

RESOLUTION NO. 4349

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

Grantor

**Dennis W. Pavlina**

Purpose

A 60-foot wide public street right-of-way dedication, described in the attached "EXHIBIT A", shown in the attached drawing "EXHIBIT B", and located in the attached Vicinity Map.

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

DATED THIS 11TH DAY OF OCTOBER 2000.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

DEDICATION DEED

KNOW ALL MEN BY THESE PRESENTS, that Dennis W. Pavlina, President, of Oak Tree Construction, Inc., hereinafter referred to as the Grantor, does dedicate to the City of Albany for street and utility right-of-way purposes 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 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. 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 signature this 20 day of Sept, 2000.

GRANTOR:

Oak Tree Construction, Inc.

By: [Signature] - Pres.  
Title: President

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 4349 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 11 day of October, 2000.

[Signature]  
City Manager

ATTEST:

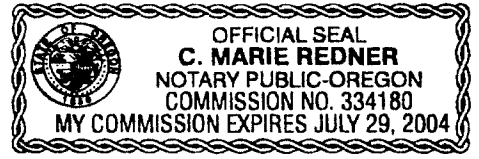
[Signature]  
City Recorder

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

The foregoing instrument was acknowledged before me this 20th day of September 2000, by Dennis W. Pavlina, president, of Oak Tree Construction, Inc., a Washington corporation, on behalf of the corporation.

[Signature]  
Notary Public for Oregon  
My Commission Expires: July 29, 2004

File:  
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This document is being re-recorded to correct exhibit "A" previously recorded in Vol 1134 page 159 on October 25, 2000.

*Please return to: City of Albany  
PO Box 490  
Albany, OR 97321*

## EXHIBIT A

DESCRIPTION OF PROPERTY  
FOR RIGHT OF WAY DEED FOR  
LEXINGTON STREET, CITY OF ALBANY, OREGON

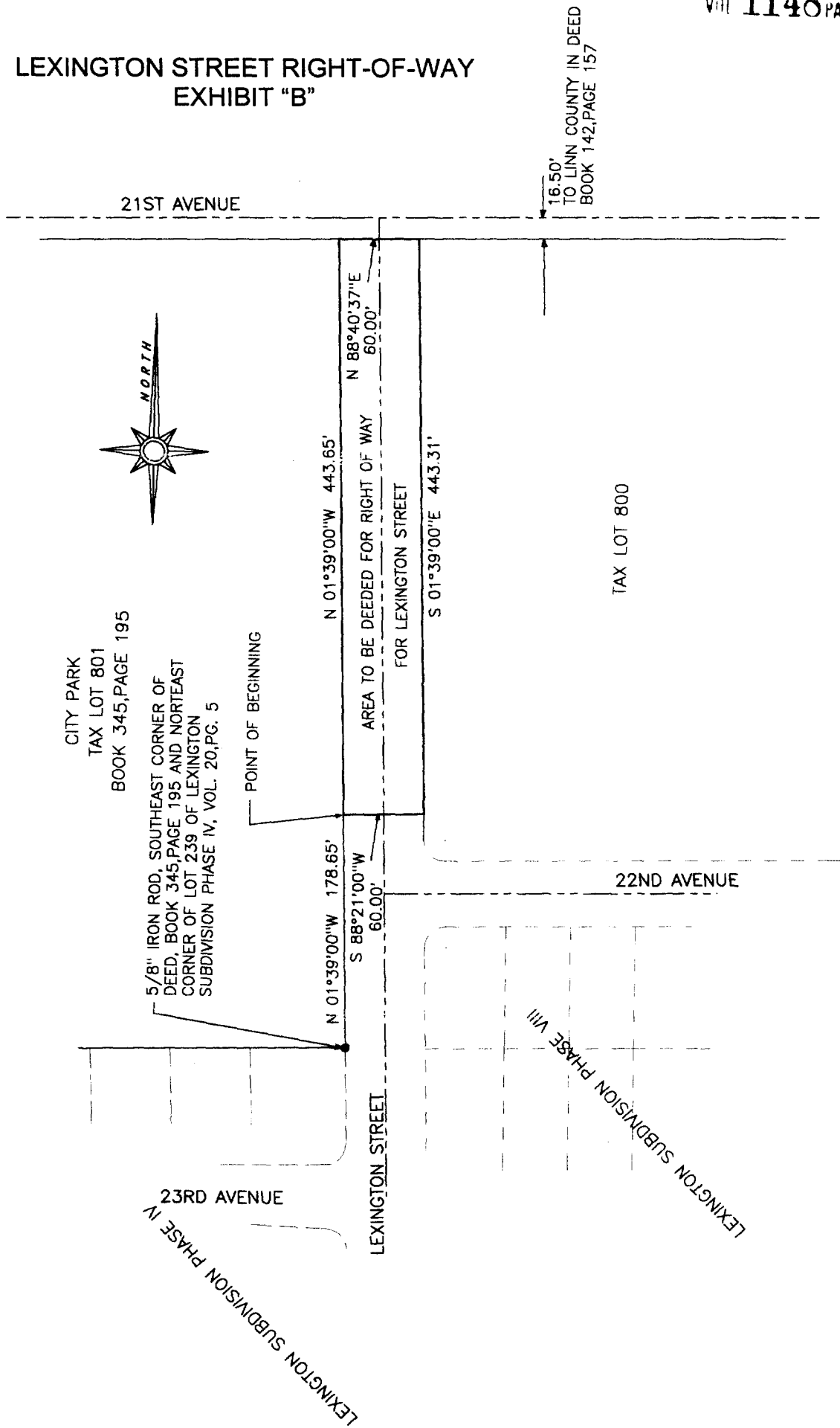
7/26/00

A TRACT OF LAND IN THE SOUTHWEST ¼ OF SECTION 9 AND THE NORTHWEST ¼ OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, CITY OF ALBANY, LINN COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THAT CERTAIN TRACT DESCRIBED AND RECORDED IN DEED, BOOK 345, PAGE 195, LINN COUNTY DEED AND MORTGAGE RECORDS, SAID POINT BEING 178.65 FEET, NORTH 01°39'00" WEST OF A 5/8 INCH IRON ROD MARKING THE SOUTHEAST CORNER OF SAID DEED, BOOK 345, PAGE 195, SAID ROD ALSO BEING THE NORTHEAST CORNER OF LOT 239 OF LEXINGTON SUBDIVISION PHASE IV, A SUBDIVISION PLAT OF RECORD IN LINN COUNTY PLAT RECORDS; THENCE ALONG SAID EAST LINE OF SAID DEED, BOOK 345, PAGE 195, NORTH 01°39'00" WEST, 443.65 FEET TO A POINT ON THE SOUTH LINE OF 21<sup>ST</sup> AVENUE, A 33.00 FOOT RIGHT OF WAY, DEEDED TO LINN COUNTY, IN DEED, BOOK 142, PAGE 157; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, NORTH 88°40'37" EAST, 60.00 FEET; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, SOUTH 01°39'00" EAST, 443.31 FEET; THENCE SOUTH ~~82°21'00"~~ WEST, 60.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 0.61 ACRES OF LAND, MORE OR LESS.

88°21'00'

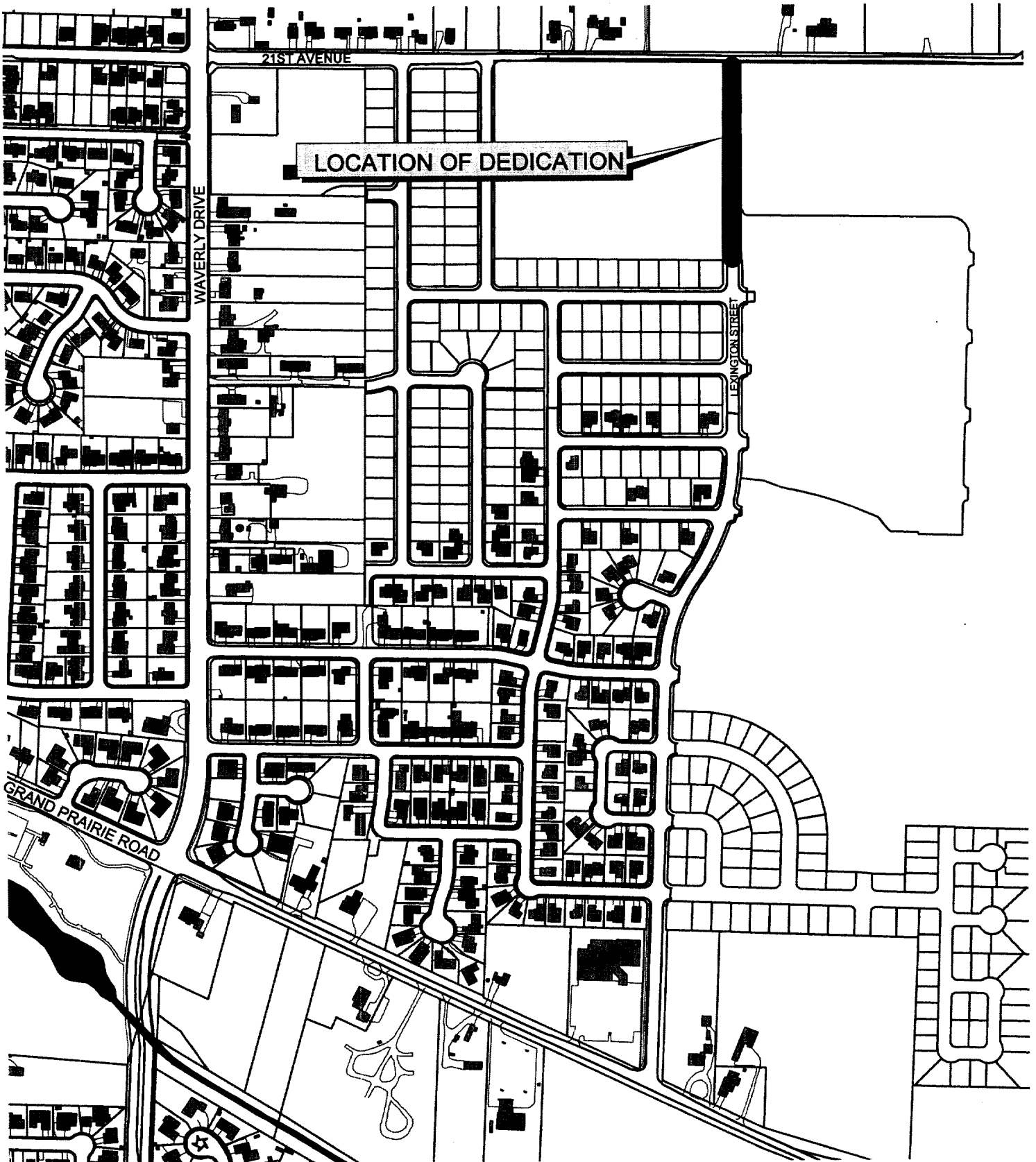
LEXINGTON STREET RIGHT-OF-WAY EXHIBIT "B"





# Vicinity Map

Lexington Street  
Right-of-Way Dedication  
Dennis W. Pavlina



35

STATE OF OREGON  
County of Linn

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

2001 JAN 11 P 1:54

STEVE DRUCKENMILLER  
Linn County Clerk

MF 1148

By DR, Deputy PAGE 88

41

STATE OF OREGON  
County of Linn

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

2000 OCT 25 A 9:44

STEVE DRUCKENMILLER  
Linn County Clerk

MF 1134  
158

By DR, Deputy PAGE

Resolution No. 4349

Recorded Document Recorder File No. 3698