

RESOLUTION NO. 2826

BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following easement:

Grantor

Lyle T. & Penny A. Cordray

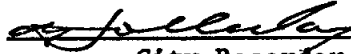
Purpose

a 4.5-foot permanent public utility easement located on the back lot line of Tax Lot 1400, Hackleman's Addition, City of Albany, Linn County, Oregon.

DATED this 26th day of October, 1988.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 26th day of October, 1988, by and between Lyle T. & Penny A. Cordray, herein called grantors, and the CITY OF ALBANY, a Municipal corporation, herein called "City."

## WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the grantors have this day bargained and sold and by these presents do bargain, sell, convey, and transfer unto the City of Albany, an easement and right-of-way, including the right to enter upon the real property hereinafter described, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through, and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consists of:

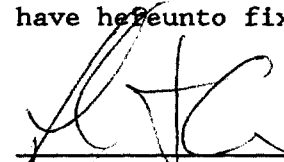
A 4.5 foot wide permanent utility easement which is parallel, adjacent, and south of the following described line and further shown on the attached drawing labeled EXHIBIT A.

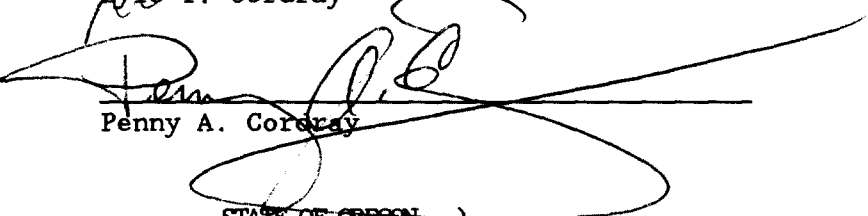
Beginning at the northeast corner of Lot 6, Block 130, Hackleman's Addition to the City of Albany, Section 6, Township 11 South, Range 3 West, Linn County, Oregon; thence running westerly along the north property line of said parcel a distance of 66.0 feet, to the intersection of the north property line with the west property line of said parcel, and there terminating.

2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that it may see fit, for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$1.00 and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
4. The Grantors do hereby covenant with the City 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 title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City shall return the site to original or better condition.

6. No permanent structure shall be constructed on this easement.

IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year above written.

  
\_\_\_\_\_  
Lyle T. Cordray

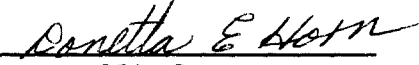
  
\_\_\_\_\_  
Penny A. Cordray

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

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

The foregoing instrument was acknowledged before me this 14 day of October, 1988, by grantor(s) as his/her/their voluntary act and deed.

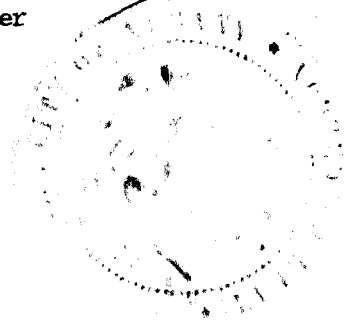
I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2826, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this 27th day of October, 1988

  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 5-19-92

CITY OF ALBANY, OREGON

  
\_\_\_\_\_  
City Manager

  
\_\_\_\_\_  
City Recorder





Resolution No. 2826

Recorded Document Recorder File No. 1911