

RESOLUTION NO 6684

A RESOLUTION ACCEPTING THE FOLLOWING STREET AND UTILITY RIGHT-OF-WAY DEDICATION

Grantor

Madison Albany, LLC

Purpose

A 12-foot wide right of way dedication on Waverly Drive, as part of the Starbucks-Gentle Dental development project.

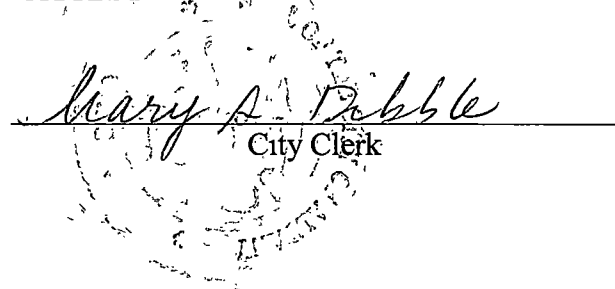

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this right-of-way dedication.

DATED AND EFFECTIVE THIS 28TH DAY OF MARCH 2018



Mayor

ATTEST

City Clerk

RIGHT-OF-WAY-DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Madison Albany LLC, 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 2018- 03242, Linn County Deed Records, and being more particularly described as follows:

A piece of land in Section 8 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 \$ 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 fixed his hand and seal the day and year written below.

GRANTOR:

Madison Albany LLC

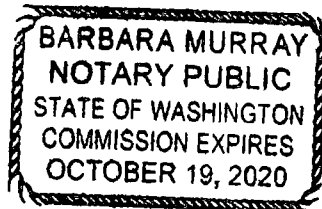
[Signature]

By: **Jim Gallagher, Manager**

STATE OF WASHINGTON)
County of King) ss.
City of Issaquah)

The foregoing instrument was acknowledged before me this 29th day of November, 2017, by Jim Gallagher, Manager of Madison Albany LLC, as is a voluntary act and deed of behalf of Madison Albany LLC.

Barbara Murray
Notary Public for ~~Oregon~~ WASHINGTON
My Commission Expires: 10/19/20



CITY OF ALBANY:

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

I, _____ as City Manager of the City of Albany, Oregon, pursuant to Resolution Number _____, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this _____ day of _____ 2018.

City Manager

ATTEST.

City Clerk

Consent

The Undersigned, holder of that certain Deed of Trust, (recorded in Linn County Oregon Deed Records 2018-03243) 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 22nd day of January, 2018.

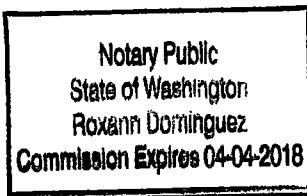
Washington Trust Bank

By: Ken Paauw

Name: Ken Paauw

Title: Vice President

State of Washington)
County of KING) ss.



The foregoing instrument was acknowledged before me this 22nd day of JANUARY, 2018, by KEN PAUW a VICE PRESIDENT of Washington Trust Bank, on behalf of said bank.

IN WITNESS ABOVE, I have hereunto set my hand and affixed my official seal the day and year last above written.

Roxann Dominguez
Notary Public in and for the State of Washington
Residing at KING CO
My Commission Expires. 4/4/2018

Exhibit A

Legal Description for street and utility right of way dedication

East side of Waverly Drive

A portion of that property conveyed to Madison Albany LLC by a deed recorded in Linn County, Oregon, deed records 2018- 03242, more particularly described below.

Beginning at the Southwest corner of Tract I of that deed recorded in Linn County, Oregon, deed records 2018- 03242, said Point of Beginning being on the East margin of Waverly Drive (30.00 feet from the centerline thereof) and being South $70^{\circ} 24' 38''$ East, 32.12 feet and South $1^{\circ} 22' 00''$ East, 200.00 feet from the intersection of the old centerline of the Santiam Highway with the West line of the Anderson Cox and wife Donation Land Claim No. 49, Township 11 South, Range 3 West of the Willamette Meridian, from the Point of Beginning run thence along the East margin of said Waverly Drive North $1^{\circ} 22' 00''$ West, 123.82 feet to the intersection of said East margin with the Southerly margin of that property appropriated by the State of Oregon, by and through its State Highway Commission, by court decree entered April 28, 1961, in Volume 84, Page 534, Circuit Court Journal for Linn County, State of Oregon, Case No. 30236; thence leaving the East margin of said Waverly Drive and running along said State Highway property North $52^{\circ} 42' 21''$ East, 14.82 feet; thence leaving said State Highway property and running South $1^{\circ} 22' 00''$ East, 137.11 feet to the South line of said Tract I, thence along said South line North $70^{\circ} 24' 38''$ West, 12.85 feet to the Point of Beginning, in Albany, Linn County, Oregon.

Containing 1566 square feet, more or less.

Bearings in the above Legal Description are based on CS 26276 on file in the Linn County Surveyors Office.

Exhibit B

SOUTH SANTIAM HIGHWAY

WAVERLY DRIVE

N 52°42'21" E
14.82'

N 1°22'00" W, 123.82'

S 1°22'00" E, 137.11'

TAX LOT 1000
MAP 11S03W08AD

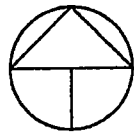
TRACT I

TRACT II

12.00'
RIGHT-OF-WAY
DEDICATION

TRACT III
TAX LOT 900
MAP 11S03W08AD

12.85'
N 70°24'38" W



NORTH

SCALE 1" = 30 FT

