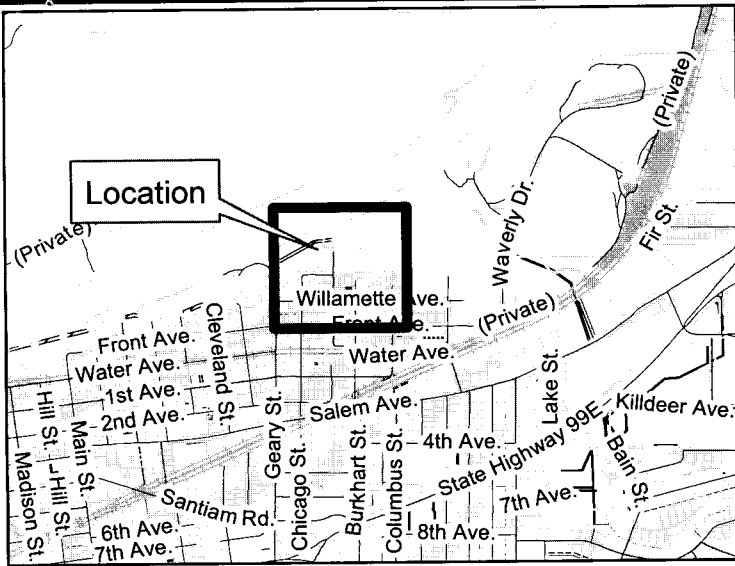
# EXHIBIT C

11SO3W05CA01200

Converting a 20-foot by 15-foot area of land into Alco Street Right-of-Way, to accommodate a larger parking area for the Eades Park development.



Geographic Information Services



N  
No Scale

**LINN COUNTY**  
Recording Cover Sheet  
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2009-10248**  
D-DED  
Cnt=1 Stn=1 COUNTER **06/05/2009 02:41:55 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:

Exempt \_\_\_\_\_

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

DEDICATION DEED

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

City of Albany Public Works Department

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

City of Albany Parks Department

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

\$1.00

Resolution No. 5779

Recorded Document Recorder File No. 5330