

RESOLUTION NO. 5602

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

Grantor

North Albany Community Church

Purpose

A 60-foot wide street right-of-way for the future realignment of West Thornton Lake Drive at North Albany 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 14TH DAY OF MAY 2008.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

## **RIGHT-OF-WAY DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, that North Albany Community Church (also known as North Albany Baptist Church), 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 Documents No. M-14921 and No. M-116059-89, Benton County deed records, and being more particularly described as follows:

A piece of land in Section 36 of Township 10 South in Range 4 West of Willamette Meridian, City of Albany, Benton County, Oregon as described in the attached Exhibit A, as shown on the attached map labeled Exhibit B and the 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 \$139,500.00, 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:**

North Albany Community Church

Chris Erickson  
By  
PRESIDENT- ELDER  
Title

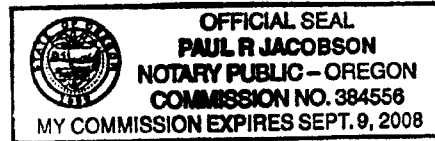
[Signature]  
By  
Elder - chairman COP  
Title

STATE OF OREGON )  
County of Marion ) ss.  
City of Salem )

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

The instrument was acknowledged before me this 28<sup>th</sup> day of April, 2008, by Chris Erickson, (Title) Elder, as a representative of North Albany Community Church.

The instrument was acknowledged before me this 2<sup>nd</sup> day of May, 2008, by Robert Long, (Title) Elder-Chairman-COP, as a representative of North Albany Community Church.



Donna J Halsey  
Notary Public for Oregon  
My Commission Expires: 11-18-11

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, Wes Hare, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5608 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 14 day of May, 2008.

Wes Hare  
City Manager

**ATTEST:**

Betty Langwell  
City Clerk

**Exhibit "A"**

(R.O.W. Dedication)

A tract of land lying in the Southwest 1/4 of the Southeast 1/4 of Section 36, Township 10 South, Range 4 West, Willamette Meridian, Benton County, Oregon, said tract being located over a portion of those properties conveyed to North Albany Baptist Church by deeds recorded as Document No. M-14921, (herein after known as Church Property 1), and Document No. M-116059-89, (herein after known as Church Property 2), Benton County Deed Records, and being more particularly described as follows:

Beginning at the Southwest corner of said Church Property 1, said corner being coincident with an angle point in the north right-of-way line of West Thornton Lake Drive, (Benton County Road No. 04420); thence North 04°13'56" West, on the west line of said Church property, a distance of 10.27 feet to another angle point in said right-of-way line; thence leaving said right-of-way line, 164.93 feet on the arc of a 270.00 foot radius curve to the left, (chord bears North 55°12'07" East 162.38 feet); thence North 37°42'07" East 229.65 feet; thence 138.17 feet on the arc of a 230.00 foot radius curve to the right, (chord bears North 54°54'41" East 136.10 feet); thence North 72°07'15" East 32.31 feet to a point on the west right-of-way line of North Albany Road (Benton County Road No. 14440), said point being opposite and 75.40 feet westerly of the centerline of said North Albany Road at Engineer's Station 36+59.22, said stationing is described in that right-of-way dedication recorded by deed as Document No. 2006-412407, Benton County Deed Records; thence 62.33 feet on the arc of a 1509.16 foot radius curve to the left, (chord bears South 02°10'25" East 62.33 feet), said arc being coincident with the west right-of-way line of North Albany Road, and parallel to the centerline thereof, to a point opposite and 75.40 feet westerly of said centerline at Engineer's Station 35+97.30; thence South 72°07'15" West 15.44 feet; thence 102.12 feet on the arc of a 170.00 foot radius curve to the left, (chord bears South 54°54'41" West 100.59 feet); thence South 37°42'07" West 229.65 feet; thence 17.55 feet on the arc of a 330.00 foot radius curve to the right, (chord bears South 39°13'32" West 17.55 feet), to the south line of said Church Property 1; thence South 72°42'07" West, on said south line, a distance of 176.96 feet to the Point of Beginning.

END OF DESCRIPTION

April 4, 2008  
ROW DEDICATION DESCRIPTION  
(08-27-C) JSM:ls  
File Ref: Titan/project/2008/08-27-C/Surveying/Documents/ROWDED.doc

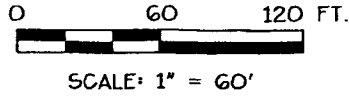
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JAN. 9, 2007  
JAMEY S. MONTROYA  
#78503

EXPIRES: 12/31/08

# EXHIBIT "B"

LOCATED IN  
 S.W. 1/4 OF S.E. 1/4 SEC. 36, T. 10 S.,  
 R. 4 W., W.M.  
 IN THE  
 CITY OF ALBANY, BENTON COUNTY, OREGON  
 APRIL 4, 2008



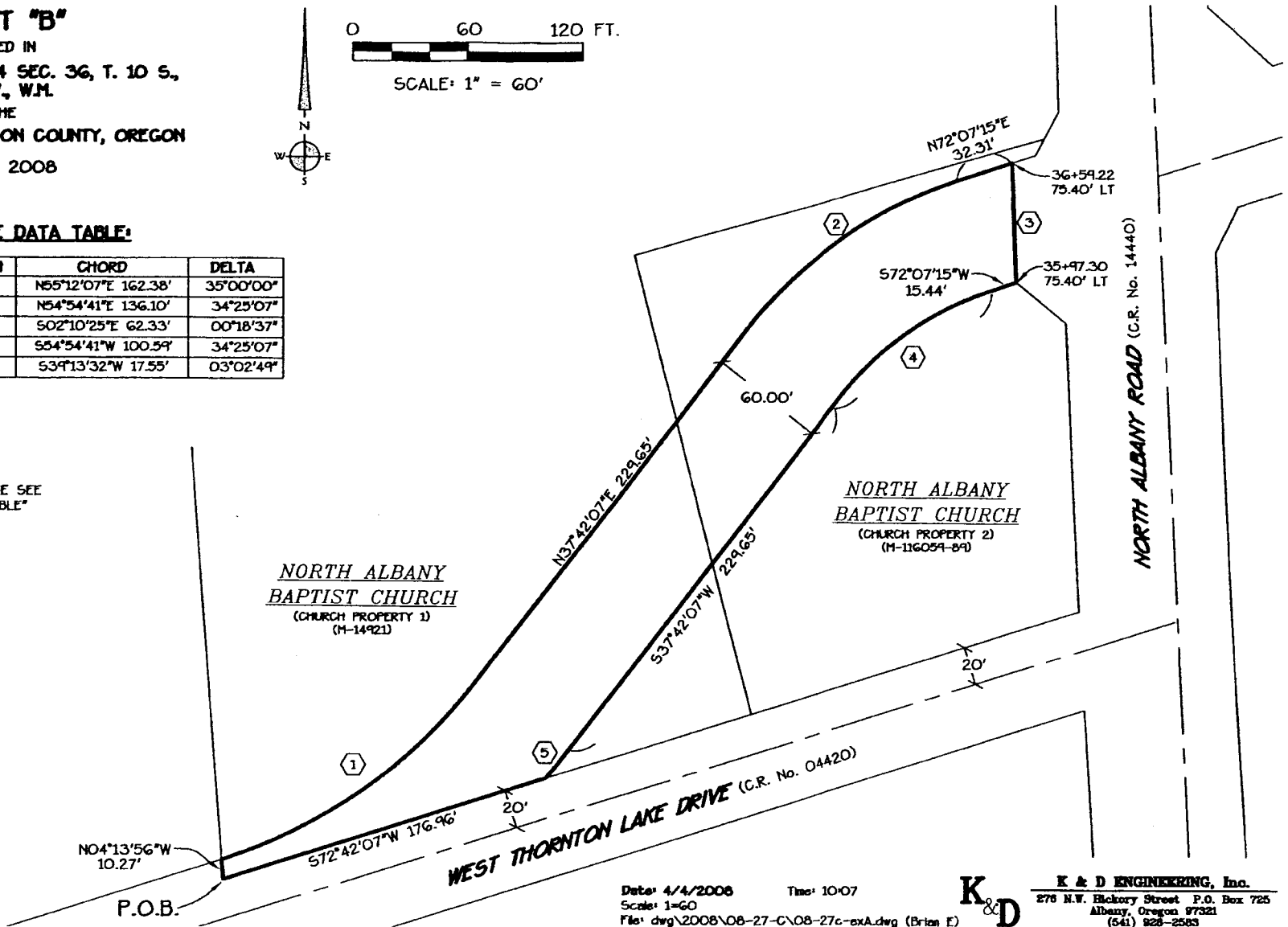
**CURVE DATA TABLE:**

CURVE	RADIUS	LENGTH	CHORD	DELTA
1	270.00'	164.93'	N59°12'07"E 162.38'	35°00'00"
2	230.00'	138.17'	N54°54'41"E 136.10'	34°25'07"
3	1509.16'	62.33'	S02°10'25"E 62.33'	00°18'37"
4	170.00'	102.12'	S54°54'41"W 100.59'	34°25'07"
5	330.00'	17.55'	S39°13'32"W 17.55'	03°02'49"

**LEGEND:**

LT LEFT  
 C.R. COUNTY ROAD

① CURVE REFERENCE SEE  
 "CURVE DATA TABLE"



Date: 4/4/2008 Time: 10:07  
 Scale: 1=60  
 File: dwg\2008\08-27-C\08-27c-oxA.dwg (Brian E)



**K & D ENGINEERING, Inc.**  
 270 N.W. Hickory Street P.O. Box 725  
 Albany, Oregon 97321  
 (541) 928-2585

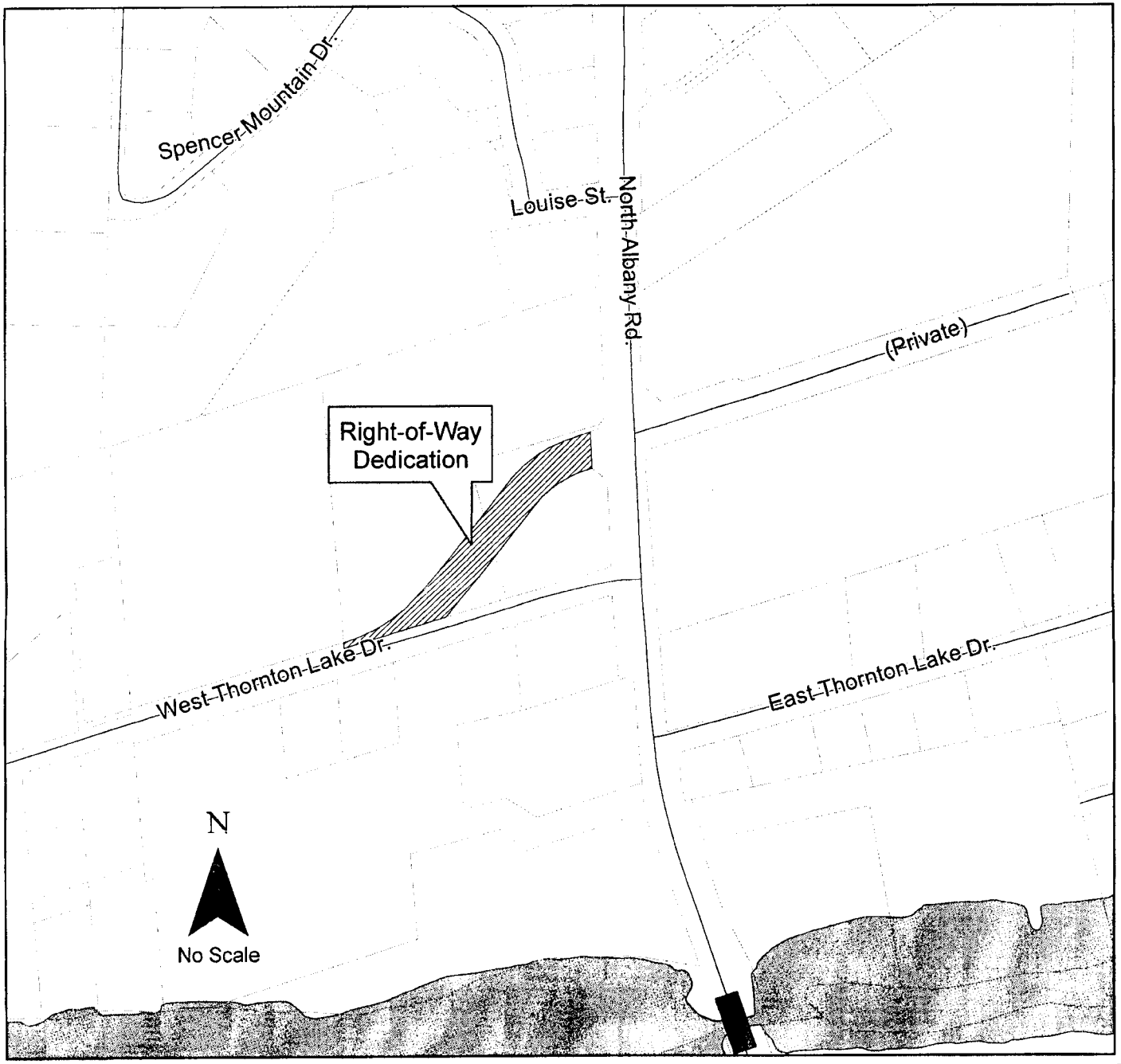
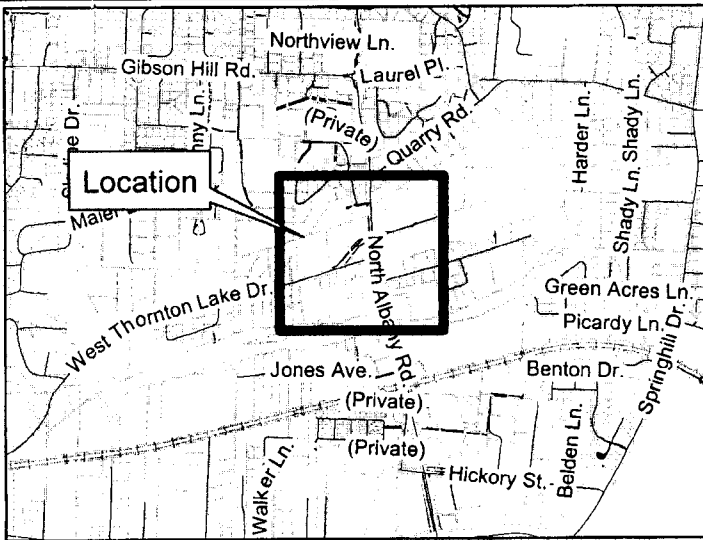
# EXHIBIT C

10S04W36DC00100 and  
10S04W36DC00200

Right-of-Way Dedication



Geographic Information Services



I hereby certify this to be a true and correct copy of the record on file in my office.

James V. Morales  
County Clerk

By:   
Deputy

AM10:23 '08JUN24

**RECORDING COVER SHEET (Please Print or Type)**

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

BENTON COUNTY, OREGON **2008-437912**

DE-D **06/02/2008 02:56:05 PM**

Cnt=1 Stn=6 NE \$30.00 \$11.00 \$10.00 \$15.00 **\$66.00** Y



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:**

✓ City of Albany Recorder

PO Box 490

Albany, OR 97321

All Tax Statements Should Be Sent To:

Government Agency - 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

North Albany Community Church

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

\$139,500.00



Resolution No. 5602

Recorded Document Recorder File No. 5118