

RESOLUTION NO. 4156

A RESOLUTION ACCEPTING THE FOLLOWING DEDICATION:

Grantor

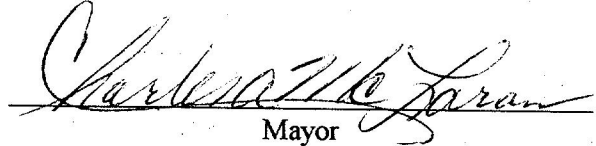
Waverly V, LLC

Purpose

A permanent dedication to the City of Albany, for right-of-way purposes, for future 22nd Avenue.

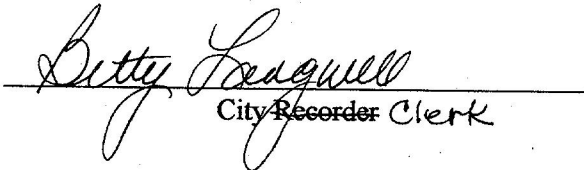
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this dedication.

DATED THIS 28TH DAY OF JULY, 1999.



Mayor

ATTEST:



City Recorder Clerk

KNOW ALL MEN BY THESE PRESENTS, that Waverly V, LLC, 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 Vol. 421, Page 177, Linn County Deed Records, said dedication being more particularly described as follows:

A strip of land dedicated to the City of Albany for future right-of-way uses as described in the attached legal description labeled Exhibit A and shown on the attached map labeled Exhibit B.

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, the Grantor has hereunto fixed his signature this 30th day of June, 1999.

GRANTOR:

Waverly V, LLC

By:

Lawrence E. Tokarski
Lawrence E. Tokarski, Managing Member

CITY OF ALBANY:

STATE OF OREGON)

County of Linn) ss.
City of Albany)

Ken Thompson ASSISTANT
I, ~~Steve Bryant~~ as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 4196 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 28 day of July, 1999.

Ken Thompson
City Manager ASSISTANT City Manager

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

ATTEST:

Betty Lougheed
City Recorder Clerk

The foregoing instrument was acknowledged before me this 30th day of June, 1999, by Lawrence E. Tokarski as his voluntary act and deed.

Brian M Grenz
Notary Public for Oregon
My Commission Expires: 12/15/09



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

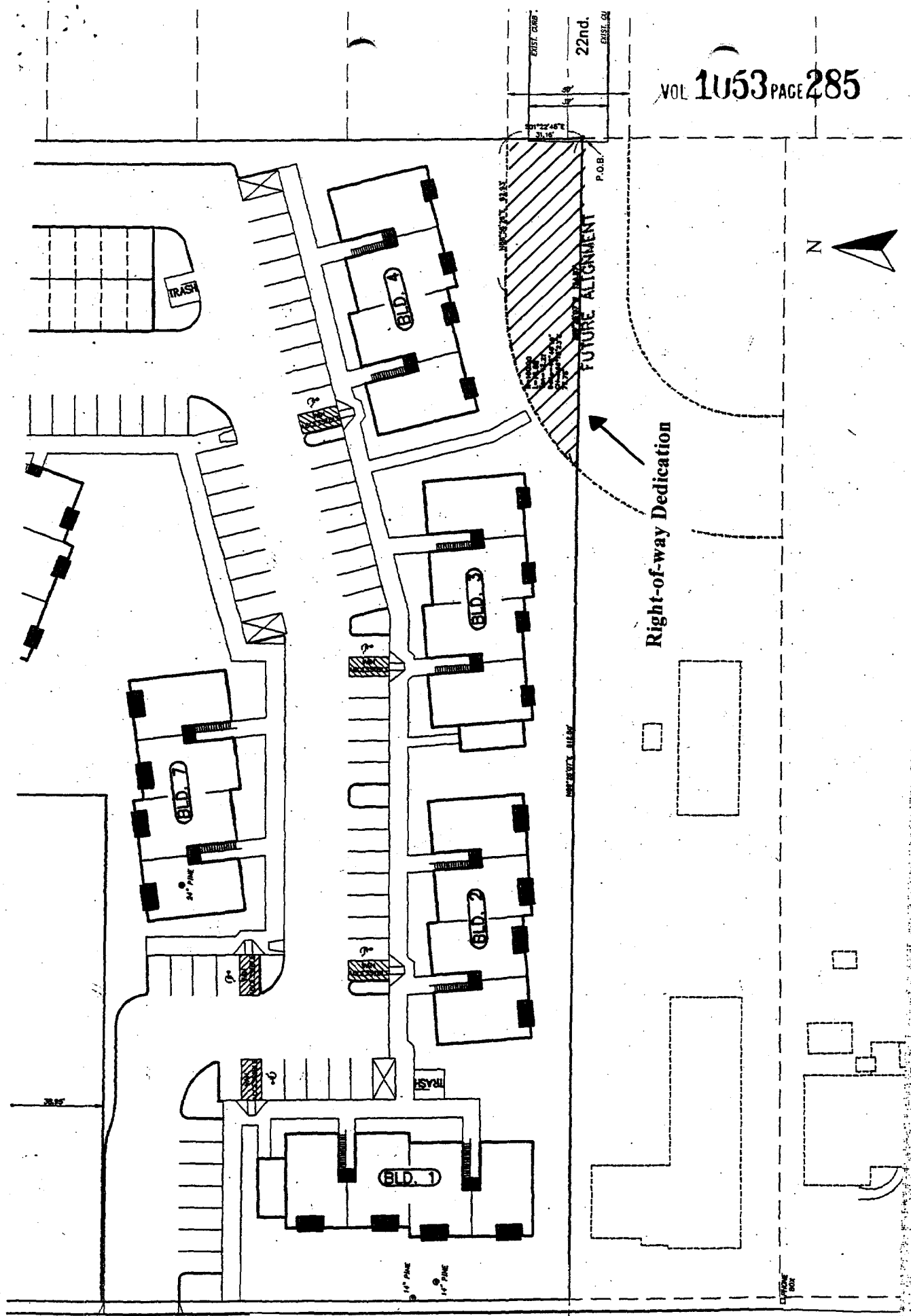
Exhibit "A"

**Waverly V, LLC
To
The City of Albany**

June 24, 1999

Right-of-way Dedication for future 22nd Avenue described as follows:

Commencing at the Southwest Corner of the Anderson Cox Donation Land Claim in Section 17, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; thence N01°22'45"W, along the west line of said Land Claim, also being the center line of Waverly Drive (70.00 feet wide) a distance of 1774.78 feet to a point; thence N89°26'07"E a distance of 512.50 feet to the point of beginning at grantor's southeast property corner; thence S89°26'07"W a distance of 134.87 feet to a point; thence northeasterly, along the arc of a 100.00 feet radius curve right (the chord of which bears N66°15'23"E 77.78 feet), an arc distance of 79.88 feet to a point; thence N88°56'26"E a distance of 62.93 feet to a point on grantor's easterly property line; thence S01°22'45"E a distance of 31.16 feet to the point of beginning. The above described parcel contains 1,194 square feet of land.



WAVERTY DRIVE

N 01°22'45" W 1774.78'

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 RV, Deputy

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Recorded Document Recorder File No. 3435