

RESOLUTION NO. 3351

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

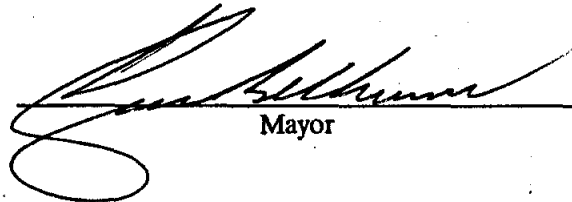
Grantor

Ursula Tabor

Purpose

a permanent public utility easement for the Local Improvement District known as Skyline Drive Sanitary Sewer Extension 1 (Project No. SS-93-4)

DATED this 30 day of March, 1994.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

M-182234-94

Return to: City of Albany - Recorder  
P.O. Box 490, Albany, OR 97321

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 20th day of March, 1994, by and between Ursula Tabor, 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, undergrowth, 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 portion of that tract of land conveyed by Deed recorded September 7, 1973 and filed in Microfilm Record M-43233-73, Benton County Records, being within the Northwest 1/4, Southwest 1/4, Section 36, Township 10 South and Range 4 West of the Willamette Meridian in Benton County, State of Oregon, being more particularly described as follows and shown on the attached map labeled EXHIBIT A: The northerly 8.00 feet of said tract, containing an area of 1,088 square feet, more or less.
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 \$181.00 and in further consideration~~ of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom. (SEE ATTACHED)
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.

GRANTOR:

Ursula Tabor

CITY OF ALBANY:

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

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

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3351, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 30th day of March, 1994.

The foregoing instrument was acknowledged before me this 2nd day of March, 1994, by Ursula Tabor as his/her/their voluntary act and deed.

Patricia J. Evans  
Notary Public for Oregon

Steve Bryant  
City Manager

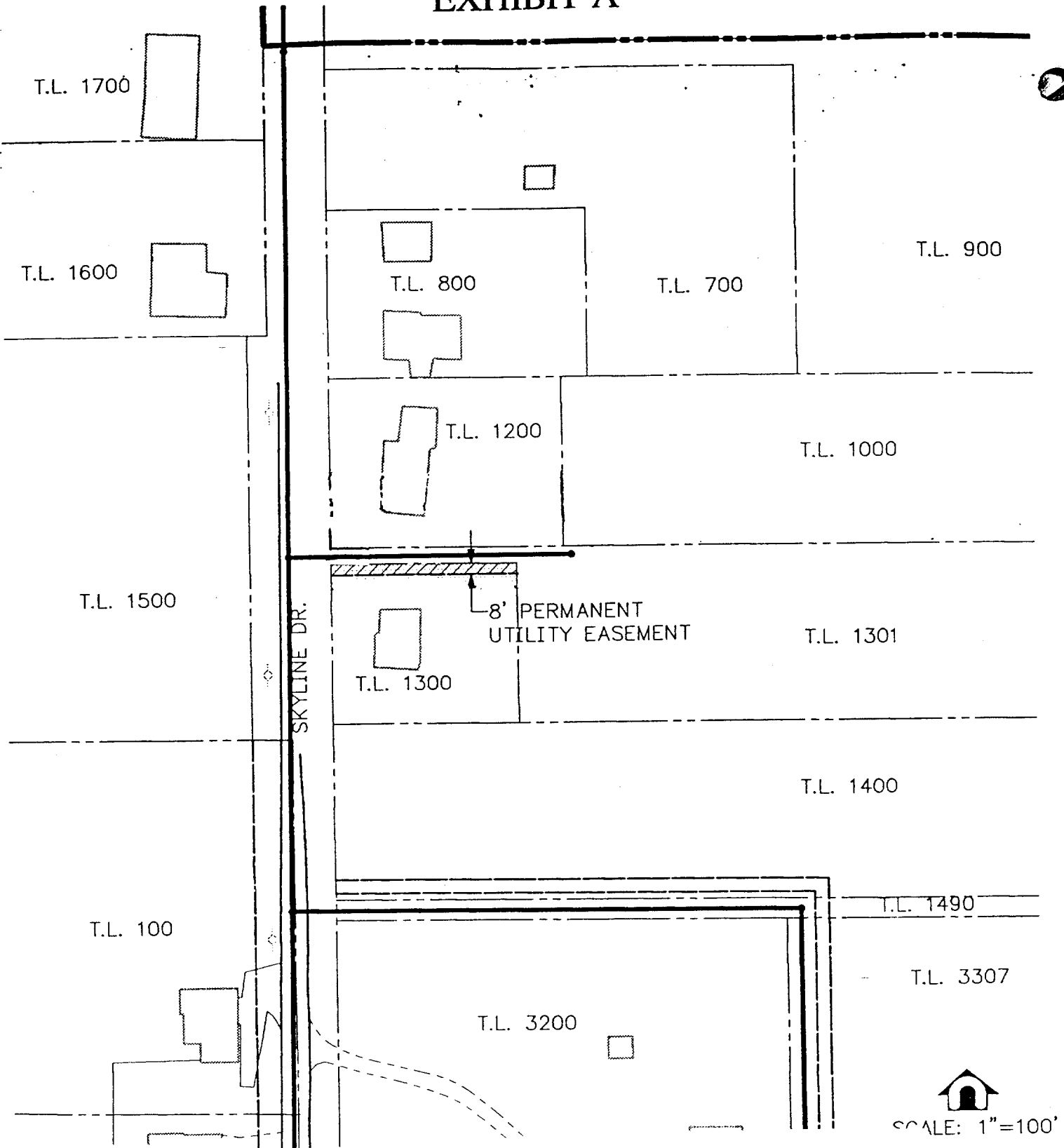
My Commission Expires: 9-6-96

ATTEST:

Morm C. Withner  
City Recorder - Deputy



# EXHIBIT A



  
SCALE: 1"=100'

TITLE **EXHIBIT MAP FOR EASEMENT DESCRIPTION**  
**RE. TAX LOT 10-4-36CB-1300 FILE 202**

FILE	DRAWN BY	DESIGN BY	SCALE	DATE
ALBX0003	BDS	GRA	1"=100'	1-21-92

STATE OF OREGON } ss. 171677  
County of Benton }

I hereby certify that the within instrument  
was received for record.

'94 APR 11 AM 11 24

AND No 182234 1994  
ASSIGNED

In the microfilm records of said county  
Witness My Hand and Seal of County Affixed

DANIEL G. BURK

Director Of Records & Elections

By \_\_\_\_\_ Deputy

2500

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Recorded Document Recorder File No. 2444