

RESOLUTION NO. 4064

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 "Rye Street Right-of-way Dedication"

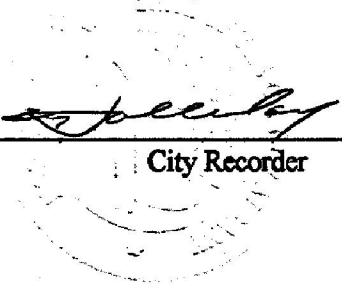
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this dedication.

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 27<sup>th</sup> day of November, 1998.

GRANTOR:

HOME DEPOT U.S.A., INC.

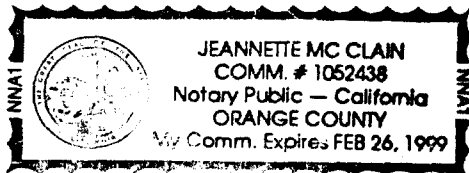
By: [Signature]  
Title: Daniel R. Hatch, Senior Corporate Counsel

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 4064 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

EXHIBIT "A"  
Right-of-Way Dedication

Being a tract of land in that tract of land described in Deed Book 490, Page 235 and in Book 547, Page 978, Linn County Deed records, located in the west half of Section 9, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Orgeon and being more particularly described as follows:

Beginning at a point in the north line of Lot 1, Block 3, of the plat of "Lawndale", Linn County plat records, said point bears N89°58'39"W, 83.63 feet from the northeast corner of said Lot 1, Block 3;

Thence N89°58'39"W, along the north line of said Lot 1, Block 3 and along the north right-of-way line of Rye Street and along the north line of Lot 1, Block 1 of said plat, 100.00 feet;

Thence N00°02'24"E, leaving said north line, 50.00 feet;

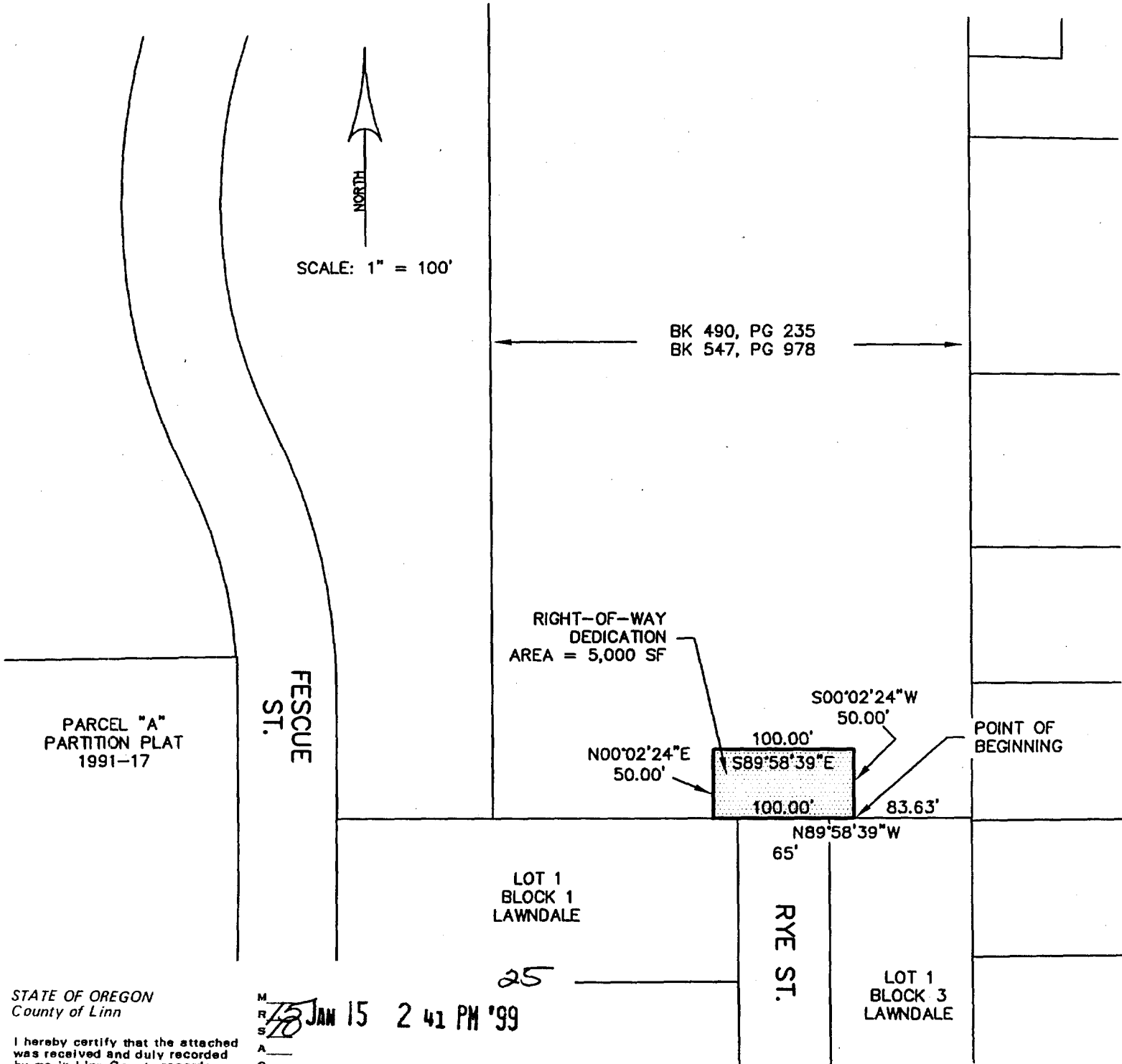
Thence S89°58'39"E, 100.00 feet;

Thence S00°02'24"W, 50.00 feet to the point of beginning;

Containing 5,000 square feet more or less.

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**EXHIBIT "B"**

FOR RIGHT-OF-WAY DEDICATION  
 LOCATED IN THE WEST 1/2 OF SECTION 9,  
 TOWNSHIP 11 SOUTH, RANGE 3 WEST, W.M.  
 CITY OF ALBANY, LINN COUNTY, OREGON



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

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Recorded Document Recorder File No. 3330