

RESOLUTION NO. 4021

A RESOLUTION ACCEPTING THE FOLLOWING DEDICATION:

Grantor

**Donald H. Banta and Gretchen B. Banta**

Purpose

A permanent dedication to the City of Albany for street and utility right-of-way purposes, shown in the attached "Exhibit A" and described in the attached "Exhibit B".

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

DATED THIS 23RD DAY OF SEPTEMBER 1998.

Wayne M. Fish  
Mayor  
Council President

ATTEST:

[Signature]  
City Recorder

DEDICATION DEED

KNOW ALL MEN BY THESE PRESENTS, that Donald H. Banta and Gretchen B. Banta, hereinafter referred to as the Grantor, does dedicate to the City of Albany for street and utility right-of-way purposes a portion of that real property situated in Linn County, State of Oregon, conveyed to Grantor by deed recorded in Deed Volume 749, Page 272, Linn County Deed Records, said dedication being more particularly described as follows:

A triangular piece of land at the northeast corner of the intersection of Waverly Drive and 21<sup>st</sup> Avenue, shown on the attached "Exhibit Map A" and described in the attached legal description "Exhibit B", dedicated to the City of Albany for right-of-way uses.

and covenants that the Grantor is the owner of the above described properties free of all encumbrances save and except reservations in patents and easements of record, and will warrant and defend the same against all persons who may lawfully claim the same.

The deed granted 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 Grantor may obtain therefrom. Nothing herein shall reduce or limit Grantor obligation to pay any costs or assessments which may result from the improvements.

IN WITNESS WHEREOF, Grantor has hereunto affixed their signatures this 3 day of SEPTEMBER, 1998.

GRANTOR:

Donald H Banta  
Donald H. Banta

Gretchen B Banta  
Gretchen B. Banta

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

The foregoing instrument was acknowledged before me this 3 day of September, 1998, by Donald H. Banta and Gretchen B. Banta as their voluntary act and deed.

Dena Swander  
Notary Public for Oregon  
My Commission Expires: August 02, 2002

CITY OF ALBANY:

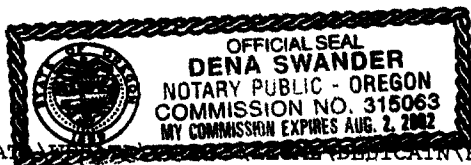
STATE OF OREGON )  
County of Linn ) ss.  
City of Albany )

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 4021, 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 September, 1998.

Steve Bryant  
City Manager

ATTEST:

[Signature]  
City Recorder



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

# PROPOSED RIGHT OF WAY ACQUISITION FROM DONALD H. BANTA AND GRETCHEN B. BANTA NE CORNER OF 21ST AND WAVERLY DRIVE IN THE CITY OF ALBANY

20 AUGUST 1998

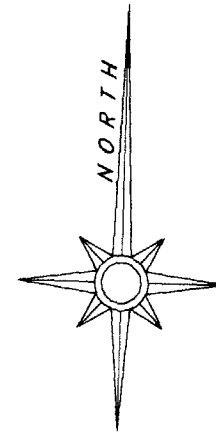
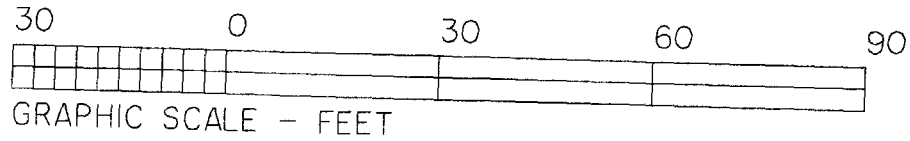
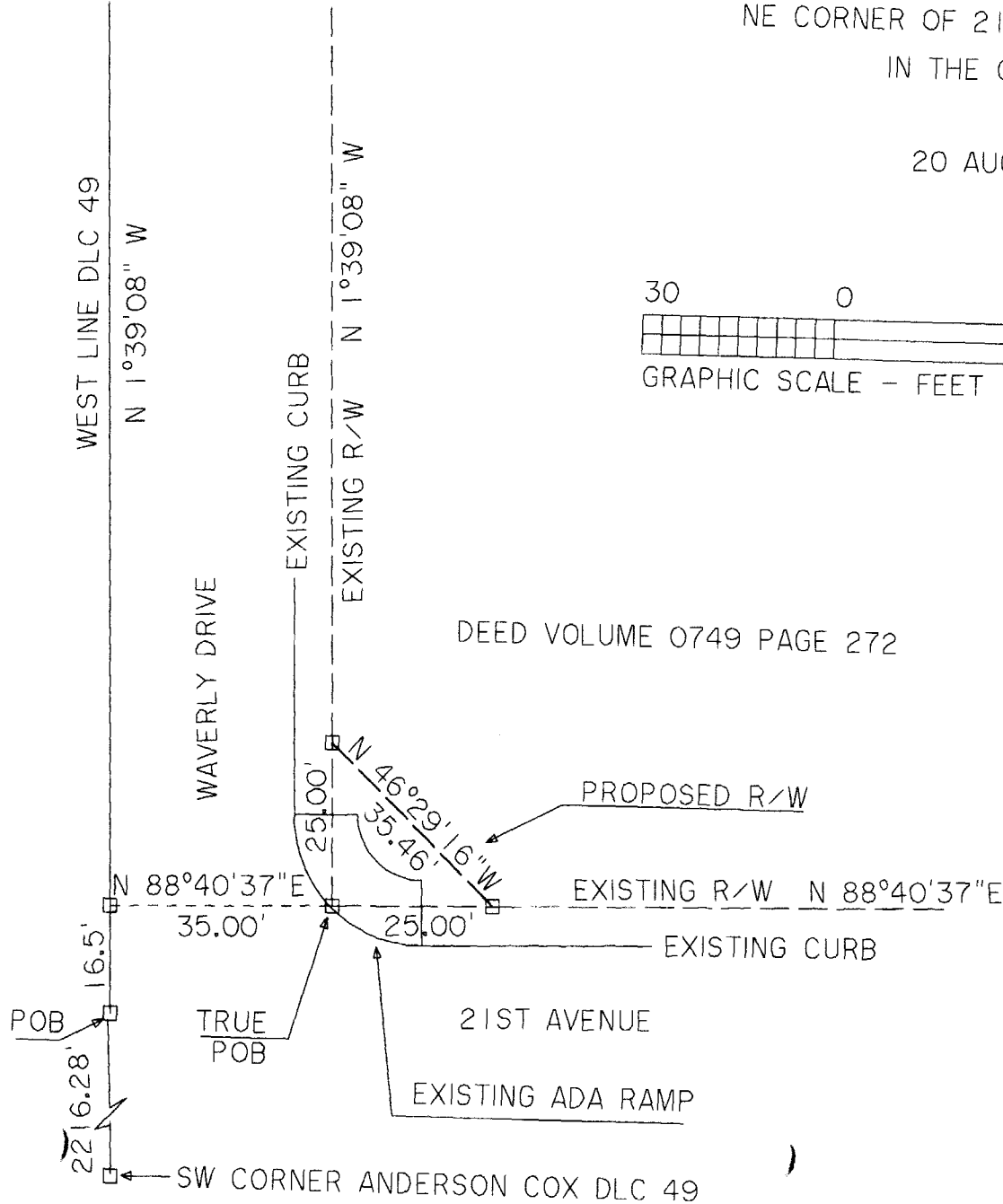


EXHIBIT MAP "A"

EXHIBIT B

DESCRIPTION FOR PROPOSED RIGHT OF WAY ACQUISITION  
FROM DONALD H. BANTA AND GRETCHEN B. BANTA:

Beginning at a point which is North 1°39'08" West 33.58 chains (2,216.28 feet) from the southwest corner of the Anderson Cox Donation Land Claim Number 49, thence North 1°39'08" West 16.50 feet to a point on the line south of which is for road purposes as described in volume 0749 page 272 of the Linn Country Deed Records, thence North 88°40'37" East 35.00 feet to a point on the East Right of Way Line of Waverly Drive as described in volume 87 page 15 of the Linn County Records. This point is the true point of beginning, thence North 88°40'37" East 25.00 feet along the North Right of Way Line of 21st Avenue, thence North 46°29'16" West 35.46 feet to a point on the East Right of Way Line of Waverly Drive, thence South 01°39'08" East 25.00 feet along the East Right of Way Line of Waverly Drive to the true point of beginning, in Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon.

The area described above contains 312 square feet, more or less, to be dedicated as Right of Way to the City of Albany.

STATE OF OREGON  
County of Linn

I hereby certify that the attached  
was received and duly recorded  
by me in Linn County records.

STEVE DRUCKENMILLER  
Linn County Clerk

By *[Signature]*, Deputy

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Recorded Document Recorder File No. 3246