

IN AND FOR THE CITY OF BROOKINGS
STATE OF OREGON

Resolution 09-R-927

**IN THE MATTER OF A RESOLUTION ACCEPTING A LAND DEDICATION OF RIGHT OF
WAY FROM TOM & JOYE KERR FOR STREET AND PEDESTRIAN IMPROVEMENTS.**

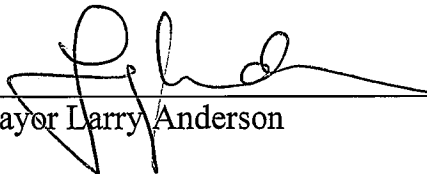
WHEREAS, Tom and Joye Kerr have dedicated a land right of way to the City of Brookings consisting of a five foot wide by 101.10 foot long strip along the frontage of their property, Tax Lot 2000, Map # 40-13-31 DD on Seventh Street for street and pedestrian improvements; and

WHEREAS, the City of Brookings has agreed to accept the described land dedication of right of way from Tom and Joye Kerr; and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Brookings, Curry County, Oregon, hereby accept the land dedication of right of way from Tom and Joye Kerr for street and pedestrian improvements.

Adopted by Council on August 10, 2009.

Dated and signed this 11th day of August, 2009.



Mayor Larry Anderson

Attest:



City Recorder Joyce Heffington

AFTER RECORDING RETURN TO:

City of Brookings
898 Elk Drive
Brookings, OR 97415

Mail Tax Statements To: No Change

DEDICATION OF RIGHT OF WAY

Thomas W. Kerr and Joye M. Kerr ("Grantor") hereby dedicates to the City of Brookings, an Oregon municipal corporation, ("Grantee"), for use forever as a public vehicle and pedestrian right of way, that certain real property, including the improvements thereon, situated in the City of Brookings, County of Curry, State of Oregon, more particularly described as follows:

See Exhibit "A" attached

to have and to hold the above-described and dedicated rights unto the public forever for uses and purposes hereinabove stated.

The Grantor(s) warrants that the property described in this instrument is free and clear of taxes, liens and encumbrances.

There is no consideration for this easement in terms of dollars and cents as it is given freely and voluntarily to Grantee for use as a public right-of-way and thereby providing direct and/or indirect benefit to Grantor.

DATED 7/31/09

Thomas W. Kerr
Grantor: Thomas W. Kerr

DATED 7/31/09

Joye M. Kerr
Grantor: Joye M. Kerr

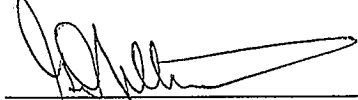
STATE OF OREGON
County of Curry

Personally appeared before me this 31st day of July, 2009, Thomas W Kerr
and Joye M Kerr and acknowledged the foregoing
instrument as his/her voluntary act and deed.

Carina Lea
Notary Public for Oregon
My commission expires: January 4, 2013



ACCEPTED BY GRANTEE:

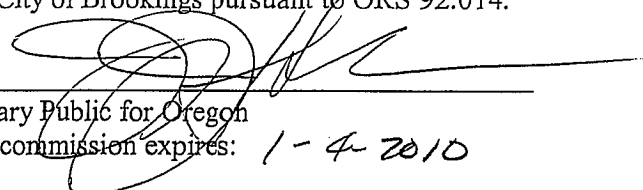


Gary Milliman, City Manager
City of Brookings, Oregon

STATE OF OREGON

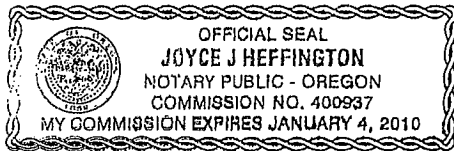
County of Curry

This instrument was acknowledged before me on the 11th day of August, 2009, by Gary Milliman, City Manager of the City of Brookings, as the City of Brookings' voluntary act and deed and accepted the dedication of right-of-way on behalf of the City of Brookings pursuant to ORS 92.014.



Notary Public for Oregon

My commission expires: 1-4-2010



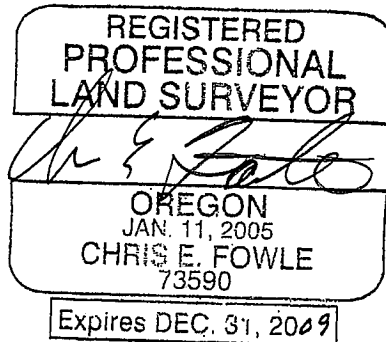
*Right of Way Dedication
Kerr to City of Brookings*

EXHIBIT A

A parcel of land lying in the Southeast Quarter of the Southeast Quarter of Section 31, Township 40 South, Range 13 West, Willamette Meridian, in the City of Brookings, Curry County, Oregon, more particularly described as follows:

All that portion of that parcel of land conveyed to Thomas W. Kerr and Joye M. Kerr as described in Instrument No. 2005-4118, Official Records, Curry County, Oregon, lying East of the following described line,

BEGINNING at the northeast corner of Parcel 2 of Johnson Minor Partition, Partition Plat No. 1995-25, recorded in Instrument No. 1995-3312, Official Records, Curry County, Oregon, said point lying on the South line of said Kerr parcel, thence North $00^{\circ}07'06''$ West (record per said Plat North $00^{\circ}06'51''$ West) 101.19 feet to the north line of said Kerr parcel.



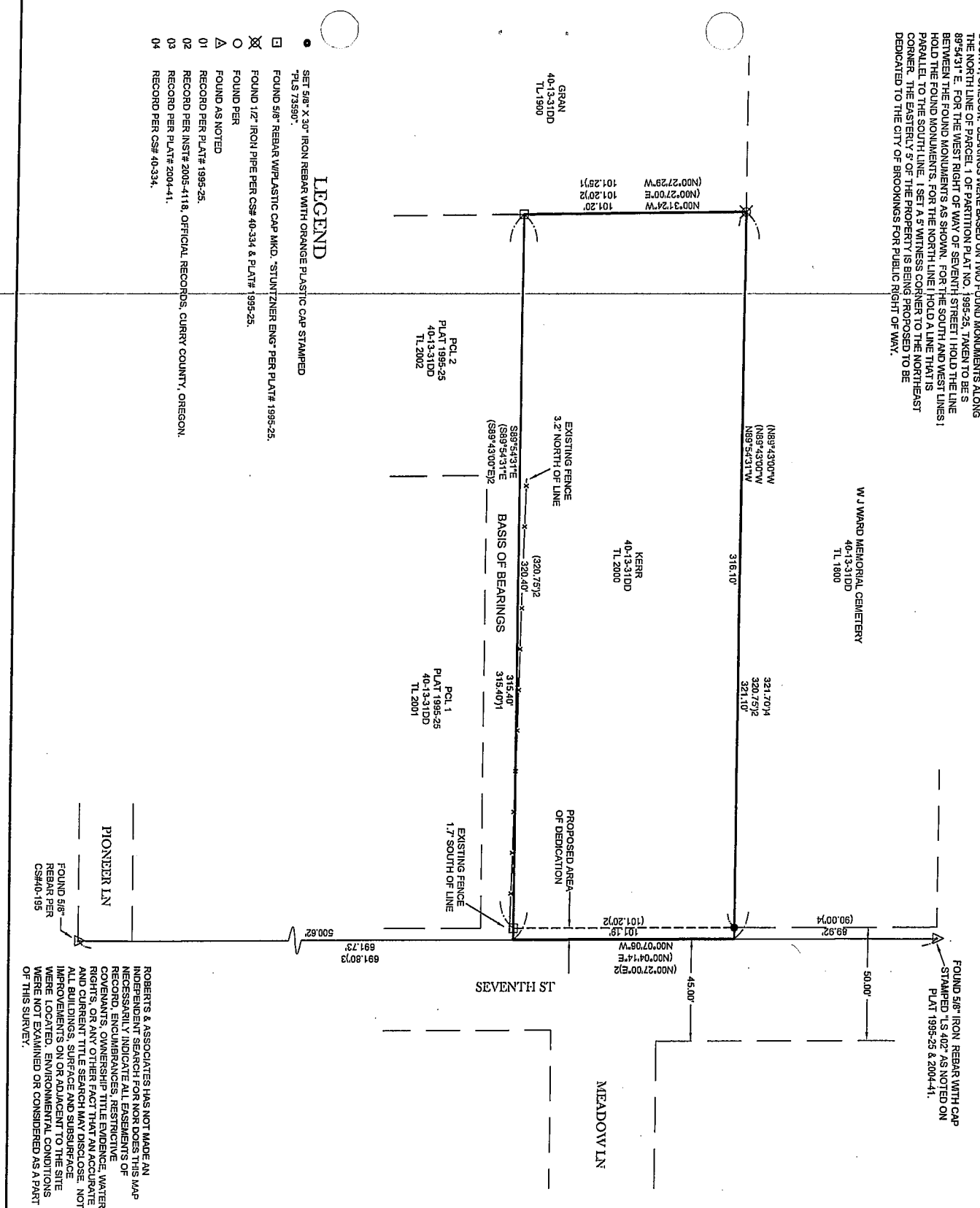
NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO RECOVER EXISTING MONUMENTS OR REESTABLISH MISSING MONUMENTS FOR THAT PARCEL OF LAND CONVEYED TO THOMAS AND JOYE KERR IN INSTRUMENT 2005-4118, OFFICIAL RECORDS, CURRY COUNTY, OREGON. BEARINGS WERE BASED ON TWO FOUND MONUMENTS ALONG THE NORTH LINE OF PARCEL 1 OF PARTITION PLAT NO. 1995-25. TAKEN TO BE S 89°54'31" E, FOR THE WEST RIGHT OF WAY OF SEVENTH STREET. HOLD THE LINE BETWEEN THE FOUND MONUMENTS AS SHOWN. FOR THE SOUTH AND WEST LINES, HOLD THE FOUND MONUMENTS FOR THE NORTH LINE. HOLD A LINE THAT IS PARALLEL TO THE SOUTH LINE. 1 SET A 5' WITNESS CORNER TO THE NORTHEAST CORNER. THE EASTERLY 5' OF THE PROPERTY IS BEING PROPOSED TO BE DEDICATED TO THE CITY OF BROOKINGS FOR PUBLIC RIGHT OF WAY.

LOCATED IN
SECTION 31,
T40S, R13W, WILLAMETTE MERIDIAN,
CITY OF BROOKINGS, CURRY COUNTY, OREGON

MAP OF SURVEY

FOR
**THOMAS & JOYE
KERR**



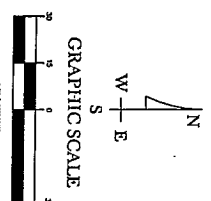
LEGEND

- SET 5/8" X 3/8" IRON REBAR WITH ORANGE PLASTIC CAP STAMPED
- FOUND 5/8" REBAR WITH PLASTIC CAP MKD. STUNTZNER ENG. PER PLAT# 1995-25.
- FOUND 1/2" IRON PIPE PER CS# 40-334 & PLAT# 1995-25.
- FOUND PER
- FOUND AS NOTED
- △ RECORD PER PLAT# 1995-25.
- RECORD PER INST# 2005-4118 OFFICIAL RECORDS, CURRY COUNTY, OREGON.
- RECORD PER PLAT# 2004-41.
- RECORD PER CS# 40-334.

PIONEER LN

MEADOW LN

SEVENTH ST



REGISTERED
**PROFESSIONAL
LAND SURVEYOR**
OREGON
JAN 11, 2005
CHRIS E. FOWLE
73590
EXPIRES 12/31/09

Roberts & Associates
LAND SURVEYING INC.
611 SPRUCE STREET
P.O. Box 1999
Brookings, OR 97415
PH: 541-469-0142
Fax: 541-469-5455

ROBERTS & ASSOCIATES HAS NOT MADE AN INDEPENDENT SEARCH FOR MORE DOES THIS MAP NECESSARILY INDICATE ALL EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, WATER RIGHTS, OR ANY OTHER FACT THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. NOT ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON OR ADJACENT TO THE SITE WERE LOCATED. ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY.

FOUND 5/8" REBAR PER CS#40-195

FOUND 5/8" IRON REBAR WITH CAP STAMPED 1.5402 AS NOTED ON PLAT 1995-25 & 2004-41.

Drawn By:	CF	Date:	3/29/08
Checked By:	RPR	Job No.:	08-024
Drawing Name:	MOS	Sheet:	1 of 1
Project Folder:	08-024		