

RESOLUTION NO. 6585

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

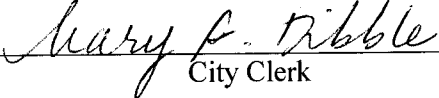
<u>Grantor</u>	<u>Purpose</u>
Stanley Anthony Shulster Revocable Living Trust	A variable-width right-of-way dedication for the south half of the 33 <sup>rd</sup> Avenue cul-de-sac bulb.

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 22ND DAY OF MARCH 2017.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

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

KNOW ALL MEN BY THESE PRESENTS, that Stanley Anthony Shulster, Trustee of the Stanley Anthony Shulster Revocable Living Trust, hereinafter referred to as Grantor, hereby dedicates 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 Grantor by a deed recorded in 2010-11359, Linn County Deed Records, and being more particularly described as follows:

A piece of land in Section 18 of Township 11 South in Range 3 West of Willamette Meridian, City of Albany, Linn 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, attached hereto and made a part hereof.

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 \$2,500.00, 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 his hand and seal the day and year written below.

**GRANTOR:**

**Stanley Anthony Shulster Revocable Living Trust**

Stanley Anthony Shulster Revocable Living Trust

By: **Stanley Anthony Shulster, TRUSTEE**

STATE OF OREGON )  
County of JACKSON ) ss.  
City of ASHLAND )

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of January, ~~2016~~ 2017,  
by Stanley Anthony Shulster, Trustee of the Stanley Anthony Shulster Revocable Living Trust, on behalf of the  
Trust, as his voluntary act and deed.

Marion Rose  
Notary Public for Oregon  
My Commission Expires: 11-9-20



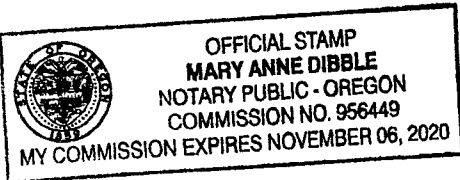
**CITY OF ALBANY:**

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  
6585, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms  
thereof this 23<sup>rd</sup> day of March ~~2016~~ 2017.

Wes Hare  
City Manager

ATTEST:



Mary A Dibble  
City Clerk

# Exhibit A

## Legal Description for street and utility right of way dedication

### Southern half of the 33<sup>rd</sup> Avenue cul-de-sac bulb

A portion of that property conveyed to the Stanley Anthony Shulster Revocable Living Trust by a deed recorded in Linn County, Oregon, deed records 2010-11359, more particularly described below.

Beginning at a point on the north right of way line of 33<sup>rd</sup> Avenue, said point being the southwest corner of Lot 12, Block 11, Rodgersdale Addition to Albany, said point lying North 1°04'30" West 25 feet from the southeast corner of that property conveyed to Richard D. Hews and Sharon F. Hews by a deed recorded in Linn County Deed records 2010-00626;

thence South 88°55'30" West 8.0 feet;

thence 210.34 feet along the arc of a 42 foot radius curve to the right, the long chord of which bears South 1°04'30" East 50.0 feet;

thence North 88°55'30" East 8.0 feet to the northwest corner of Lot 1, Block 13, Rodgersdale Addition to Albany;

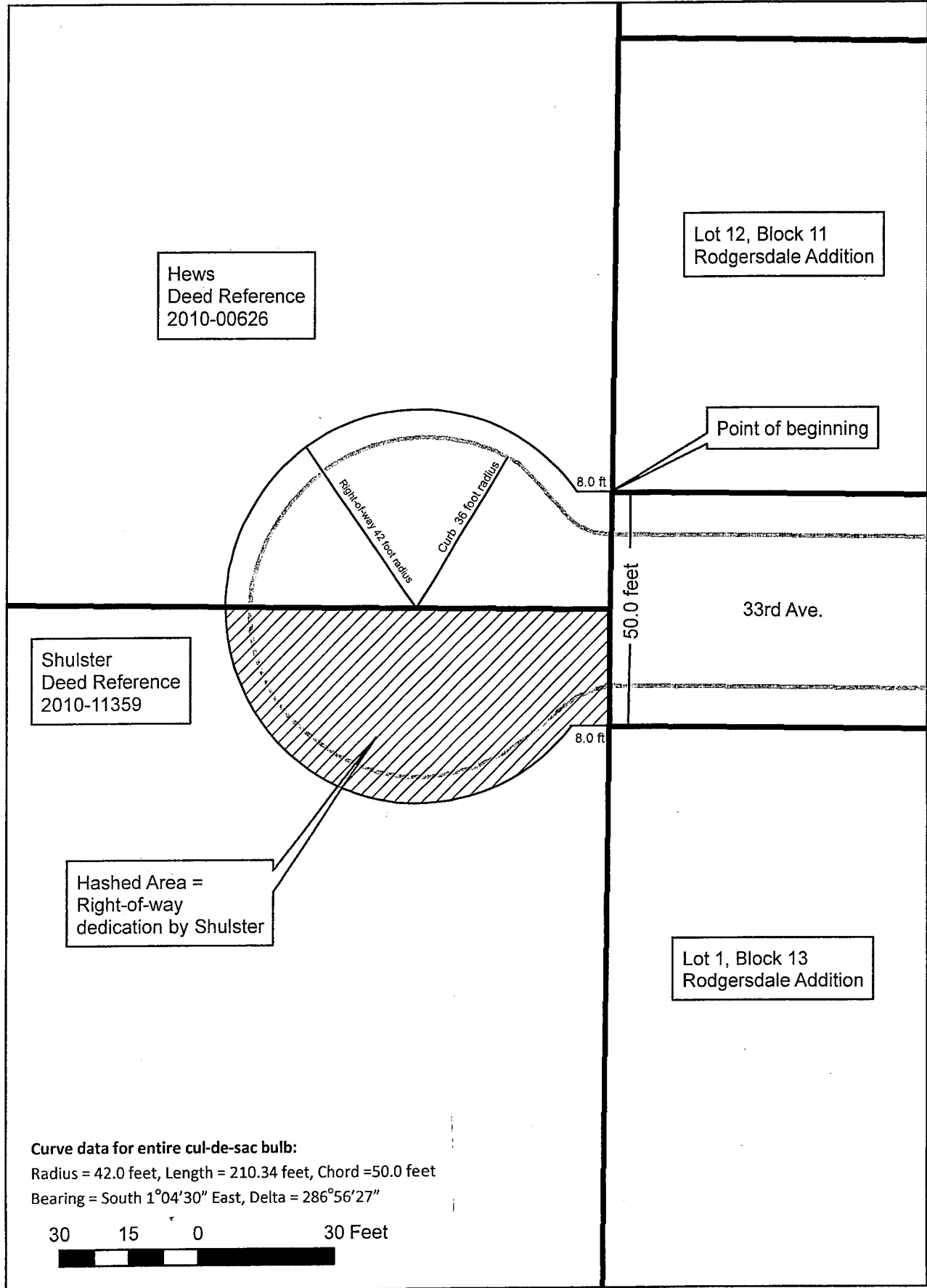
thence North 1°04'30" West along the right of way line of 33<sup>rd</sup> Avenue 50.0 feet to the point of beginning.

**Excepting therefrom:** the northern half of the cul-de-sac bulb, lying on the property conveyed to Richard D. Hews and Sharon F. Hews by a deed recorded in Linn County deed records 2010-00626.

As shown on the attached map labeled Exhibit B.

The basis of bearings of this description is the Rodgersdale Addition to Albany subdivision plat.

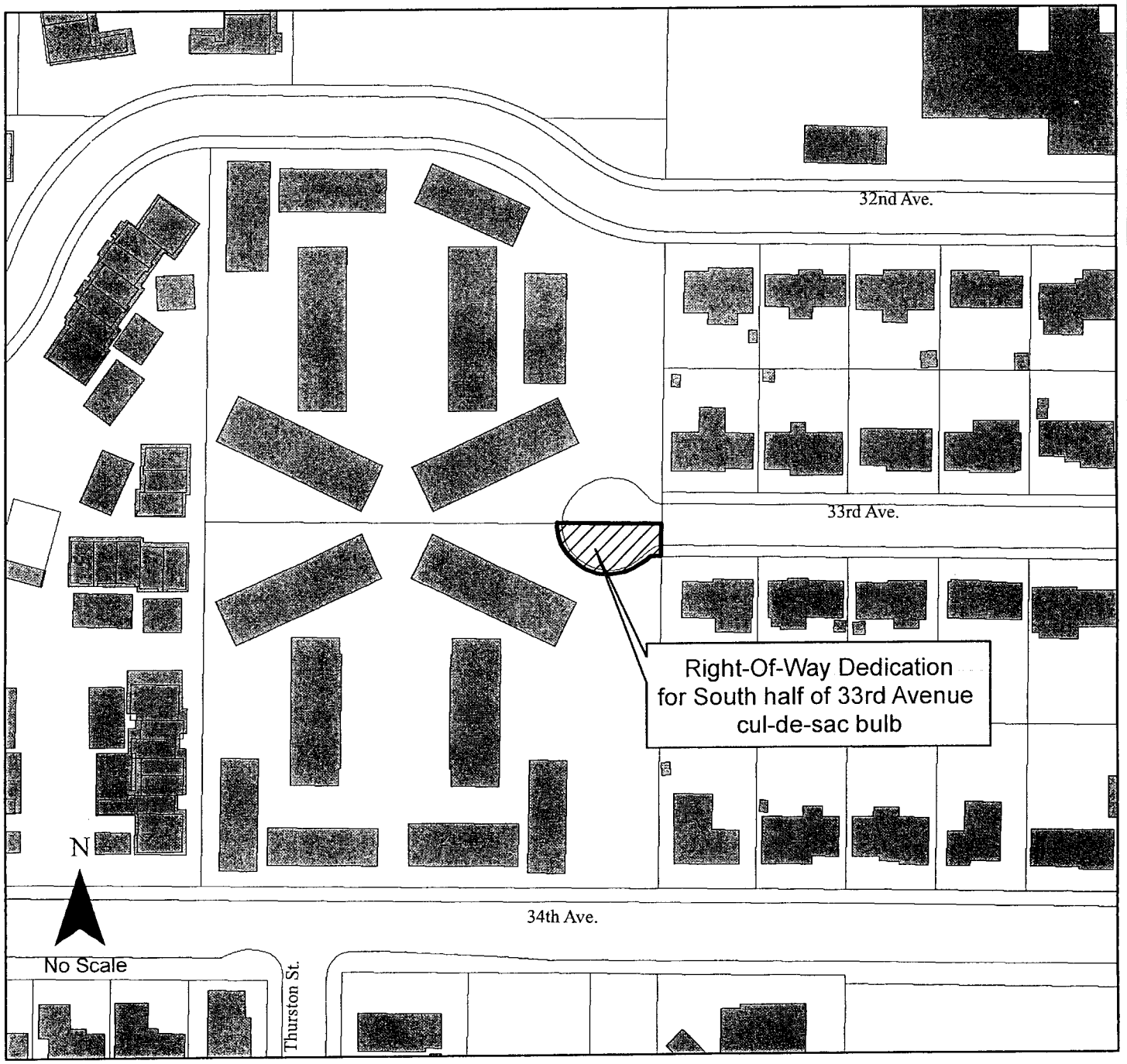
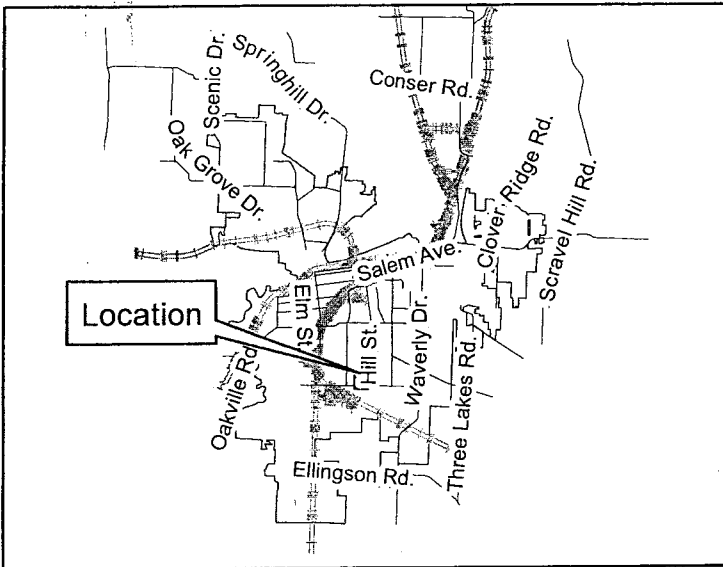
# Exhibit B



# EXHIBIT C

11S03W18DB- 00207

Right-Of-Way dedication of  
the south half of the 33rd Avenue  
cul-de-sac bulb



## Consent

The undersigned, holder of that certain \$1,250,000 Deed of Trust, (recorded in Linn County Oregon Deed Records 2012-20053) which encumbers the property being dedicated for street and utility right-of-way, hereby consents to the above Dedication Deed and agrees that said dedication shall be a permitted exception under said Deed of Trust.

IN WITNESS WHEREOF, the undersigned has executed this consent as of this 16<sup>th</sup> day of FEBRUARY, ~~2016~~. 2017.

JPMorgan Chase Bank, N.A.

By:

*Christine Trowell*

Name:

**Christine Trowell**  
**Authorized Officer**

Title:

STATE \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.  
City of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016,  
by \_\_\_\_\_ a \_\_\_\_\_ of JPMorgan Chase Bank, National Association on  
behalf of said bank..

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

THE STATE OF TEXAS

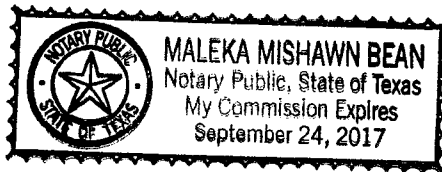
COUNTY OF TARRANT

Before me, Maleka MiShawn Bean, a Notary Public in and for Fort Worth in the State of Texas, personally appeared CHRISTINE TROWELL, Authorized Officer, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 16 day of FEBRUARY 2017.

(SEAL)

Maleka MiShawn Bean  
Name: Maleka MiShawn Bean  
Notary Expires: September 24, 2017





LINN COUNTY  
Recording Cover Sheet  
All Transactions, ORS: 205.234

LINN COUNTY, OREGON 2017-05191  
E-ROW  
Cnt=1 Stn=44 COUNTER 03/23/2017 02:54:13 PM  
\$45.00 \$11.00 \$20.00 \$19.00 \$10.00 \$105.00



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:

Stanley Anthony Shulster Revocable Living Trust

\_\_\_\_\_  
\_\_\_\_\_

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

Stanley Anthony Shulster Revocable Living Trust

" Trustee "

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

\$2,500.00

585 04 17