

BENTON COUNTY, OREGON **2011-479658**

DE-EAS

Cnt=1 Str=5 MR

**06/22/2011 10:59:47 AM**

\$25.00 \$11.00 \$17.00 \$10.00 \$20.00

**\$83.00**



00221005201104796580050058

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

**RECORDING COVER SHEET** *(Please Print or Type)*

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

**AFTER RECORDING RETURN TO:**

City of Albany Recorder

PO Box 490

Albany, OR 97321

**All Tax Statements Should Be Sent To:**

No change

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

David E. Smith and Martha H. Smith

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

RIGHT-OF-WAY DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that, David E. Smith and Martha H. Smith, 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 Linn County, Oregon, conveyed to Grantors by deed recorded in M210925-96, Benton County deed records, and being more particularly described as follows:

See legal description on attached Exhibit A and maps on attached Exhibits B and 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.

GRANTORS:

David E. Smith (signature)

Martha H. Smith (signature)

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

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

The foregoing instrument was acknowledged before me this 24th day of May, 2011, by David E. Smith as his voluntary act and deed.

The foregoing instrument was acknowledged before me this 25th day of May, 2011, by Martha H. Smith as her voluntary act and deed.

Lori Stutzman (signature)
Notary Public for Oregon
My Commission Expires: February 8, 2012

Lori Stutzman (signature)
Notary Public for Oregon
My Commission Expires: February 8, 2012

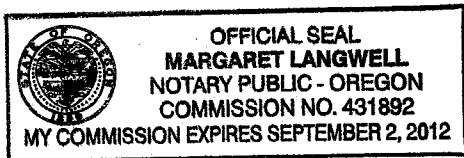
CITY OF ALBANY:

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



I, Wes Hare, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 6014, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 13th day of June 2011.

Wes Hare (signature)
City Manager



ATTEST:
Betty Langwell (signature)
City Clerk
Margaret Langwell (signature)

**EXHIBIT "A"**

**RIGHT-OF-WAY DEDICATION**  
**(A Portion of SMITH TRACT)**

A portion of that Smith Tract described by deed recorded in M-210925-96 of the Benton County, Oregon Deed Records that is more particularly described as follows:

Beginning at the northeast corner of said Smith Tract, said corner being North 89°44'45" West 81.21 feet from the southeast corner of Lot 16 of "HICKORY HILLS", a subdivision recorded in Benton County, Oregon; thence South 00°03'23" East, along the east line of said Smith Tract, 52.30 feet; thence along the arc of a 283.00 foot radius curve to the left (long chord of which bears North 50°21'44" West 82.43 feet) a distance of 82.73 feet to a point on the north line of said Smith Tract that is North 89°44'45" West 63.43 feet from the Point of Beginning; thence South 89°44'45" East 63.43 feet to the Point of Beginning.



January 10, 2011  
RIGHT OF WAY DEDICATION  
SMITH TRACT  
(04-120-K) JJC:nm

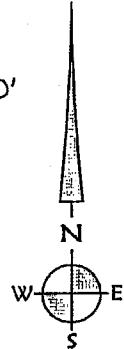
File: titan\projects\2004\04-120-K\surveying\documents\Smith row\smith tract row dedication.doc

# RIGHT-OF-WAY DEDICATION OVER A PORTION OF THE SMITH TRACT

# EXHIBIT "B"

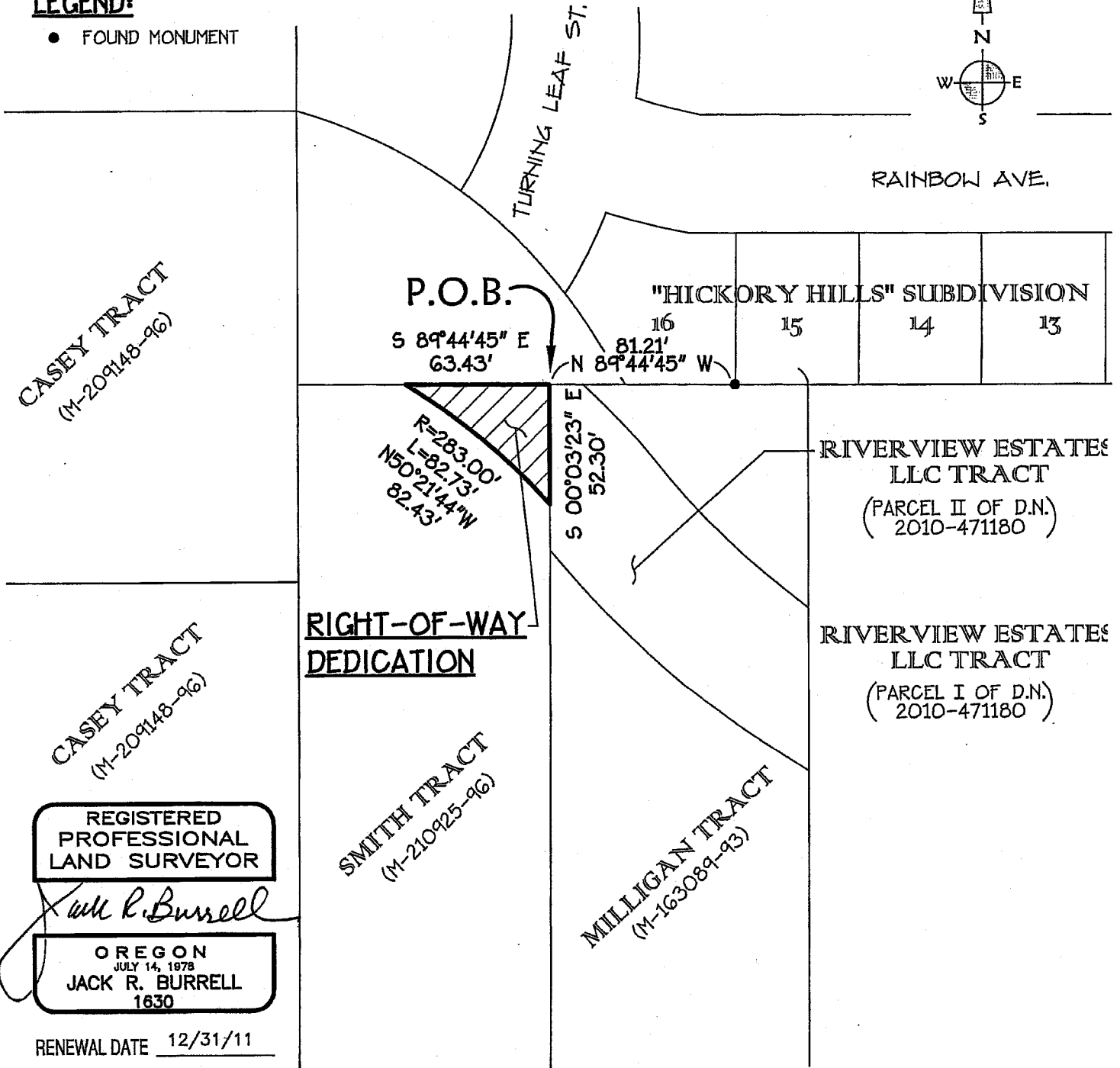
A PORTION OF  
NE 1/4 + SE 1/4 OF SEC. 1, T. 11 S., R. 4 W., W.M.  
A.M. RAINWATER DLC No. 61  
CITY OF ALBANY, BENTON COUNTY, OREGON  
JANUARY 11, 2011

SCALE: 1" = 60'



**LEGEND:**

- FOUND MONUMENT



CASEY TRACT  
(M-209148-96)

CASEY TRACT  
(M-209148-96)

SMITH TRACT  
(M-210925-96)

MILLIGAN TRACT  
(M-163089-93)

RIVERVIEW ESTATES  
LLC TRACT  
(PARCEL II OF D.N.)  
2010-471180

RIVERVIEW ESTATES  
LLC TRACT  
(PARCEL I OF D.N.)  
2010-471180

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

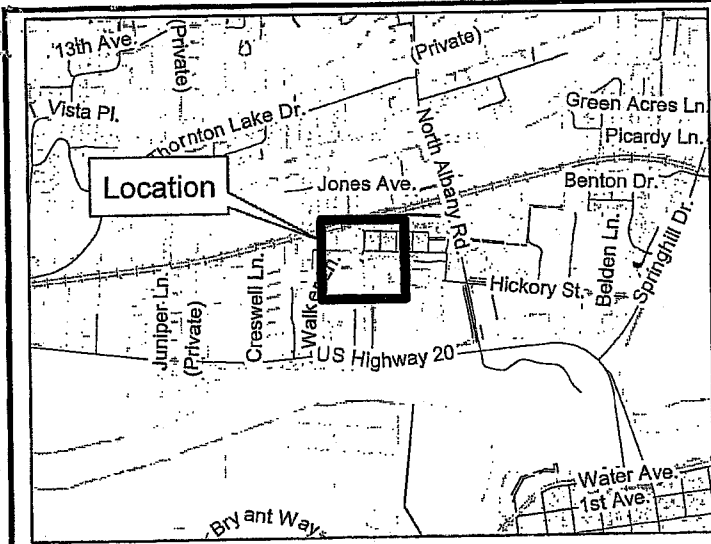
*Jack R. Burrell*  
OREGON  
JULY 14, 1978  
JACK R. BURRELL  
1630

RENEWAL DATE 12/31/11

Date: 1/11/2011 Time: 11:12  
Scale: 1=60(P.S)  
File: dwg\2004\04-120\120-exhibit-d.dwg (lan)



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



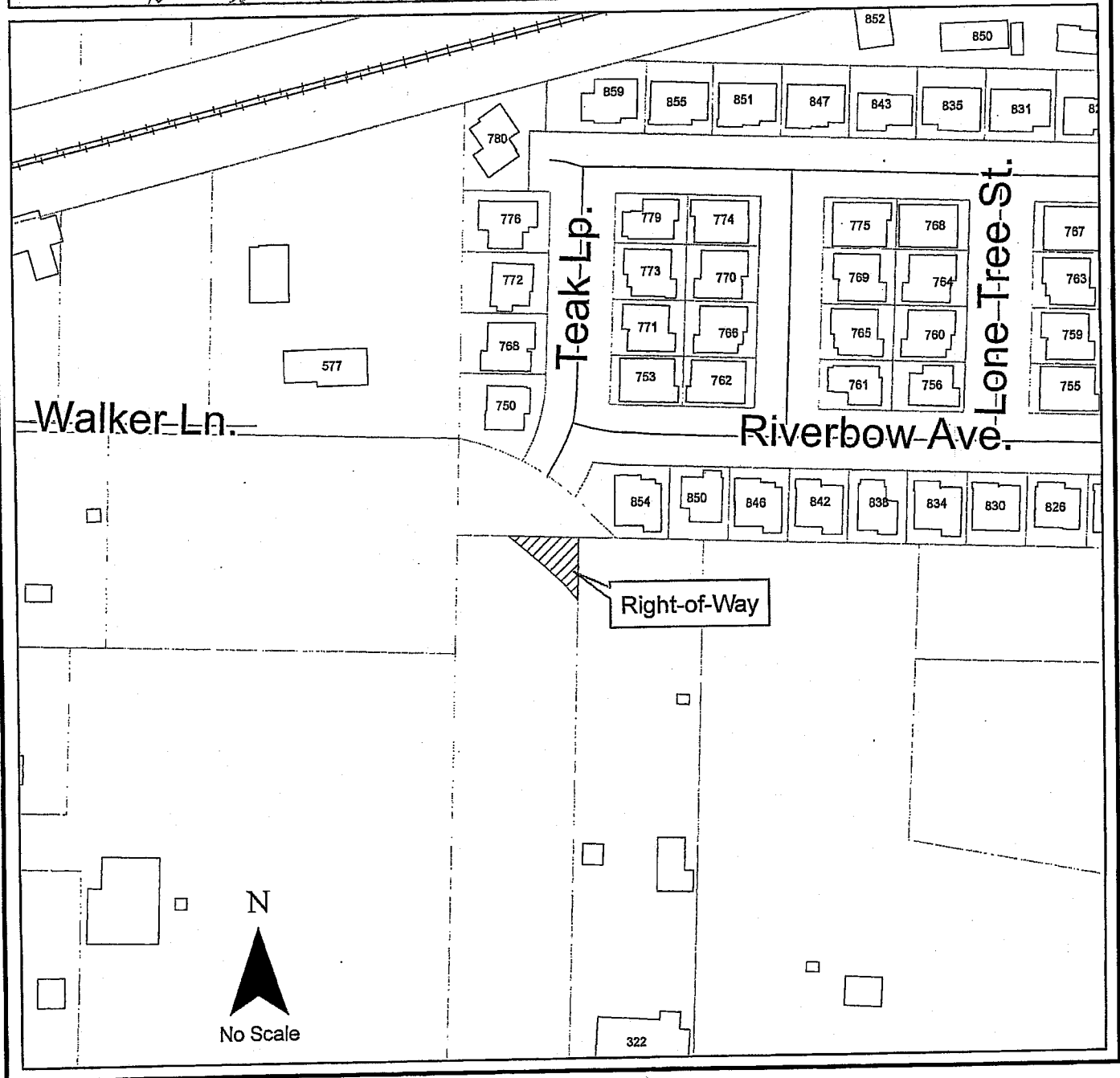
# EXHIBIT C

11SO4W01DB00400

A right-of-way dedication  
for an extension of Hickory  
Street. (Blossum Crossing  
Subdivision)



Geographic Information Services



RESOLUTION NO. 6014

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

Grantor

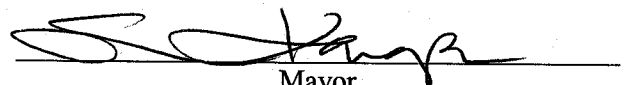
David E. Smith and Martha H. Smith

Purpose

A right-of-way dedication for an extension of Hickory Street, as required in the conditions of approval for Blossum Crossing Subdivision.

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

DATED AND EFFECTIVE THIS 8TH DAY OF JUNE 2011.

  
\_\_\_\_\_  
Mayor

ATTEST:

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