

RESOLUTION NO. 4065

A RESOLUTION ACCEPTING THE FOLLOWING DEDICATION:

Grantor

**HOME DEPOT U.S.A., INC.**

Purpose

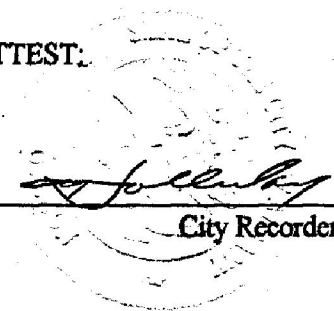
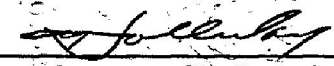
A permanent dedication to the City of Albany for street and utility right-of-way purposes, described in the attached "Exhibit A" and shown in the attached "Exhibit B", and referred to as the "Fescue Street Right-of-way Dedication"

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

DATED THIS 13TH DAY OF JANUARY 1999.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
  
\_\_\_\_\_  
City Recorder

DEDICATION DEED

KNOW ALL MEN BY THESE PRESENTS, that HOME DEPOT U.S.A., INC., a Delaware corporation, hereinafter referred to as the Grantor, does dedicate to the City of Albany, all that real property situated in Linn County, State of Oregon, described as follows:

See legal description on attached Exhibit A and map on attached Exhibit "B"

and covenants that the Grantor is the owner of the above described property 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 hereby acknowledged, and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom. Nothing herein shall reduce or limit grantors obligation to pay any costs or assessments which may result from the improvements.

IN WITNESS WHEREOF, the Grantor has hereunto affixed his/her/their signature this 20<sup>th</sup> day of November, 1998.

GRANTOR:

HOME DEPOT U.S.A., INC.

*ppd*

By: [Signature]  
Title: Daniel R. Hatch, Senior Corporate Counsel

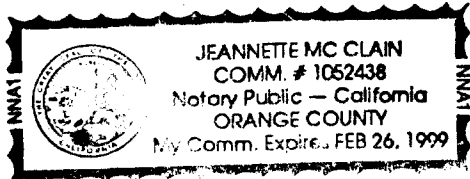
STATE OF California )  
County of orange ) ss.  
City of orange )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 1998, by Daniel R. Hatch, Senior Corporate Counsel of HOME DEPOT U.S.A., INC., a Delaware corporation, on behalf of the corporation.

Jeannette McClain

Notary Public for the State of California  
My Commission Expires: 2-26-99

File:  
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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 4065 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 13 day of January, 1999.

[Signature]  
City Manager

ATTEST:

[Signature]  
City Recorder



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

September 15, 1998

Exhibit A  
Legal Description for  
Right-of-Way Dedication

Being a tract of land in that tract of described in Book 995, Page 541, Linn County Deed Records, in the Edward White DLC No. 48 in Section 9, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, County of Linn, State of Oregon and more particularly described as follows:

Beginning at the northwest corner of Lot 1, Block 1 of the plat of Lawndale, said northwest corner being on the east right-of-way line of Fescue St. and being the southeast corner of said Book 995, Page 541;

thence N89°58'39"W, along the south line of said Book 995, Page 541, 35.00 feet to an angle point thereon;

thence S89°38'46"W, continuing along said south line, 30.00 feet to a point 5.00 feet easterly of, when measured at right angles thereto, the west right-of-way line of Fescue St.;

thence N00°03'25"E, parallel with said west right-of-way line, 118.63 feet to the easterly extension of the north line of Parcel A of Partition Plat 1991-17, Linn County plat records;

thence S89°37'27"W, along said easterly extension and said north line, 5.72 feet to the beginning of a 365.00 foot radius non-tangent curve to the left;

thence along said non-tangent curve to the left, 141.66 feet through an included angle of 22°14'14" (the chord of which bears N14°40'12"W, 140.77 feet) to the point of reverse curvature of a 435.00 radius curve to the right;

thence along said curve to the right, 195.79' feet through an included angle of 25°47'18" (the chord of which bears N12°53'39"W, 194.14 feet) to a point of tangency;

thence North, 12.57 feet to the point of curvature of a 435.00 foot radius curve to right;

thence along said curve to the right, 134.96' feet through an included angle of 17°46'36" (the chord of which bears N08°53'18"E, 134.42 feet) to the point of reverse curvature of a 565.00 foot radius curve to the left;

thence along said curve to the left, 343.48' feet through an included angle of  $34^{\circ}49'56''$  (the chord of which bears  $N00^{\circ}21'38''E$ , 338.22 feet) to the south right-of-way line of Spicer Rd.;

thence  $S70^{\circ}24'50''E$ , along said south right-of-way line, 252.26 feet to the beginning of a 310.00 foot radius non-tangent curve to the left;

thence along the easterly boundary of said Book 995, Page 541, and along said curve to the left, 133.41' feet through an included angle of  $24^{\circ}39'25''$  (the chord of which bears  $N82^{\circ}44'32''W$ , 132.38 feet) to the point of compound curvature of a 18.00 foot radius curve to the left;

thence continuing along said easterly boundary line and along said curve to the left, 28.89' feet through an included angle of  $91^{\circ}57'40''$  (the chord of which bears  $S38^{\circ}56'55''W$ , 25.89 feet) to the point of reverse curvature of a 635.00 foot radius curve to the right;

thence continuing along said easterly boundary line and along said curve to the right, 274.95' feet through an included angle of  $24^{\circ}48'32''$  (the chord of which bears  $S05^{\circ}22'21''W$ , 272.81 feet) to the point of reverse curvature of a 365.00 foot radius curve to the left;

thence continuing along said easterly boundary line and along said curve to the left, 113.24' feet through an included angle of  $17^{\circ}46'36''$  (the chord of which bears  $S08^{\circ}53'18''W$ , 112.79 feet) to a point of tangency;

thence South, continuing along said easterly boundary line, 12.57 feet to the point of curvature of a 365.00 foot radius curve to left;

thence continuing along said easterly boundary line and along said curve to the left, 164.28' feet through an included angle of  $25^{\circ}47'18''$  (the chord of which bears  $S12^{\circ}53'39''E$ , 162.90 feet) to the point of reverse curvature of a 435.00 foot radius curve to the right;

thence continuing along said easterly boundary line and along said curve to the right, 196.22 feet through an included angle of  $25^{\circ}50'43''$  (the chord of which bears  $S12^{\circ}51'57''E$ , 194.56 feet) to a point of tangency;

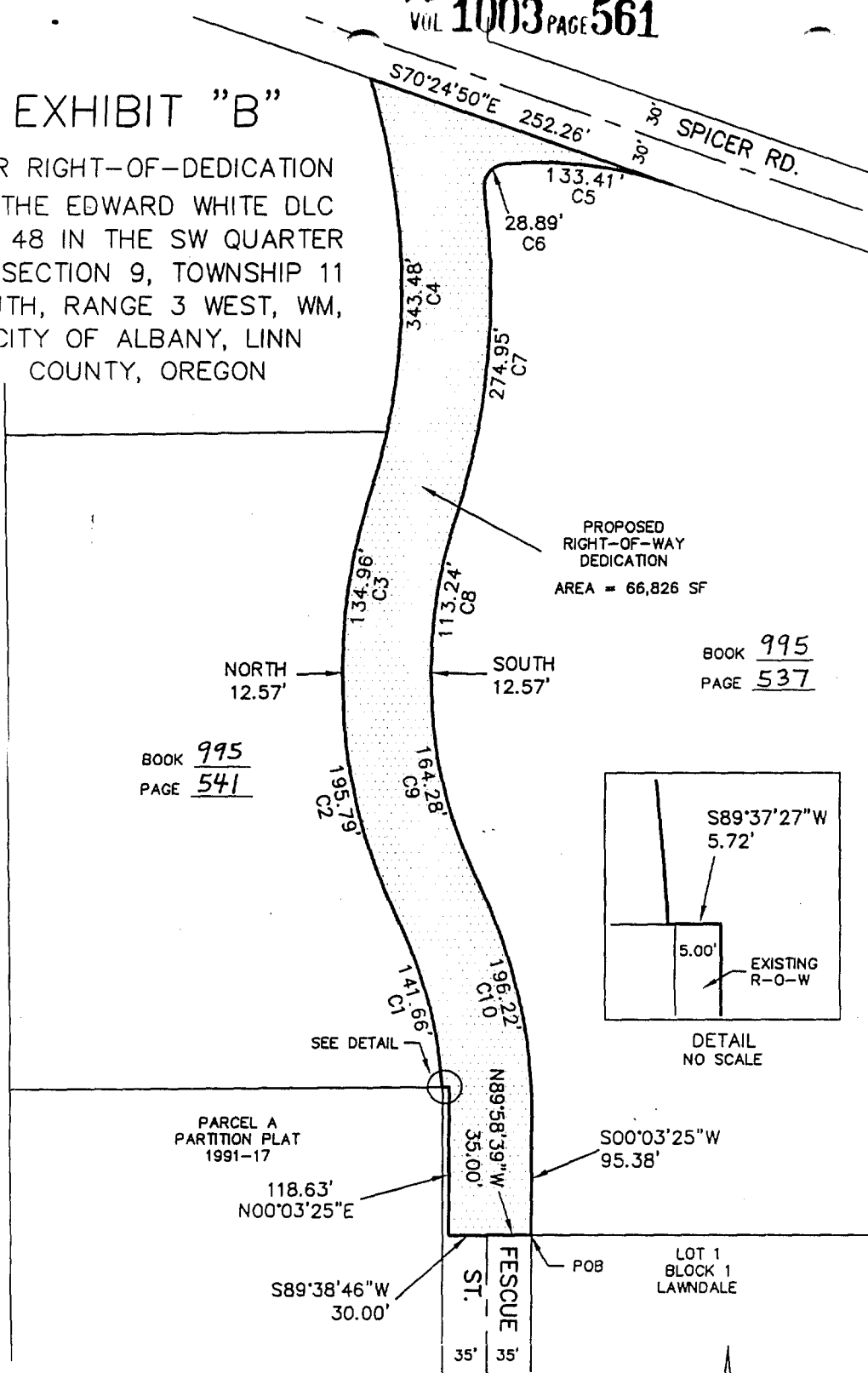
thence  $S00^{\circ}03'25''W$ , continuing along said easterly boundary line and parallel with the aforementioned west right-of-way line of Fescue St., 95.38 feet to the point of beginning;

containing 66,826 square feet more or less.

# EXHIBIT "B"

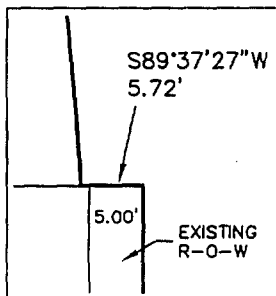
FOR RIGHT-OF-DEDICATION  
 IN THE EDWARD WHITE DLC  
 NO. 48 IN THE SW QUARTER  
 OF SECTION 9, TOWNSHIP 11  
 SOUTH, RANGE 3 WEST, WM,  
 CITY OF ALBANY, LINN  
 COUNTY, OREGON

INTERSTATE HIGHWAY 5



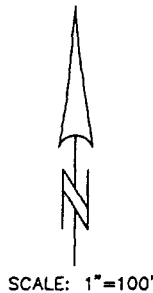
BOOK 995  
 PAGE 541

BOOK 995  
 PAGE 537



DETAIL  
 NO SCALE

CURVE TABLE					
	RADIUS	LENGTH	DELTA	TANGENT	CHORD
C1	365.00'	141.66'	22°14'14"	71.73'	140.77' N14°40'12"W
C2	435.00'	195.79'	25°47'18"	99.58'	194.14' N12°53'39"W
C3	435.00'	134.96'	17°46'36"	68.03'	134.42' N08°53'18"E
C4	565.00'	343.48'	34°49'56"	177.23'	338.22' N00°21'38"E
C5	310.00'	133.41'	24°39'25"	67.75'	132.38' N82°44'32"W
C6	18.00'	28.89'	91°57'40"	18.63'	25.89' S38°56'55"W
C7	635.00'	274.95'	24°48'32"	139.66'	272.81' S05°22'21"W
C8	365.00'	113.24'	17°46'36"	57.08'	112.79' S08°53'18"W
C9	365.00'	164.28'	25°47'18"	83.56'	162.90' S12°53'39"E
C10	435.00'	196.22'	25°50'43"	99.81'	194.56' S12°51'57"E



Fescue Street Right-of-way Dedication, Page 4

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 JAN 15 2 41 PM '99

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 PA, Deputy  
 PAGE 558

Resolution No. 4065

Recorded Document Recorder File No. 3331