

RESOLUTION NO. 5130

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

Grantor

Purpose

Robert Lowry

Dedicate Public Right-of-Way

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

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 11TH DAY OF MAY 2005.



Mayor

ATTEST:



City Clerk

RECORDING COVER SHEET
ALL TRANSACTIONS, ORS: 205.234

This cover sheet has been prepared by the person
Presenting the attached instrument for recording.
Any errors in this cover sheet **DO NOT** affect the
Transaction(s) contained in the instrument itself.

BENTON COUNTY, OREGON **2005-385516**
DE-D
Cnt=1 Stn=6 NE **05/19/2005 01:32:01 PM**
\$30.00 \$11.00 \$10.00 \$15.00 **\$66.00**



00086089200503855160060062

I, James V. Morales, County Clerk for Benton
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

James V. Morales - County Clerk



AFTER RECORDING RETURN TO:

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

1.) NAME(S) OF THE TRANSACTION(S) required by ORS 205.234(a)

Right-of-Way Dedication

2.) DIRECT PARTY / GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160

Robert Lowry

3) INDIRECT PARTY / GRANTEE, required by ORS 205.125(1)(a) and ORS 205.160

City of Albany

4) TRUE and ACTUAL CONSIDERATION (if any), ORS 93.030

5) ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

6) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE COUNTY
CLERKS LIEN RECORDS, ORS 205.121(1)(e)

7) THE AMOUNT OF THE CIVIL PENALTY or THE AMOUNT, INCLUDING PENALTIES,
INTEREST AND OTHER CHARGES FOR WHICH THE WARRANT, ORDER OR JUDGMENT
WAS ISSUED. ORS 205.125(1)(c) and ORS 18.325

8) Rerecorded to correct _____ Previously recorded as _____
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RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Robert Lowry,* hereinafter referred to as Grantor, hereby dedicate to the City of Albany, a Municipal Corporation, hereinafter called "City" for right-of-way purposes, portions of that real property situated in Benton County, Oregon, conveyed to Grantors by deed recorded in M-345267-03, Benton County deed records, and being more particularly described as follows:

See attached Legal Description labeled Exhibit A, attached Vicinity Map labeled Exhibit B, and attached Right-of-Way Map labeled Exhibit C.

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 \$2,451 (\$3 per square foot for right-of-way taken), 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.

*Specifically in his capacity as follows:

Robert R. Lowry, Trustee of the Robert R. Lowry Revocable Trust, dated June 25, 2003; and Robert R. Lowry, Trustee of the Barbara A. Lowry Revocable Trust, dated June 25, 2003.

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

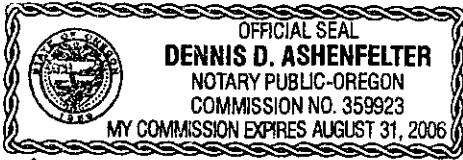
GRANTOR:

Robert R. Lowry

Robert Lowry, Trustee of the Robert R. Lowry Revocable Trust, dated June 25, 2003; and
Robert R. Lowry, Trustee of the Barbara A. Lowry Revocable Trust, dated June 25, 2003

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

The foregoing instrument was acknowledged before me this ___ day of _____, 2005, by **Robert Lowry**, Trustee of the Robert R. Lowry Revocable Trust, dated June 25, 2003; and Robert R. Lowry, Trustee of the Barbara A. Lowry Revocable Trust dated June 25, 2003 as their voluntary act and deed.



Dennis D. Ashenfelter

Notary Public for Oregon
My Commission Expires: 08-31-06

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 5130, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 11th day of May 2005.

Steve Bryant

City Manager

ATTEST: *Betty Louquell*

City Recorder **Clerk**

EXHIBIT "A"

CITY OF ALBANY
RIGHT-OF-WAY ACQUISITION
A PORTION OF THAT LOWRY TRACT

A portion of that Lowry Revocable Trust tract described by deed recorded in M-345267-03 of the Benton County, Oregon Deed Records on June 30, 2003 that is more particularly described as follows:

Beginning at the most northerly northwest corner of said Lowry tract which corner being South 88°05'59" East 2188.68 feet and South 01°54'01" West 15.00 feet of the southwest corner of the Gallatin Adkins Donation Land Claim No. 43 in Township 10 South, Range 4 West, Willamette Meridian; thence South 88°06'13" East 59.56 feet to the most northerly northeast corner of said Lowry tract; thence South 36°03'19" East, along the easterly line of said Lowry tract, 12.69 feet; thence North 88°05'57" West 20.21 feet; thence along the arc of a 175.00 foot radius curve to the left (long chord of which bears North 89°31'51" West 8.76 feet) a distance of 8.76 feet; thence South 89°02'16" West 15.44 feet; thence along the arc of a 73.50 foot radius curve to the left (long chord of which bears South 80°44'34" West 21.21 feet) a distance of 21.29 feet; thence along the arc of a 26.50 foot radius curve to the right (long chord of which bears South 84°10'14" West 10.77 feet) a distance of 10.85 feet; thence along the arc of a 73.50 foot radius curve to the left (long chord of which bears North 85°53'46" West 4.59 feet) a distance of 4.59 feet to a point on the westerly line of said Lowry tract; thence North 40°33'47" East 20.96 feet to the Point of Beginning. Containing 817 square feet of land, more or less

March 21, 2005
RIGHT-OF-WAY
LOWRY TRACT
(03-180) JJC:nm

File: nm\shared\03-180 NA Rd\legal\Lowry.doc



EXHIBIT B

**Laurel Lane
Right-of-Way Aquisition**
ST-03-05, NORTH ALBANY ROAD LID
A Portion of Benton County Tract
Described by Deed Reference
M-345267-03



Geographic Information Services

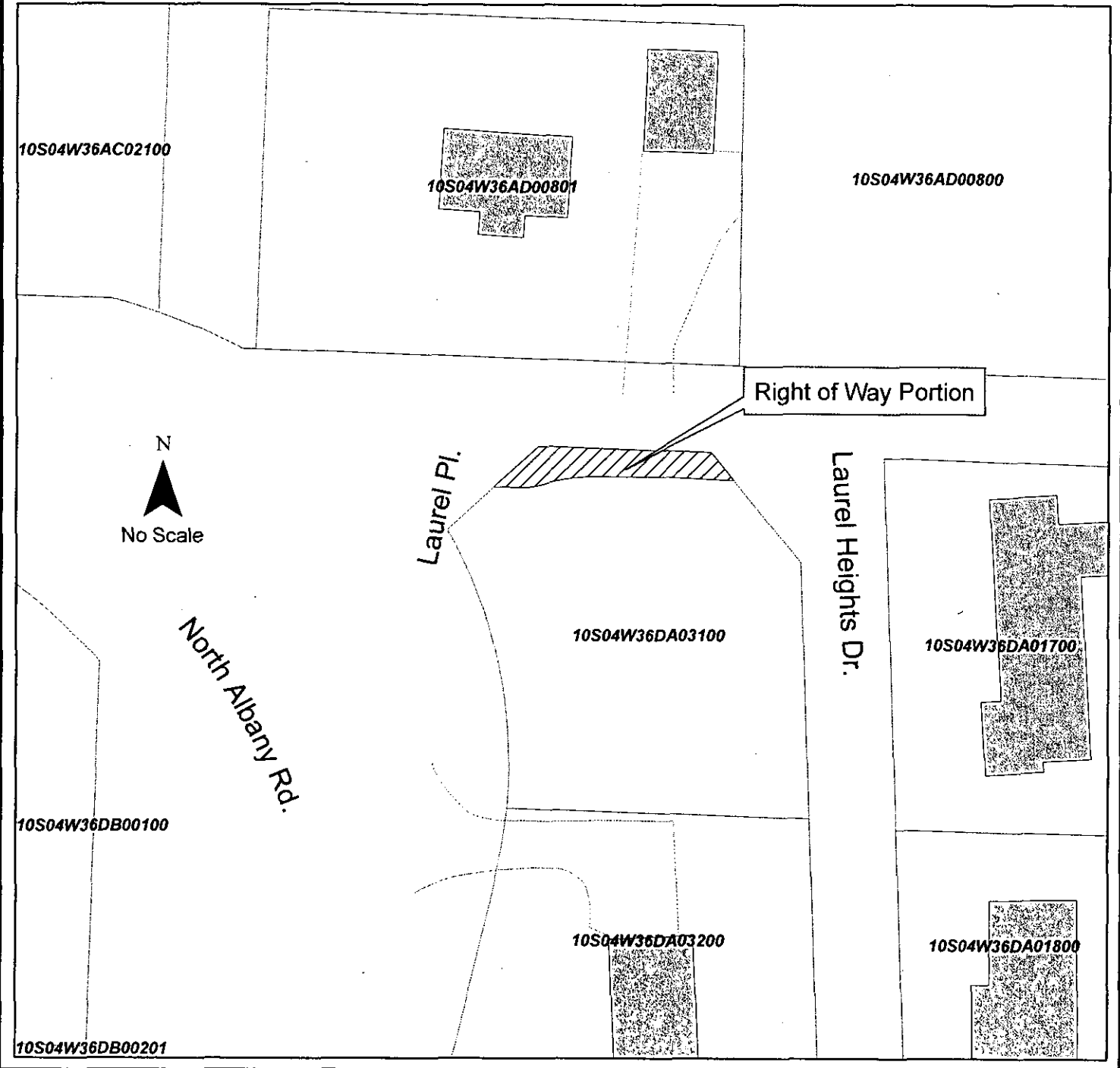
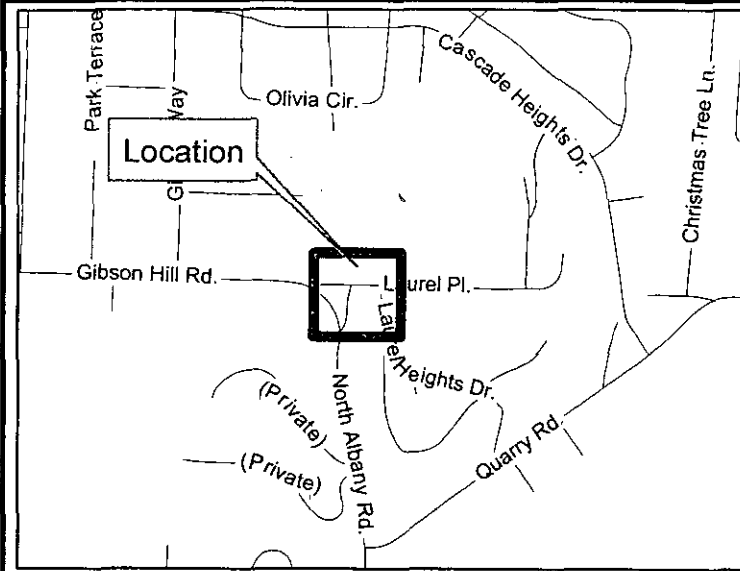
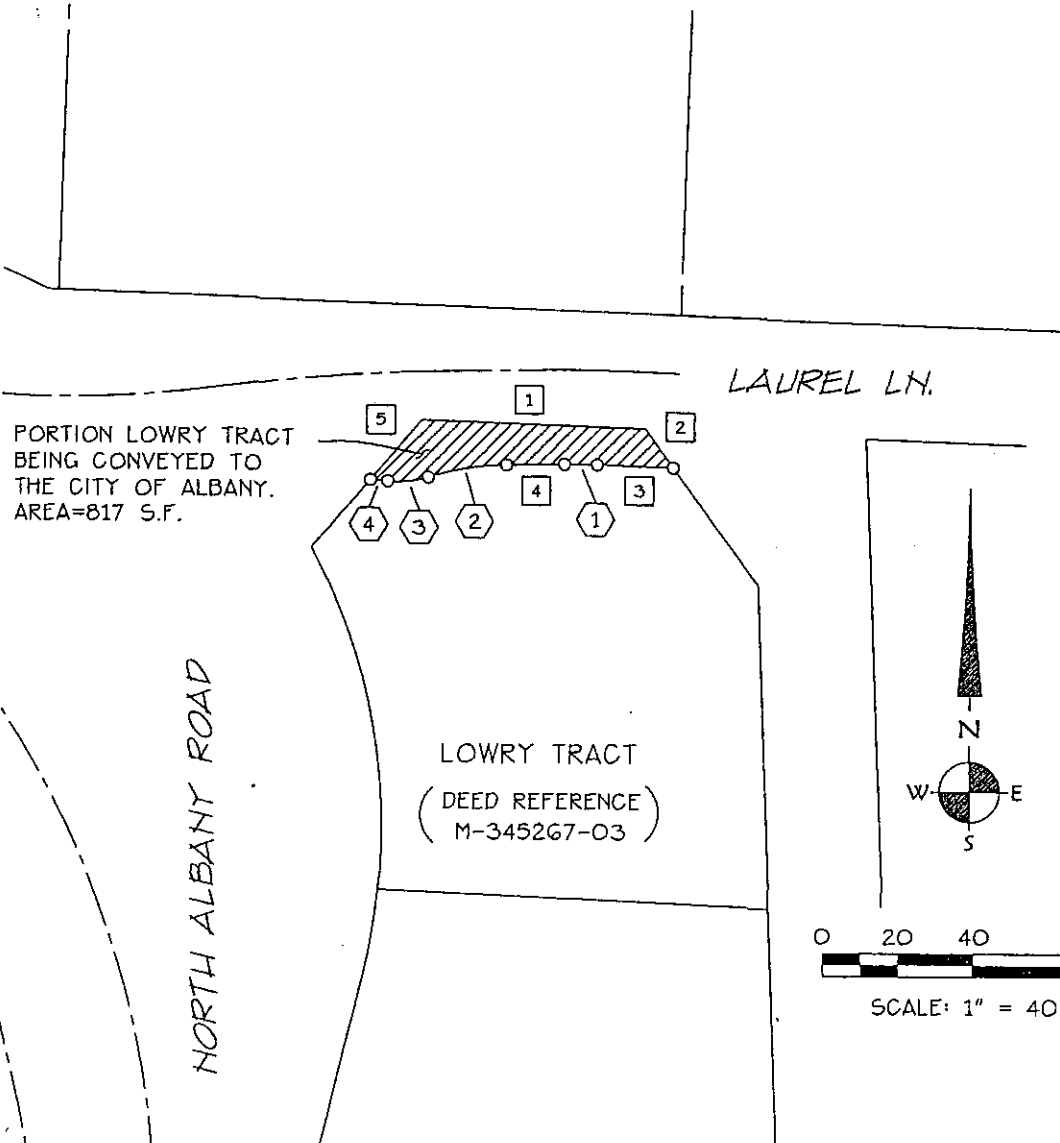


EXHIBIT "C"
 FOR
LAUREL LANE
RIGHT-OF-WAY ACQUISITION

A PORTION OF THAT LOWRY TRACT DESCRIBED
 BY DEED REFERENCE M-345267-03

LOCATED IN
 SE 1/4 SECTION 36, T. 10 S., R. 4 W., W.M.
 CITY OF ALBANY, BENTON COUNTY, OREGON
 MARCH 19, 2005



LINE TABLE

CURVE	LENGTH	BEARING
1	59.56	S88°06'13"E
2	12.69	S36°03'19"E
3	20.21	N88°05'57"W
4	15.44	S89°02'16"W
5	20.96	N40°33'47"E

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	DELTA
1	8.76	175.00	N89°31'51"W 8.76	02°52'02"
2	21.29	73.50	S80°44'34"W 21.21	16°35'34"
3	10.85	26.50	S84°10'14"W 10.77	23°26'54"
4	4.59	73.50	N85°53'46"W 4.59	03°34'55"

LEGEND:

- 3 LINE REFERENCE (SEE LINE TABLE)
- 1 CURVE REFERENCE (SEE CURVE TABLE)

Resolution No. 5130

Recorded Document Recorder File No. 4556