



RESOLUTION NO. 6883

A RESOLUTION ACCEPTING THE FOLLOWING RIGHT-OF-WAY DEDICATION

Grantor

Eugene Freezing & Storage Company

Purpose

Accepting a variable width right-of-way dedication along Lochner Road, as part of ST-19-02, Lochner Road Improvements. 11S03W19A 00100

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

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 22ND DAY OF APRIL 2020.



Mayor

ATTEST:



City Clerk



RIGHT-OF-WAY DEDICATION DEED

KNOW ALL MEN BY THESE PRESENTS, that, **Eugene Freezing & Storage Company**, 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 maps on attached Exhibits B and C. Exhibits A, B, and C are attached herewith and made a part hereof this agreement.

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, covenants, conditions, and restrictions 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.

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

GRANTOR: Eugene Freezing & Storage Company



Jason C Lafferty, President

STATE OF OREGON)
County of Lane) ss.
City of Eugene)

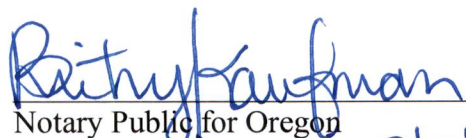
The foregoing instrument was acknowledged before me this 1st day of April 2020, by Jason C Lafferty, President of Eugene Freezing and Storage Company, on behalf of Eugene Freezing and Storage Company, as his voluntary act and deed.



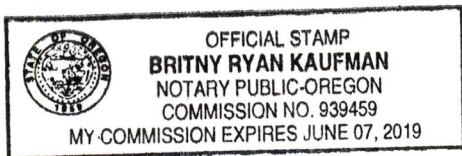
Caroline P Lafferty, Secretary


STATE OF OREGON)
County of Lane) ss.
City of Eugene)

The foregoing instrument was acknowledged before me this 1st day of April 2020, by Caroline P Lafferty, Secretary of Eugene Freezing and Storage Company, on behalf of Eugene Freezing and Storage Company, as her voluntary act and deed.



Notary Public for Oregon
My Commission Expires: 8/5/2023





Notary Public for Oregon
My Commission Expires: 8/5/2023



CITY OF ALBANY:


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

I, Peter Troedsson, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 6883 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 23rd day of April 2020.



City Manager

ATTEST:



City Clerk (Deputy)

EXHIBIT A

Legal Description

Lochner Road Right-of-Way Dedication

Portion of

Tax Lot 100 of Linn County Assessor Map 11S-3W-19A

A portion of Parcel 1 of Partition Plat No. 2009-08, a partition recorded in the Linn County, Oregon Book of Partition Plats on February 11, 2009 said portion being more particularly described as follows:

Beginning at a 5/8 inch rod at the northeast corner of said Parcel 1; thence South 00°57'17" West, along the east line of said Parcel 1, a distance of 11.20 feet; thence North 61°09'14" West 7.57 feet; thence North 59°13'36" West 60.33 feet; thence North 60°06'48" West 247.93 feet; thence along the arc of a 269.94 foot radius curve to the left (long chord of which bears North 75°14'53" West 128.44 feet; thence North 89°00'21" West 32.00 feet; thence along the arc of a 18.00 foot radius curve to the left (long chord of which bears South 45°59'42" West 25.46 feet to a point on the east right-of-way line of Marion Street; thence North 00°59'39" East, along said east right-of-way line, 84.52 feet to a 5/8 inch rod on the south right-of-way line of Lochner Road; thence along said south right-of-way line the following three (3) courses; 1) South 60°06'48" East 458.18 feet; 2) North 01°15'49" East 8.98 feet to a 5/8 inch rod; 3) thence South 61°14'02" East 29.44 feet to the Point of Beginning.

March 16, 2020
EXHIBIT A
R-O-W DEDICATION
(18-173) JJC:ls

File Ref: z:/projects/2018/18-173/surveying/documents/EXHIBIT A.doc

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
JOE J. COTA
58561

RENEWS: 12/31/21

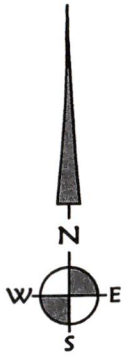
LEGEND:

- FOUND MONUMENT
5/8" IRON ROD
- 1 COURSE DATA;
SEE "LINE TABLE"
- ① CURVE DATA;
SEE "CURVE DATA TABLE"
- ▨ RIGHT-OF-WAY DEDICATION
CREATED BY THIS DOCUMENT
AREA = 4,958 SF

EXHIBIT "B"

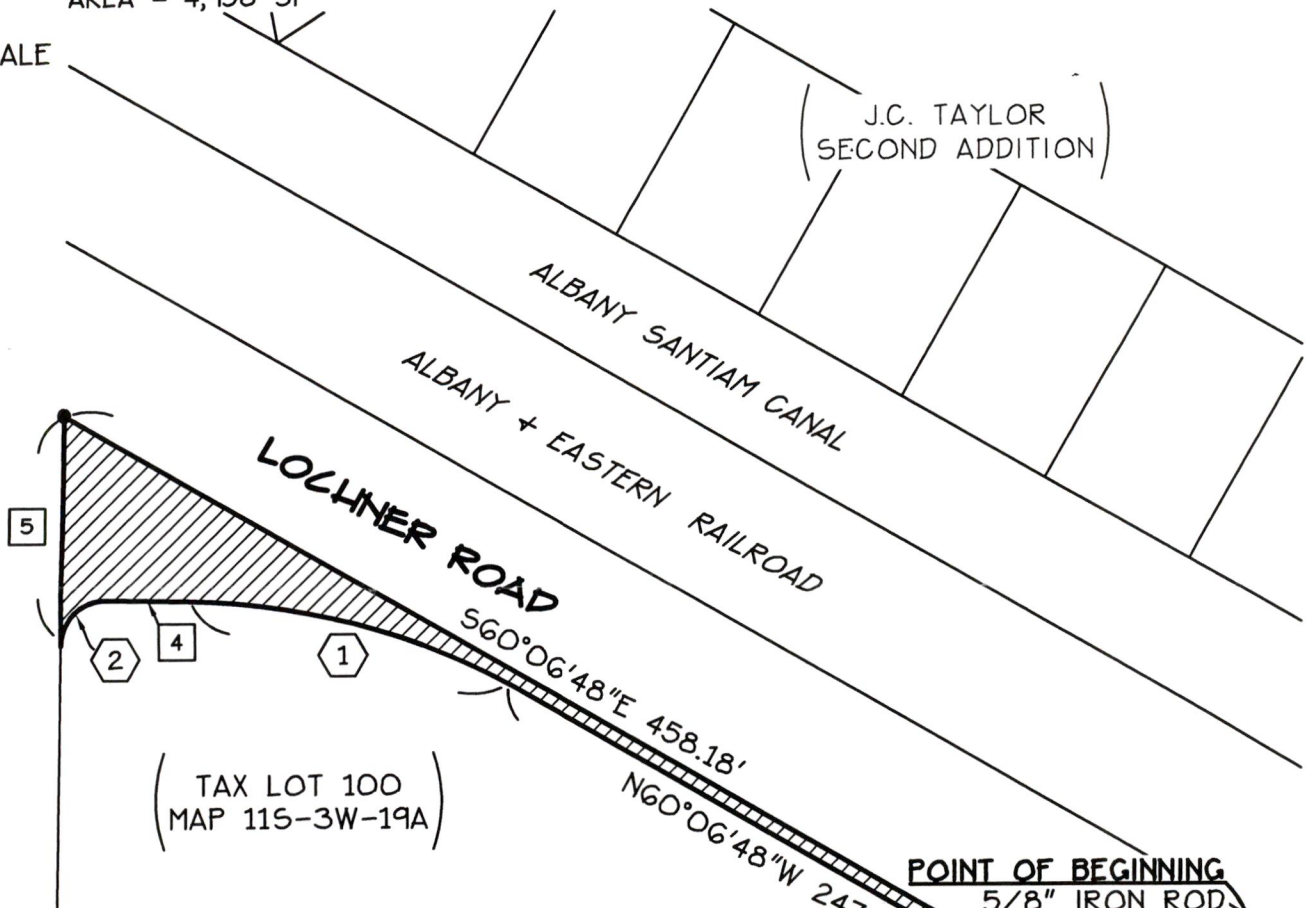
FOR
CITY OF ALBANY
RIGHT-OF-WAY DEDICATION

LOCATED IN
NE 1/4 SEC. 19, T. 11 S., R. 3 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON
MARCH 13, 2020



NOT TO SCALE

MARION STREET



□ **LINE DATA TABLE:**

| | | |
|---|-------------|--------|
| 1 | S00°57'17"W | 11.20' |
| 2 | NG1°09'14"W | 7.57' |
| 3 | N59°13'36"W | 60.33' |
| 4 | N89°00'21"W | 32.00' |
| 5 | N00°59'39"E | 84.52' |
| 6 | NO1°15'49"E | 8.98' |
| 7 | S61°14'02"E | 29.44' |



CURVE DATA TABLE:

| CURVE | RADIUS | LENGTH | CHORD | DELTA |
|-------|---------|---------|---------------------|-----------|
| 1 | 269.94' | 129.68' | N75°14'53"W 128.44' | 27°31'30" |
| 2 | 18.00' | 28.27' | S45°59'42"W 25.46' | 89°59'53" |

Date: 3/13/2020 Time: 15:00
Scale: 1=1(P5)
File: dwg\2018\18-173\18-173_ex.dwg (George)

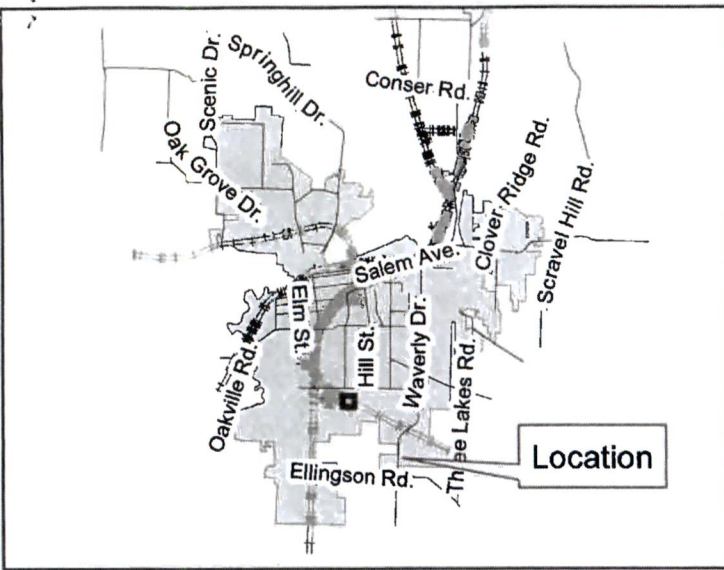


K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2583

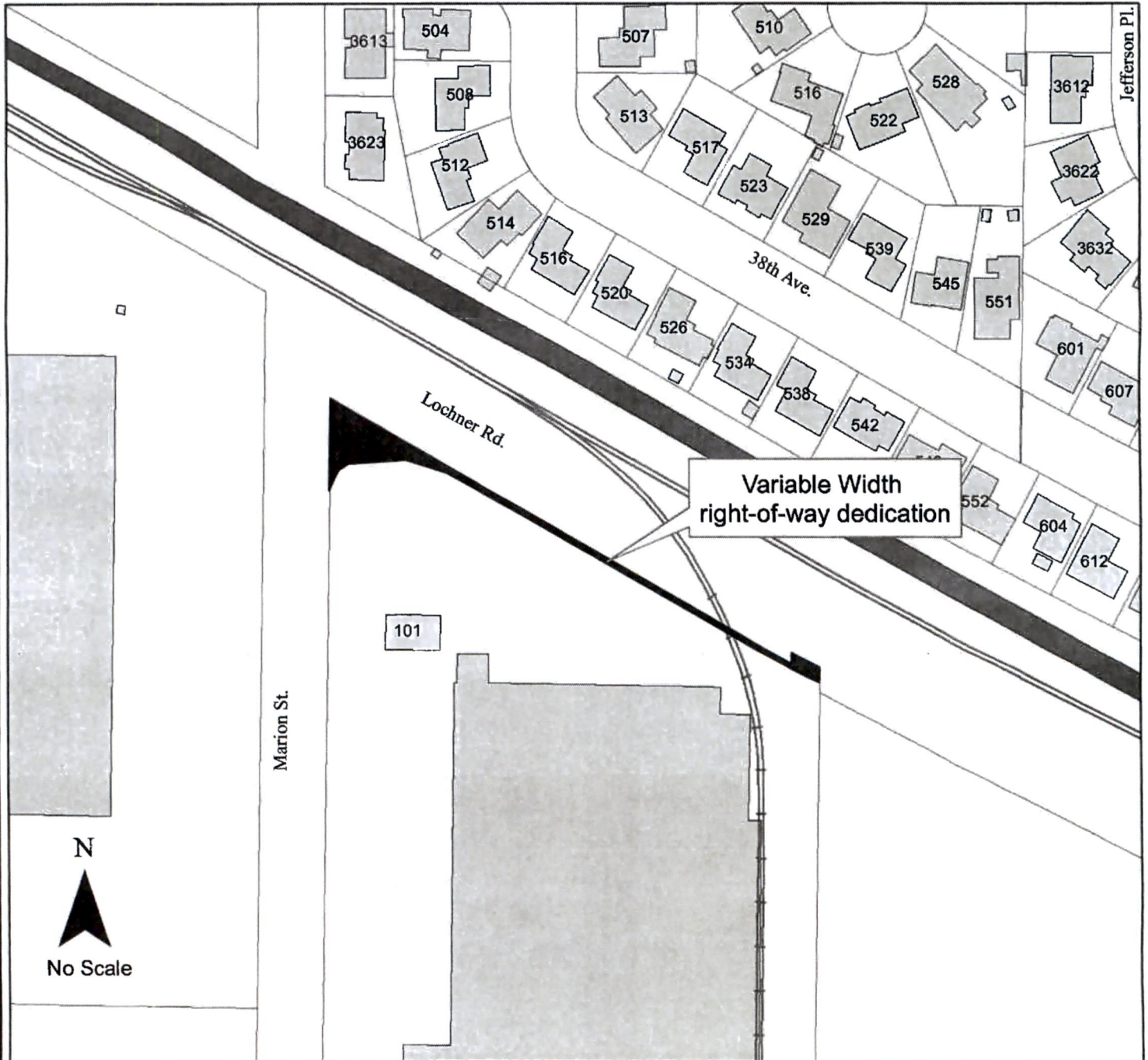
EXHIBIT C

11S03W19A - 00100

A variable width right-of-way dedication
as part of ST-19-02,
Lochner Road Improvements



Geographic Information Services



Consent

The undersigned, holder of that certain \$39,000,000 Deed of Trust, (recorded in Linn County Oregon Deed Records **2019-08852**, and previously referenced **2009-012746**) which encumbers the property with the attached right-of-way dedication, hereby consents to the above right-of-way dedication and agrees that said right-of-way dedication shall be a permitted exception under said Deed of Trust.

IN WITNESS WHEREOF, the undersigned has executed this consent as of this 27th day of March, 2020.

Financial Institution- **Northwest Farm Credit Services, FLCA**

By: Mickey F Hatley

Name: Mickey F. Hatley

Title: Branch Manager

STATE Oregon)
County of Morrow) ss.
City of Salem)

The foregoing instrument was acknowledged before me this 27th day of March, 2020, by Mickey Hatley a Branch manager of Northwest Farm Credit Services, FLCA, on behalf of said institution.

Jennifer Elaine Wilson
Notary Public for Oregon

My Commission Expires: 2-13-21

