

RESOLUTION NO. 5392

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

Grantor

Purpose

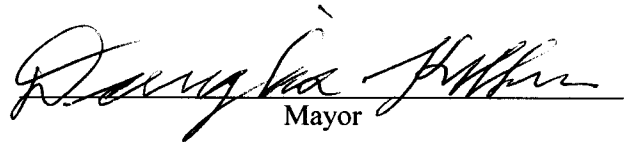
**Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.**

10-foot wide street right-of-way dedication on the south side of Grand Prairie Road, east of Waverly Drive. The right-of-way dedication is a condition of approval for the construction of the LDS Albany Ward Stake Center.

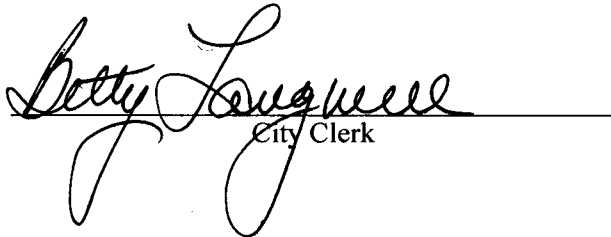
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this right-of-way dedication deed.

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 28<sup>TH</sup> DAY OF FEBRUARY 2007.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

**RIGHT-OF-WAY DEDICATION**

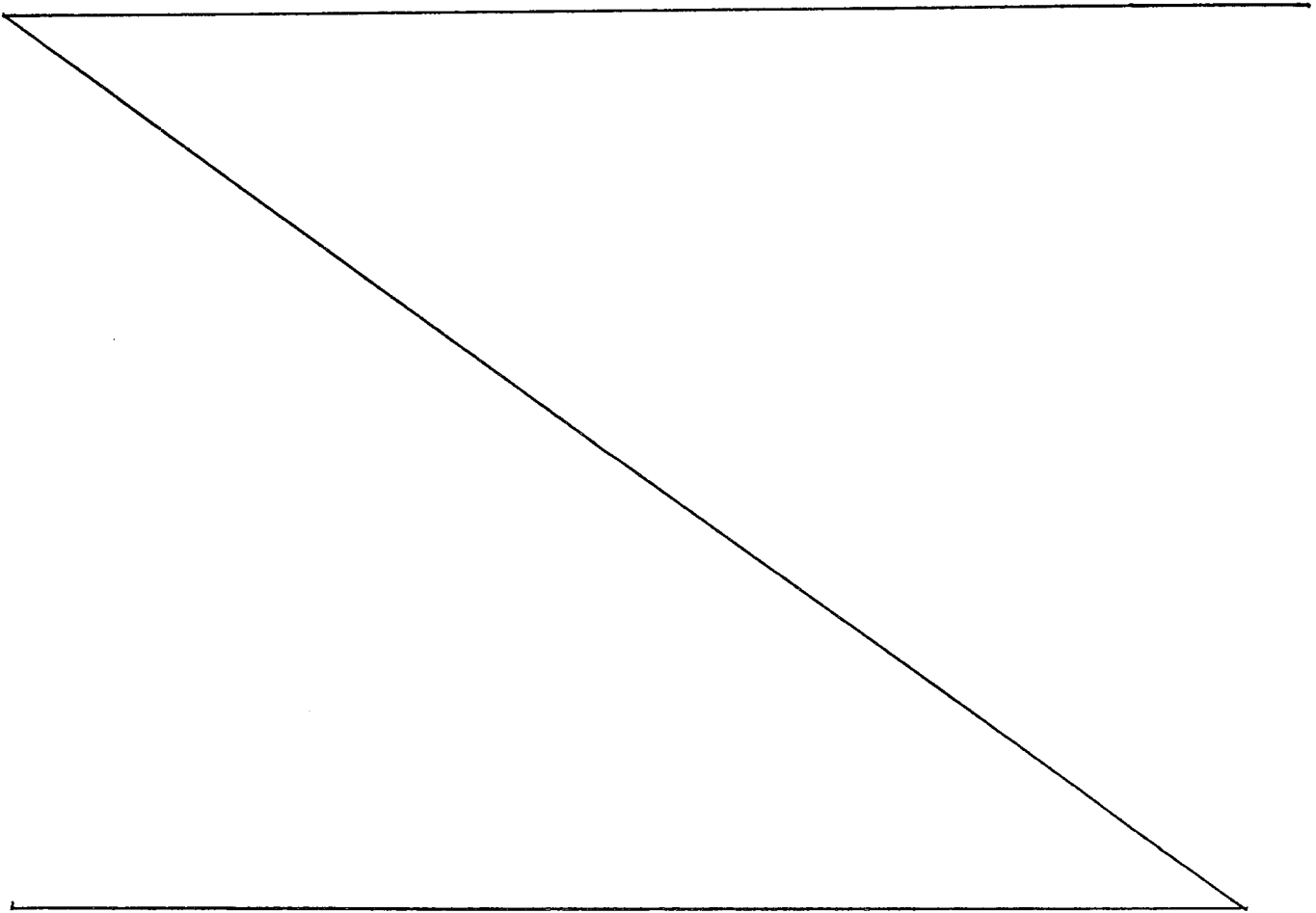
CPB # 593-1072

KNOW ALL MEN BY THESE PRESENTS, that the **Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.**, hereinafter referred to as Grantor, does 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 Linn County, Oregon, conveyed to the Grantor by deed recorded in Volume 1681, Page 744 Linn County deed records, and being more particularly described as follows:

A 10.00 foot wide strip of land in Section 17 of Township 11 South in Range 3 West of Willamette Meridian, City of Albany, Linn County, Oregon as described in the attached three legal descriptions for Parcels 1, 2, and 3 labeled Exhibits A and as shown on the attached three maps labeled Exhibits B and the attached 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 \$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.



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

**GRANTOR:**

Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole

By: Terry F. Rudd  
Terry F. Rudd

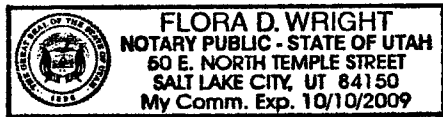
Authorized Agent for the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.



STATE OF UTAH )  
County of SALT LAKE ) ss.  
City of SALT LAKE )

The instrument was acknowledged before me this 16<sup>TH</sup> day of JANUARY, 2008, 7 by Terry F. Rudd, as a representative of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.

Flora D. Wright  
Notary Public for Utah  
My Commission Expires: 10/10/2009



**CITY OF ALBANY:**

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

I, Wes Hare, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5372 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 5 day of March, 2008.

Wes Hare  
City Manager

ATTEST:  
Debbie Longwell  
City Clerk

RECEIVED

OCT 1 - 2001

Div. Of Corp. & Comm. Code

CERTIFICATE OF AUTHORITY

I, H. David Burton, do hereby certify (a) that I am the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a religious association, and by virtue of such office I am the incumbent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole; (b) that I am the person designated in the Articles of Incorporation of said corporation sole to sign and execute deeds and other instruments in writing and transact all business of said corporation pursuant to the provisions of Section 16-7-8 of the Utah Code Annotated, 1953, as amended; and (c) that, pursuant to said Section 16-7-8, I hereby designate and appoint Terry F. Rudd as an agent authorized and empowered for and in behalf of said corporation sole to take the following actions for transactions whose dollar value does not exceed \$500,000:

- (a) To execute deeds, easements and other instruments, purchase, sale, architectural, construction, repair, maintenance and other contracts, promissory notes, mortgages, bills of sale, assignments, notices, reports, title documents and other documents relating to the acquisition, purchase, sale, exchange, development, use, lease, maintenance, repair, improvement, taxation, encumbrance and release thereof, or other disposition of real and personal property of any kind; and
- (b) To execute, file and prosecute building permit applications, petitions, complaints and protests relating to real and personal property of any kind.

This Certificate of Authority supersedes and replaces that Certificate of Authority, dated May 26, 1999, granted to Terry F. Rudd by H. David Burton, the incumbent of said Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints.

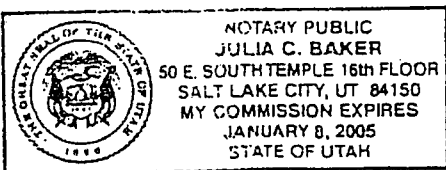
DATED this 28 day of September, 2001.

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

By H. David Burton  
H. David Burton, incumbent

STATE OF UTAH )  
  :  
  )     ss.  
COUNTY OF SALT LAKE         )

On the 28 day of September, 2001, personally appeared before me H. David Burton, personally known to me to be the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, and acknowledged to me that he signed the foregoing instrument as incumbent of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, and the said H. David Burton acknowledged to me that said corporation executed the same.



Julia C. Baker  
NOTARY PUBLIC in and for said County and State

NOTARY PUBLIC

**ANDY PARIS & ASSOCIATES, INC.**

**Registered Professional Land Surveyors**

**16057 S.W. Boones Ferry Road**

**Lake Oswego, Oregon 97035**

**Ph: (503)-636-3341 Fax: (503) 636-0477**

**PROPERTY DESCRIPTION:** A portion of Parcel 1, Volume 1681, Page 744

**DATE:** February 9, 2006

**JOB NO:** 04181

**FOR:** Church of Jesus Christ-Latter Day Saints

**LOCATION:** Grand Prairie Road

10' wide right-of-way dedication-Parcel 1

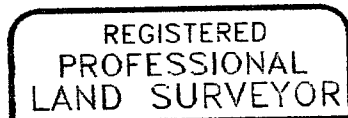
**FOR USE ON LEGAL INSTRUMENT**

**EXHIBIT "A"**

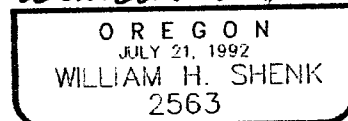
A tract of land situated in the East one-half of Section 17, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, being more particularly described as follows:

Beginning at a point in the center of Grand Prairie Road, which bears South 00°00'00" West, a distance of 369.46 feet; and South 65°55'00" East, a distance of 841.81 feet from a 3-1/4" aluminum cap monument at the Southwest corner of said Anderson Cox Donation Land Claim No. 49, said **Point of Beginning** is also at the Northeast corner of that tract of land described by deed as Parcel 1 in Volume 1681, Page 744, Linn County Deed Records; thence South 00°38'20" West, along the East line of said Parcel 1, a distance of 43.60 feet; thence leaving said East line, North 65°55'00" West, parallel with and 40.00 feet from (when measured at right angles) the center of Grand Prairie Road, a distance of 165.64 feet to the Easterly line of that tract of land described by deed as Parcel 1 in Volume 1371, Page 897, Linn County Deed Records; thence North 24°04'23" East, along said Easterly line, a distance of 40.00 feet to the Northeast corner thereof and the center of Grand Prairie Road; thence South 65°55'00" East, a distance of 148.30 feet to the **Point of Beginning**.

Containing 6,279 Square feet, more or less.



*William H. Shenk*



EXPIRES: JUNE 30, 2006

# EXHIBIT B

BY:  
ANDY PARIS AND ASSOCIATES, INC.

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
FOR A RIGHT-OF-WAY DEDICATION  
ON PARCEL 1 OF  
VOLUME 1681, PAGE 744

CITY OF ALBANY  
LINN COUNTY, OREGON  
FEBRUARY 9, 2006

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 21, 1992  
WILLIAM H. SHENK  
2563

EXPIRES : JUNE 30, 2006

PREPARED BY:  
**ANDY PARIS AND ASSOCIATES, INC.**  
16057 BOONES FERRY ROAD  
LAKE OSWEGON, OREGON 97035  
PH: 503-636-3341

SCALE 1" = 100'



3-1/4" ALUMINUM CAP  
S.W. COR. DLC NO. 49

S 00°00'00" W  
369.46'

## GRAND PRAIRIE ROAD

S 65°55'00" E 841.81'

N 24°04'23" E 40.00'

S 65°55'00" E 148.30'

N 65°55'00" W 165.64'

S 00°38'20" W  
43.60'

PARCEL 1  
VOLUME 1371,  
PAGE 897

40' RIGHT-OF-WAY  
DEDICATION  
(6,279 SQUARE FEET)

PARCEL 3  
VOLUME 1681, PAGE 744

PARCEL 1  
VOLUME 1681, PAGE 744

PERIWINKLE CREEK DRAINAGE RIGHT OF WAY

**ANDY PARIS & ASSOCIATES, INC.**

**Registered Professional Land Surveyors**

**16057 S.W. Boones Ferry Road**

**Lake Oswego, Oregon 97035**

**Ph: (503)-636-3341 Fax: (503) 636-0477**

**PROPERTY DESCRIPTION:** A portion of Parcel 2, Volume 1681, Page 744

**DATE:** February 9, 2006

**JOB NO:** 04181

**FOR:** Church of Jesus Christ-Latter Day Saints

**LOCATION:** Grand Prairie Road

10' wide right-of-way dedication-Parcel 2

**FOR USE ON LEGAL INSTRUMENT**

**EXHIBIT "A"**

A tract of land situated in the East one-half of Section 17, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, being more particularly described as follows:

**Beginning at a point in the center of Grand Prairie Road, which bears South 00°00'00" West, a distance of 369.46 feet; and South 65°55'00" East, a distance of 457.61 feet from a 3-1/4" aluminum cap monument at the Southwest corner of said Anderson Cox Donation Land Claim No. 49, said Point of Beginning is also at the Northwest corner of that tract of land described by deed as Parcel 2 in Volume 1681, Page 744, Linn County Deed Records; thence South 13°02'42" West, along the Westerly line of said Parcel 2, a distance of 40.75 feet; thence leaving said Westerly line, South 65°55'00" East, parallel with and 40.00 feet from (when measured at right angles) the center of Grand Prairie Road, a distance of 127.07 feet to the Westerly line of that tract of land described by deed as Parcel 1 in Volume 1371, Page 897, Linn County Deed Records; thence North 24°04'01" East, along said Westerly line, a distance of 40.00 feet to the Northwest corner thereof and the center of Grand Prairie Road ; thence North 65°55'00" West, a distance of 134.86 feet to the Point of Beginning.**

Containing 5,239 Square feet, more or less.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 21, 1992  
WILLIAM H. SHENK  
2563

EXPIRES: JUNE 30, 2006

# EXHIBIT B

BY:  
ANDY PARIS AND ASSOCIATES, INC.

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
FOR A RIGHT-OF-WAY DEDICATION  
ON PARCEL 2 OF  
VOLUME 1681, PAGE 744

CITY OF ALBANY  
LINN COUNTY, OREGON  
FEBRUARY 9, 2006

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 21, 1992  
WILLIAM H. SHENK  
2563

EXPIRES : JUNE 30, 2006

PREPARED BY:  
**ANDY PARIS AND ASSOCIATES, INC.**  
16057 BOONES FERRY ROAD  
LAKE OSWEGON, OREGON 97035  
PH: 503-636-3341

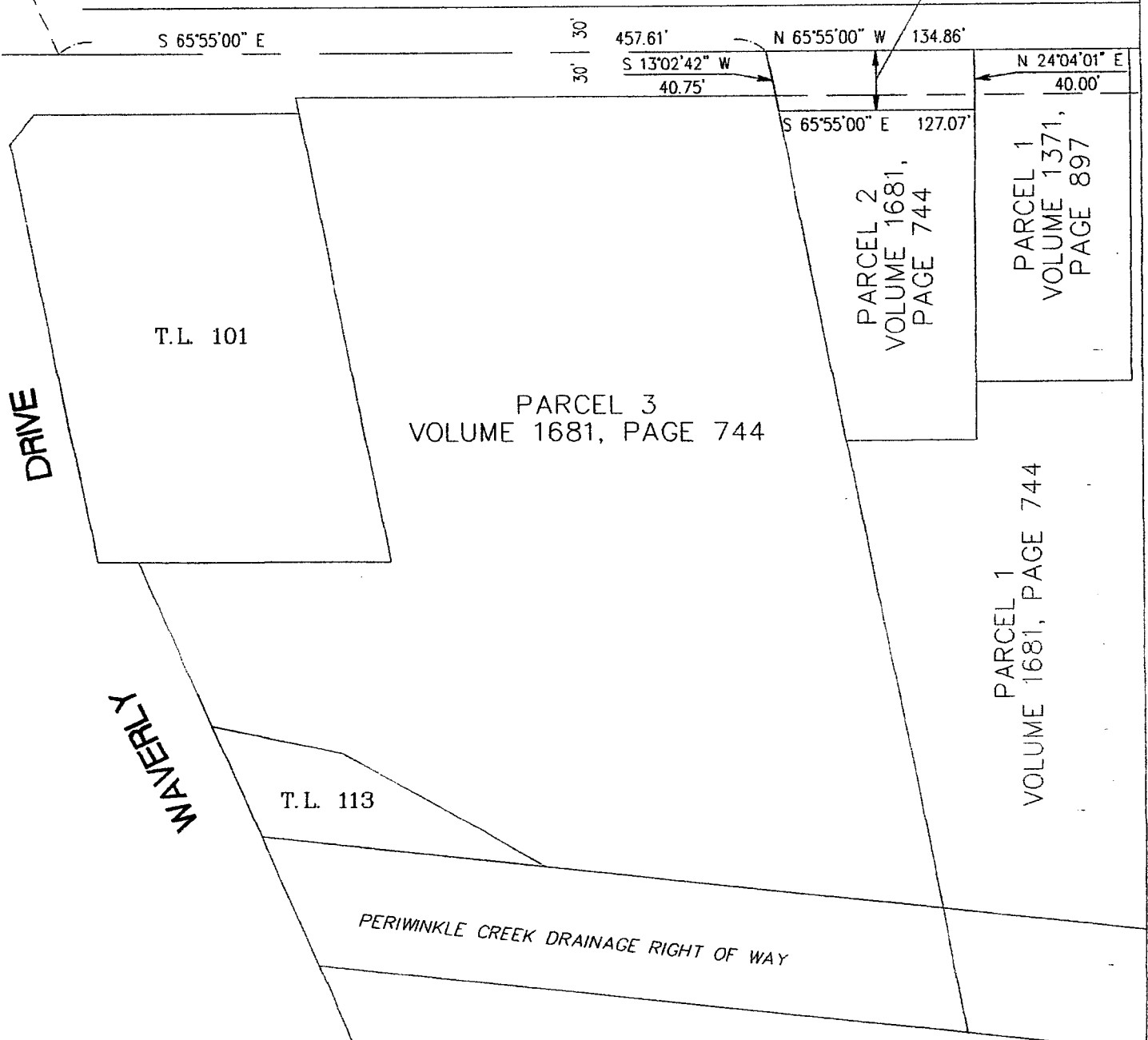
SCALE 1" = 100'

3-1/4" ALUMINUM CAP  
S.W. COR. DLC NO. 49

S 00°00'00" W  
369.46'

## GRAND PRAIRIE ROAD

40' RIGHT-OF-WAY  
DEDICATION  
(5,239 SQUARE FEET)





**ANDY PARIS & ASSOCIATES, INC.**

**Registered Professional Land Surveyors**

**16057 S.W. Boones Ferry Road**

**Lake Oswego, Oregon 97035**

**Ph: (503)-636-3341 Fax: (503) 636-0477**

PROPERTY DESCRIPTION: A portion of Parcel 3, Volume 1681, Page 744

DATE: February 9, 2006

JOB NO: 04181

FOR: Church of Jesus Christ-Latter Day Saints

LOCATION: Grand Prairie Road

10' wide right-of-way dedication-Parcel 3

.....  
FOR USE ON LEGAL INSTRUMENT

**EXHIBIT "A"**

A tract of land situated in the East one-half of Section 17, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron rod on the southerly right-of-way line of Grand Prairie Road, which bears South 00°00'00" West, a distance of 369.46 feet; South 65°55'00" East, a distance of 146.47 feet, and South 13°02'41" West, a distance of 30.57 feet, from a 3-1/4" aluminum cap monument at the Southwest corner of said Anderson Cox Donation Land Claim No. 49, said Point of Beginning is also at the North-most corner of that tract of land described by deed as Parcel 3 in Volume 1681, Page 744, Linn County Deed Records; thence South 13°02'41" West, along the Westerly line of said Parcel 3, a distance of 10.19 feet; thence leaving said Westerly line, South 65°55'00" East, parallel with and 10.00 feet from (when measured at right angles) the southerly right-of-way line of Grand Prairie Road, a distance of 311.14 feet to the Easterly line of said parcel 3; thence North 13°02'42" East, along said Easterly line, a distance of 10.19 feet to a 1/2 inch iron rod and the Northeast corner thereof on the southerly right-of-way line of Grand Prairie Road; thence North 65°55'00" West, along said southerly right-of-way line, a distance of 311.14 feet to the Point of Beginning.

Containing 3,111 Square feet, more or less.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*William H. Shenk*

OREGON  
JULY 21, 1992  
WILLIAM H. SHENK  
2563

EXPIRES: JUNE 30, 2006

# EXHIBIT B

BY:  
ANDY PARIS AND ASSOCIATES, INC.

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION  
FOR A RIGHT-OF-WAY DEDICATION  
ON PARCEL 3 OF  
VOLUME 1681, PAGE 744  
CITY OF ALBANY  
LINN COUNTY, OREGON  
FEBRUARY 9, 2006

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 21, 1992  
WILLIAM H. SHENK  
2563

EXPIRES : JUNE 30, 2006

PREPARED BY:  
**ANDY PARIS AND ASSOCIATES, INC.**  
16057 BOONES FERRY ROAD  
LAKE OSWEGON, OREGON 97035  
PH: 503-636-3341

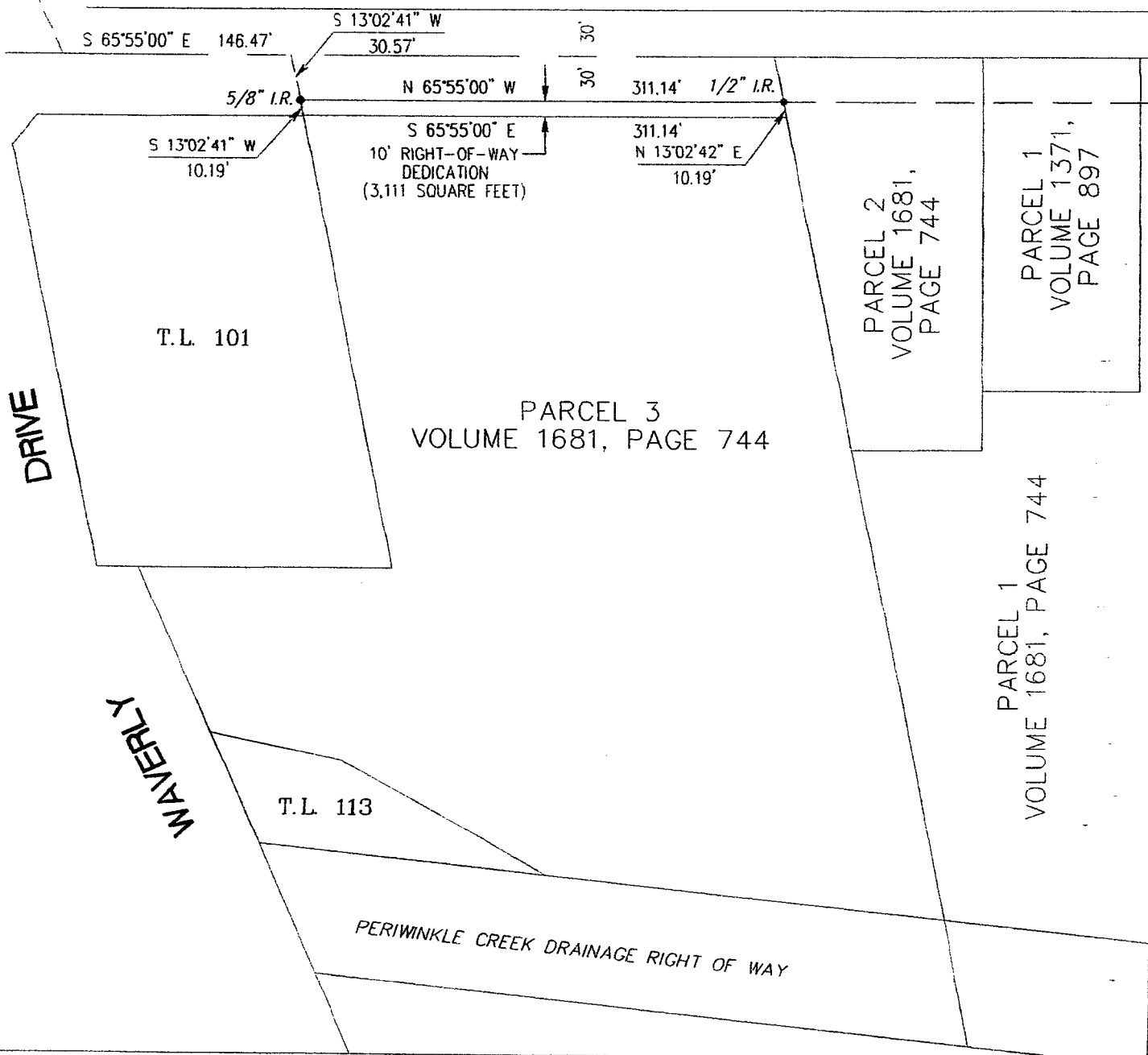


SCALE 1" = 100'

3-1/4" ALUMINUM CAP  
S.W. COR. DLC NO. 49

S 00°00'00" W  
369.46'

## GRAND PRAIRIE ROAD



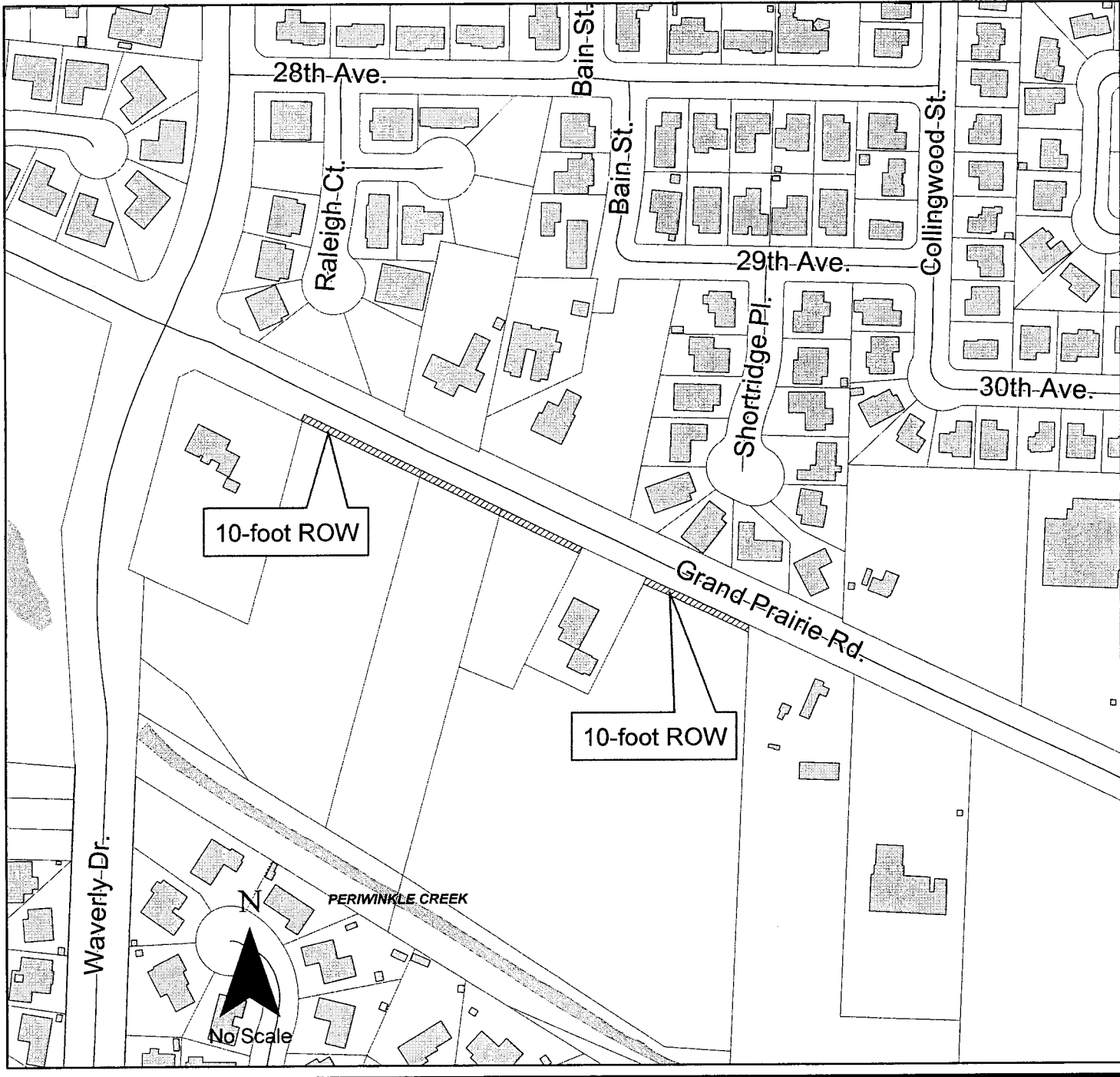
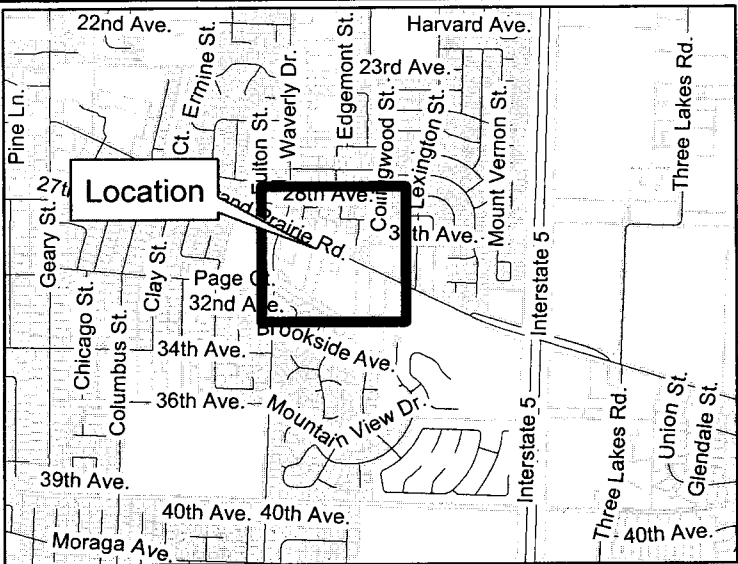
# EXHIBIT C

11SO3W17D Tax Lots: 100, 102, 103, and 117

10-foot wide street right-of-way dedication on the south side of Grand Prairie Road, east of Waverly Drive



Geographic Information Services



**LINN COUNTY**  
Recording Cover Sheet  
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2007-07097**  
E-ROW  
Cnt=1 Stn=1 COUNTER **03/22/2007 03:45:19 PM**  
\$55.00 \$11.00 \$10.00 **\$76.00**



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.



Steve Druckenmiller - County Clerk

After Recording Return To:

City of Albany Recorder

PO Box 490

Albany, OR 97321

All Tax Statements Should Be Sent To:

NA

1. Name/Title of Transaction - by ORS 205.234 (a)

RIGHT-OF-WAY DEDICATION

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah Corporation sole.

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

City of Albany

4. True and Actual Consideration (if there is one), ORS 93.030

\$1.00

Resolution No. 5392

Recorded Document Recorder File No. 4882