

RESOLUTION NO. 5390

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

Grantor

Purpose

Jessie D McDougal

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.

DATED AND EFFECTIVE THIS 28TH DAY OF FEBRUARY 2007.



Mayor

ATTEST:



City Clerk

RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Jessie D McDougal, 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 1157, Page 485, Linn County deed records, and being more particularly described as follows:

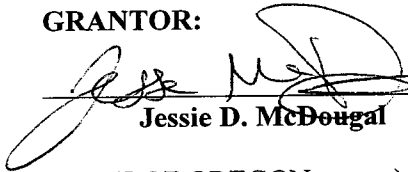
See attached Legal Description labeled Exhibit A, attached Right-of-Way Map labeled Exhibit B, and attached Vicinity Map labeled Exhibit C.

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 \$2,200, 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.

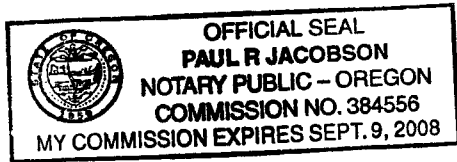
GRANTOR:




Jessie D. McDougal

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

The foregoing instrument was acknowledged before me this 7th day of February, 2007, by **Jessie D. McDougal** as his/her voluntary act and deed.



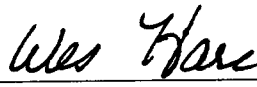


Notary Public for Oregon
My Commission Expires: 9/9/2008

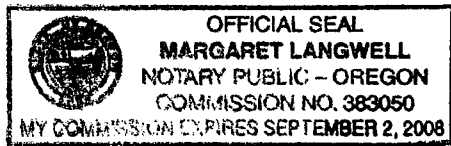
CITY OF ALBANY:

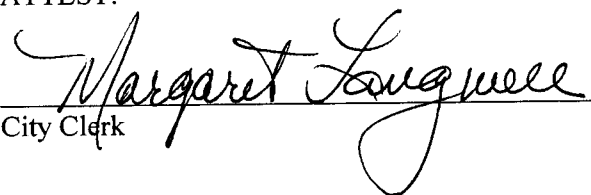
STATE OF OREGON)
County of Linn) ss.
City of Albany)

I, Wes Hare as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5390, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 6th day of March 2007.



City Manager



ATTEST:


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-5900
File No. 005

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 RBC and Company, an Oregon Partnership, as described in MF Volume 1157, Page 485, recorded February 26, 2001, Linn County Deed Records, said parcel being that portion of said property included in a strip of land variable in width, lying southerly 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 Northerly Side of Center Line
14+46.18		14+52.22	33.00 in a straight line to 64.63
14+52.22		14+96.92	64.63 in a straight line to 57.49

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.

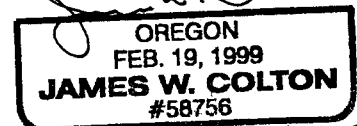
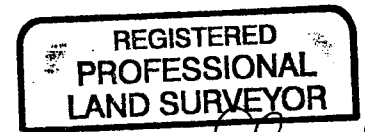
The parcel of land contains 398 square feet, more or less.

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

S.E. HARRISON STREET



P.P. 2004-57
PARCEL 1

MF VOL. 1157 - 485

PERIWINKLE
CREEK

MF VOL

13+20.00

1006

Temporary Construction Access

447 ft² ± ②

005
7

006
Right of Way
Dedication
① 1,072 ft² ±

① 398 ft² ±
Right of Way
Dedication

33.85'

S.E. SECOND AVENUE

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

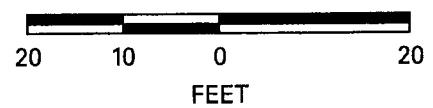
REGISTERED
PROFESSIONAL
LAND SURVEYOR

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

RENEWAL DATE: DEC. 31, 2007
SIGNED: 10/18/06

CITY OF ALBANY			
SECTION	BR-06-01, 2ND AVENUE CROSSING OF PERIWINKLE CREEK		
DRG. NO.	FILE 005	KEY NO.	N/A
HIGHWAY	N/A		
COUNTY	LINN COUNTY		
SCALE :	1"=20'		
DATE :	OCTOBER 18, 2006		

SCALE 1" = 20'



Corporate Office: 920 COUNTRY CLUB ROAD, SUITE 100B EUGENE, OREGON 97401-6199
2235 MISSION STREET SE, SUITE 100 SALEM, OREGON 97302-1295
1335 POPLAR DRIVE MEDFORD, OREGON 97504-5207

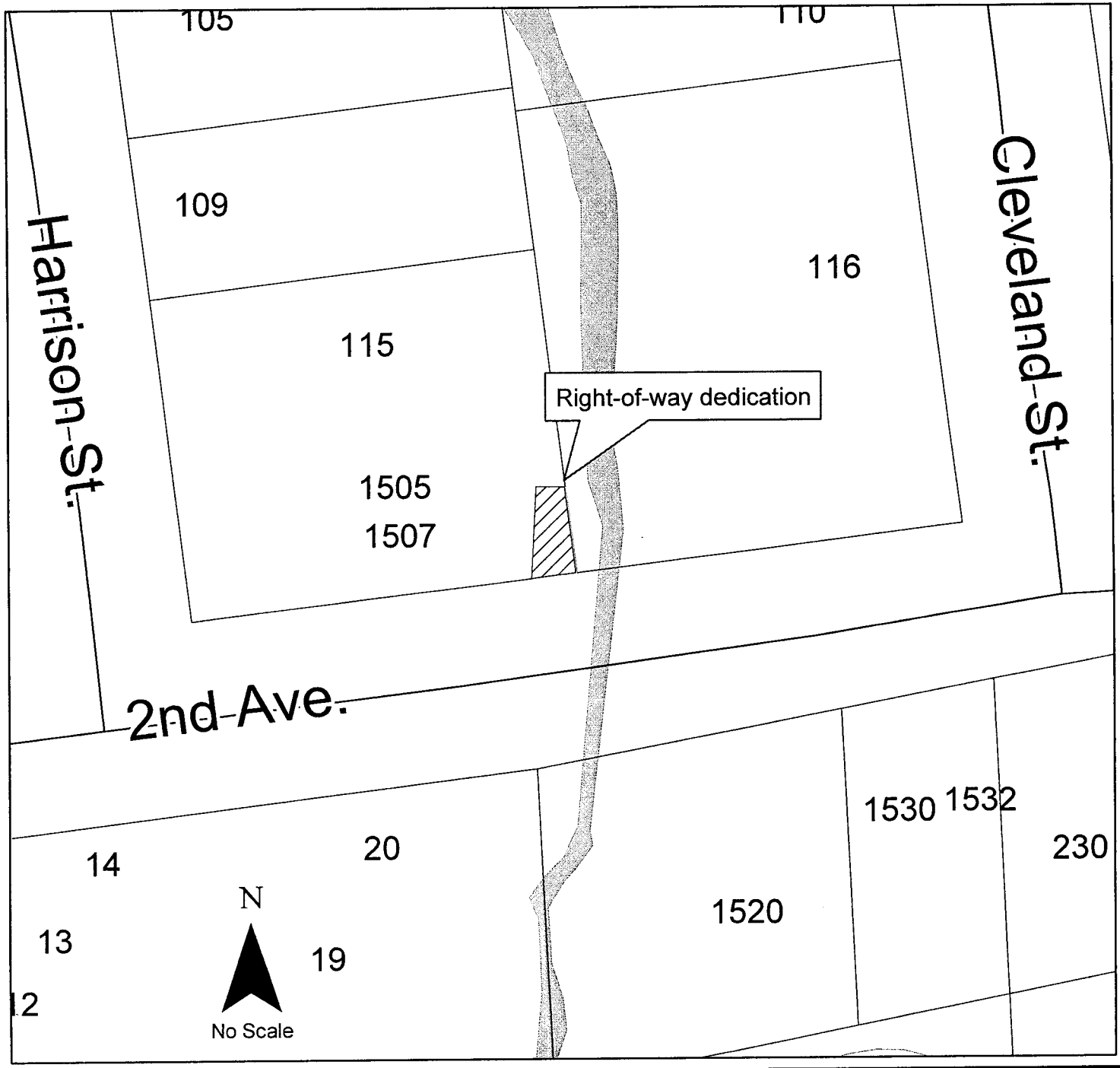
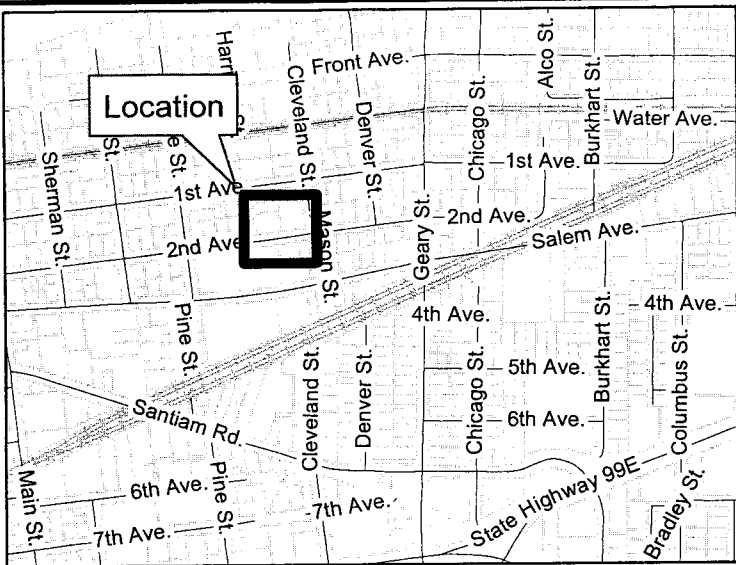
EXHIBIT C

11SO3W05CC05900

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 2007-07098
E-ROW
Cnt=1 Str=1 COUNTER 03/22/2007 03:47:59 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 Recorder _____

PO Box 490 _____

Albany, OR 97321 _____

All Tax Statements Should Be Sent To:

NA _____

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

Jessie D. McDougal _____

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

\$2,200.00 _____

Resolution No. 5390

Recorded Document Recorder File No. 4881