

RESOLUTION NO. 5117

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

Grantor

Purpose

Oliver Petty and Loretta Petty

Dedicate Right-of-Way

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 APRIL 2005.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

**RECORDING COVER SHEET**  
**ALL TRANSACTIONS, ORS: 205.234**

This cover sheet has been prepared by the person  
Presenting the attached instrument for recording.  
Any errors in this cover sheet DO NOT affect the  
Transaction(s) contained in the instrument itself.

BENTON COUNTY, OREGON **2005-385514**  
DE-D  
Cnt=1 Stn=6 NE **05/19/2006 01:32:01 PM**  
\$30.00 \$11.00 \$10.00 \$15.00 **\$66.00**



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

*AFTER RECORDING RETURN TO:*

✓ Return to: City of Albany - Recorder P.O. Box 490, Albany, OR 97321

1.) NAME(S) OF THE TRANSACTION(S) required by ORS 205.234(a)

*Right of Way Dedication*

2.) DIRECT PARTY / GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160

*Oliver & Loretta Petty*

3) INDIRECT PARTY / GRANTEE, required by ORS 205.125(1)(a) and ORS 205.160

*City of Albany*

4) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

*\$29,000*

5) ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

*N/A*

6) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY  
CLERKS LIEN RECORDS, ORS 205.121(1)(e)

7) THE AMOUNT OF THE CIVIL PENALTY or THE AMOUNT, INCLUDING PENALTIES,  
INTEREST AND OTHER CHARGES FOR WHICH THE WARRANT, ORDER OR JUDGMENT  
WAS ISSUED. ORS 205.125(1)(c) and ORS 18.325

8) Rerecorded to correct \_\_\_\_\_  
Previously recorded as \_\_\_\_\_

## RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Oliver Petty and Loretta Petty, 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 Benton County, Oregon, conveyed to Grantors by deed recorded in Book 159, Page 570, Benton County deed records, and being more particularly described as follows:

See attached Legal Description labeled Exhibit A, attached Vicinity Map labeled Exhibit B, and attached Right-of-Way 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 \$29,000.00, 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.

**GRANTORS:**

Oliver W. Petty  
Oliver Petty

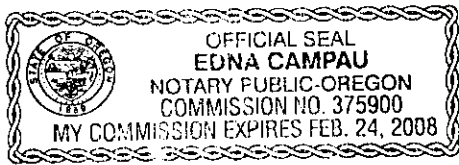
Loretta H. Petty  
Loretta Petty

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

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

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of March, 2005, by **Oliver Petty** as their voluntary act and deed.

The foregoing instrument was acknowledged before me this 29<sup>th</sup> day of March, 2005, by **Loretta Petty** by as their voluntary act and deed.



Edna Campau  
Notary Public for Oregon  
My Commission Expires: Feb. 24, 2008

Paul R Jacobson  
Notary Public for Oregon  
My Commission Expires: 9/9/2008

**CITY OF ALBANY:**

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

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5117, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 27 day of April 2005.

Steve Bryant  
City Manager

ATTEST: Betty Langwell  
City Recorder

EXHIBIT "A"

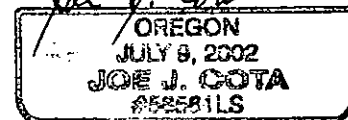
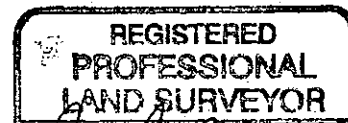
CITY OF ALBANY  
RIGHT-OF-WAY ACQUISITION  
A PORTION OF THAT PETTY TRACT

A portion of that Petty tract described by deed recorded in Book 159, Page 570 of the Benton County, Oregon Deed Records on May 33, 1957 that is more particularly described as follows:

Beginning at a 5/8 inch rod at the southwest corner of said Petty tract which corner being South 88°05'59" East 1662.35 feet and North 01°54'01" East 30.00 feet of the southwest corner of the Gallatin Adkins Donation Land Claim No. 43 in Township 10 South, Range 4 West, Willamette Meridian; thence North 01°43'05" East, along the west line of said Petty tract, 5.23 feet; thence South 88°06'20" East 237.10 feet; thence South 82°17'09" East 16.47 feet; thence South 88°06'20" East 60.50 feet; thence along the arc of a 67.00 foot radius curve to left (long chord of which bears North 75°11'05" East 38.53 feet) a distance of 39.08 feet; thence along the arc of a 32.00 foot radius curve to the left (long chord of which bears North 35°06'40" East 25.38 feet) a distance of 26.10 feet; thence North 03°46'08" East 72.92 feet; thence along the arc of a 430.00 foot radius curve to the right (long chord of which bears North 11°00'30" East 123.73 feet) a distance of 124.16 feet; thence along the arc of a 270.00 foot radius curve to the left (long chord of which bears North 11°00'28" East 77.69 feet) a distance of 77.97 feet; thence along the arc of a 12.00 foot radius curve to the left (long chord of which bears North 42°41'05" West 17.09 feet) a distance of 19.03 feet to a point on the north line of said Perry tract; thence along the boundary lines of said Petty tract the following four (4) courses: 1) South 88°06'18" East 12.03; 2) thence South 01°53'20" West 324.78 feet to a 5/8 inch rod; 3) thence along the arc of a 160.22 foot radius curve to the left (long chord of which bears North 80°58'38" West 39.71 feet) a distance of 39.81 feet; 4) thence North 88°05'59" West 359.71 feet to the Point of Beginning. Containing 9253 square feet of land, more or less.

March 21, 2005  
RIGHT-OF-WAY  
PETTY TRACT  
(03-180) JJC:nm

File: nm\shared\03-180 NA Rd\legal\Petty.doc

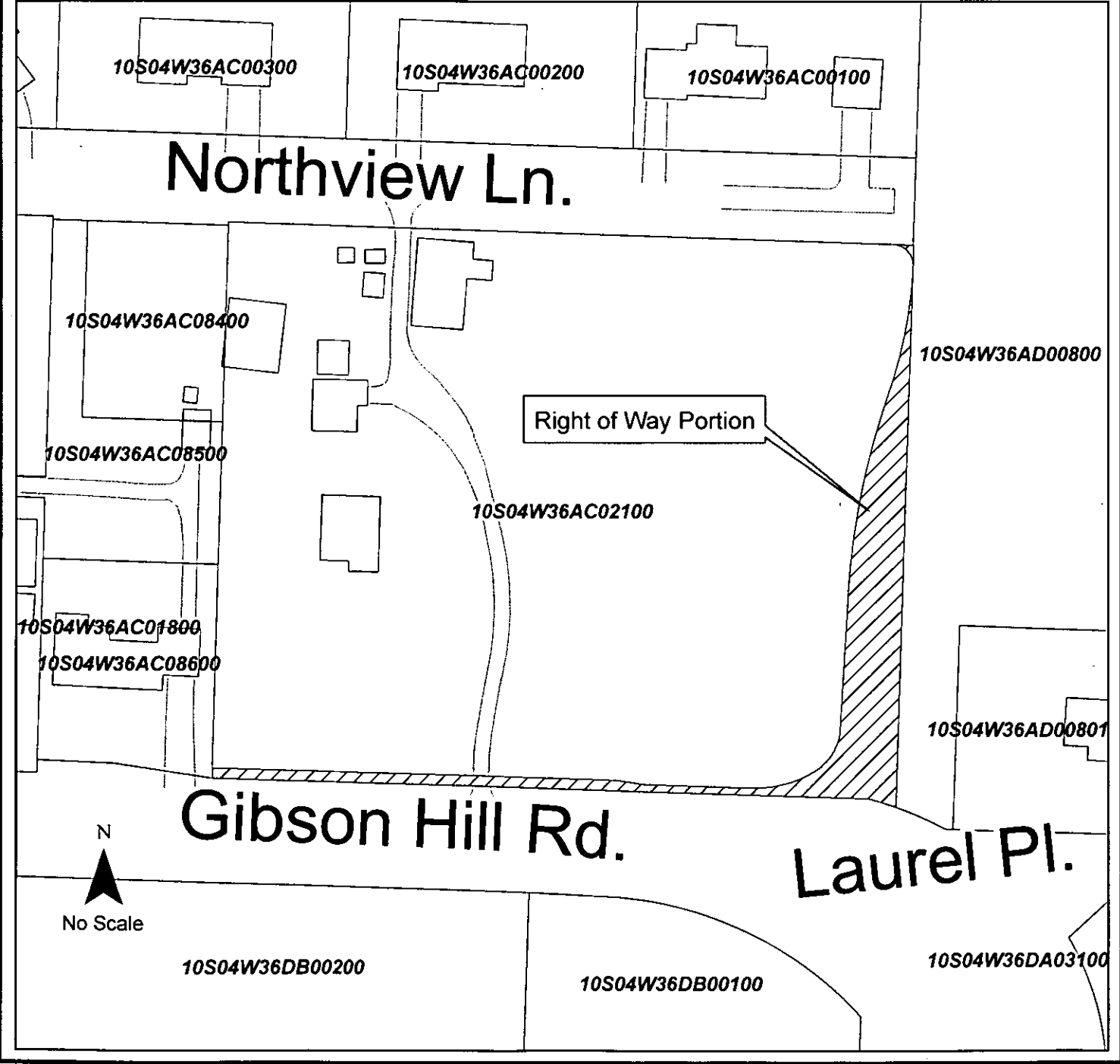
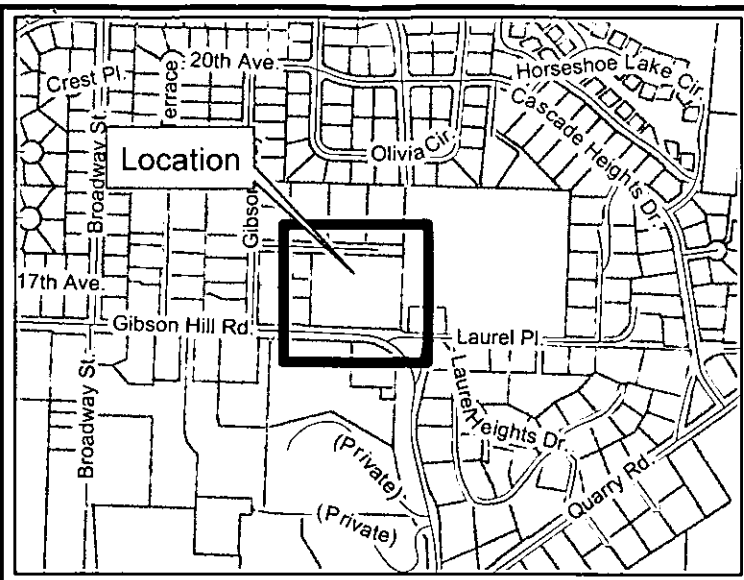


# EXHIBIT B

**North Albany Road  
Right-of-Way Acquisition**  
ST-03-05, NORTH ALBANY ROAD LID  
A Portion of Benton County Tract  
Described by Deed Reference  
Book 159, Page 570



Geographic Information Services



**EXHIBIT "C"**  
FOR  
**NORTH ALBANY ROAD**  
**RIGHT-OF-WAY ACQUISITION**

A PORTION OF THAT PETTY TRACT DESCRIBED  
BY DEED REFERENCE BOOK 159, PAGE 570

LOCATED IN  
NE 1/4 SECTION 36, T. 10 S., R. 4 W., W.M.  
CITY OF ALBANY, BENTON COUNTY, OREGON  
MARCH 19, 2005

**LEGEND:**

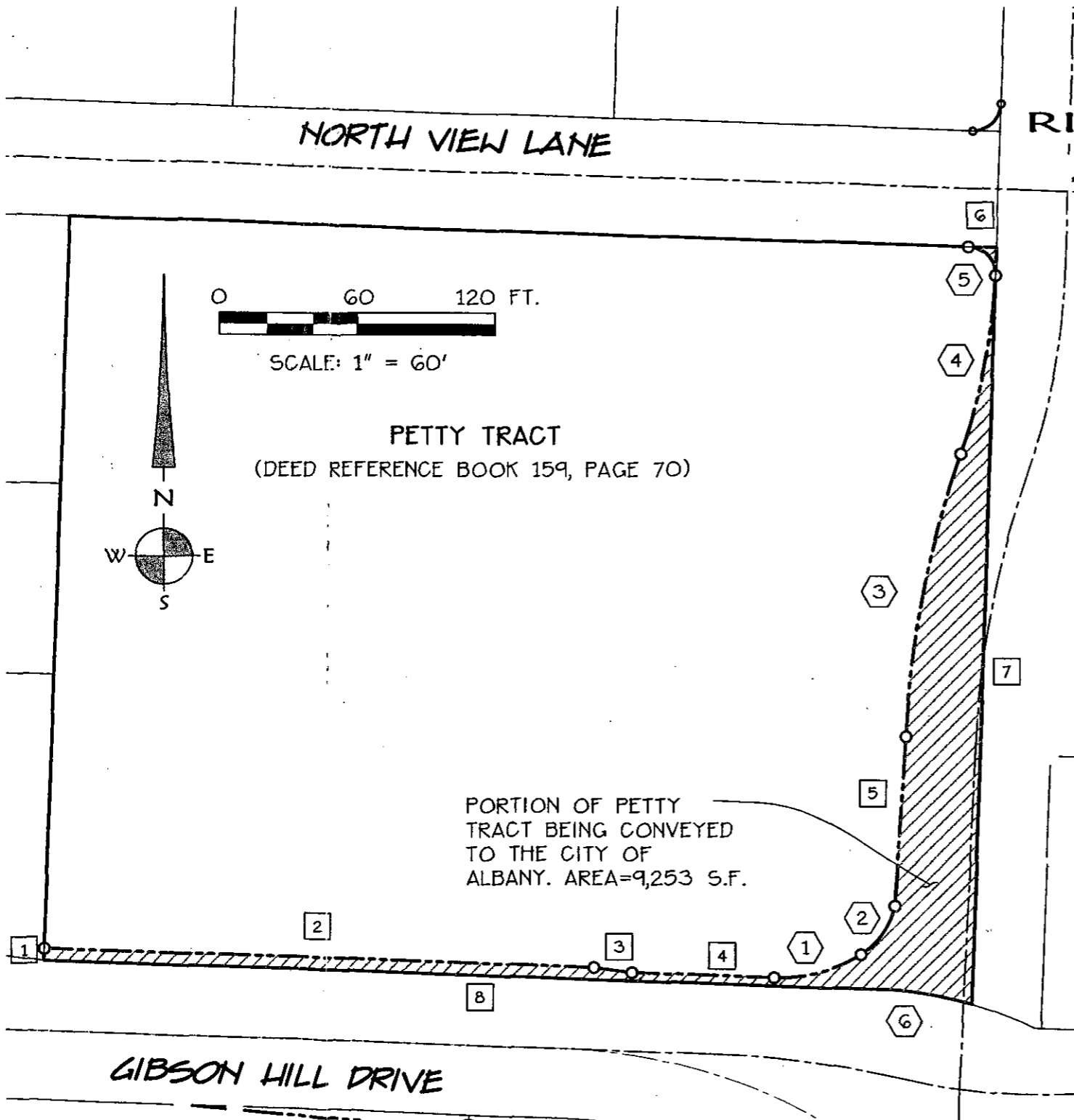
- 3 LINE REFERENCE (SEE LINE TABLE)
- 1 CURVE REFERENCE (SEE CURVE TABLE)

**LINE TABLE**

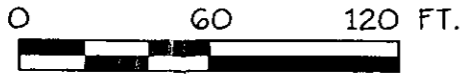
CURVE	LENGTH	BEARING
1	5.23	N01°43'05"E
2	237.10	S88°06'20"E
3	16.47	S82°17'09"E
4	60.50	S88°06'20"E
5	72.92	N03°46'08"E
6	12.03	S88°06'18"E
7	324.78	S01°53'20"W
8	359.71	N88°06'00"W

**CURVE TABLE**

CURVE	LENGTH	RADIUS	CHORD	DELTA
1	39.08	67.00	N75°11'05"E 38.53	33°25'09"
2	26.10	32.00	N35°06'40"E 25.38	46°43'42"
3	124.16	430.00	N11°00'30"E 123.73	16°32'538"
4	77.97	270.00	N11°00'28"E 77.69	16°32'42"
5	19.03	12.00	N42°41'05"E 17.09	90°50'25"
6	39.82	160.22	N80°15'38"W 39.71	14°14'19"



NORTH VIEW LANE



SCALE: 1" = 60'

GIBSON HILL DRIVE

Resolution No. 5117

Recorded Document Recorder File 4552