

RESOLUTION NO. 4033

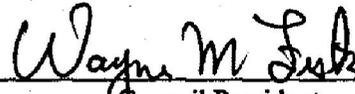
A RESOLUTION GRANTING THE FOLLOWING EASEMENT:

Grantor
City of Albany

Purpose
A 10-foot wide underground utility easement to PacifiCorp as described on the attached (RC 48080, WO 01400830).

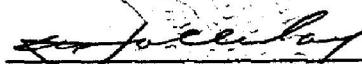
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby grant this easement.

DATED THIS 18th DAY OF NOVEMBER 1998.

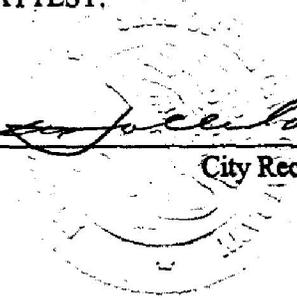


(Council President)

ATTEST:



City Recorder



Return to:
Ray Adams
PacifiCorp
PO Box 248
Albany, Or 97321

VOL 990 PAGE 542

RC 48080
WO 01400830

UNDERGROUND EASEMENT

City of Albany, a Municipal corporation, Grantor(s), for value received, hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, Grantee, a perpetual easement 10 feet in width for the erection, operation, maintenance, repair, alteration, enlargement, inspection, relocation and replacement of underground transmission lines, distribution lines, communication lines and fiber optics, of one or more wires or fibers, and all necessary or desirable appurtenances, including but not limited to the installation of vaults, conduits, surface or subsurface-mounted transformers with pads, surface-mounted connection boxes, equipment cabinets, and other supports, along the general course located or constructed by Grantee over, under, across the following described real property located in Linn County, State of Oregon, or as more particularly described and/or shown on attached Exhibit(s) 'A' by the reference made apart hereof:

The fractional part of the Section, SE 1/4 of Section 04, Township 11 South, Range 03 West, Willamette Meridian, as described in the deed(s) to Grantor(s) recorded in Linn County Deed records, Vol 738, page 3; Vol 73, page 582; Vol 135, page 175; Vol 200, page 329; Vol 255, page 632; and Vol 266, page 48, County Records of Linn County, State of Oregon.

The within easement shall include: Necessary and reasonable right to excavate and refill ditches and trenches for the location, installation, and repair, and removal of said facilities.

Together with all right of ingress and egress over lands of the Grantor necessary or convenient for the full and complete use, occupation and enjoyment of the easement hereby granted and all rights and privileges incident thereto, including the present and future right to clear and cut timber, trees, brush, overhanging branches, fire hazards, structures and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement. The title to trees and merchantable timber cut and cleared by the Grantee hereafter growing within said easement shall become the property of the Grantee.

At no time shall any fires be permitted, nor flammable material be placed or stored within the right of way, provided, however, that vegetative fire hazards shall not include agricultural crops.

At no time shall any permanent buildings or structures of any kind be placed or erected within the boundaries of said easement.

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

1998 WITNESS the hand(s) of the Grantor(s) this 18 day of November

[Signature]
City of Albany

ACKNOWLEDGMENT

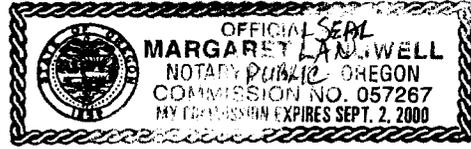
STATE OF Oregon
County of Linn

On this 18 day of November, in the year of 1998, before me personally appeared Steve Bryant who being personally known to me or proved to me on the basis of satisfactory evidence and being first duly sworn, declared that (s)he is [A] City Manager of [B] the City of Albany and that (s)he executed the within and foregoing instrument and that the statements therein contained are true, and acknowledged said instrument to be the free and voluntary act and deed of [C] Steve Bryant for the uses and purposes therein mentioned, and that (s)he was authorized to execute said instrument for and on behalf of [D] the City of Albany

WITNESS my hand and official seal as of the date first written above.

[Signature]
Notary Public

My commission Expires September 2, 2000
Residing at



Notes:

- [A] For corporate officers, partners, members, attorneys-in-fact, trustee, guardians, conservators, executors or other persons acting in representative capacities insert the title or capacity of the individual. For individuals acting in an individual capacity, insert the name of the individual.
[B] For corporations, partnerships, trusts, limited liability companies, proprietorships or other entities, insert the official name of the entity, including the state wherein registered, i.e., "PacifiCorp, an Oregon corporation"; "Smith Homes of Utah, L.P., a Utah limited partnership". For individuals insert the address of the individual.
[C] For corporations, partnerships, trusts, limited liability companies, proprietorships or other entities, insert the official name of the entity, including the state where registered. For individuals insert the name of the individual.
[D] For corporations, partnerships, trusts, limited liability companies, proprietorships or other entities, insert the official name of the entity, including the state where registered. For individuals insert the word "herself", "himself, or "themselves".



STATE OF OREGON
County of Linn

25
M 75 Nov 24 11 16 AM '98
R 10
S 10
A
O

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER MF 990
Linn County Clerk

By EA, Deputy PAGE 542

VOL 990 PAGE 544

Fair/Expo Center

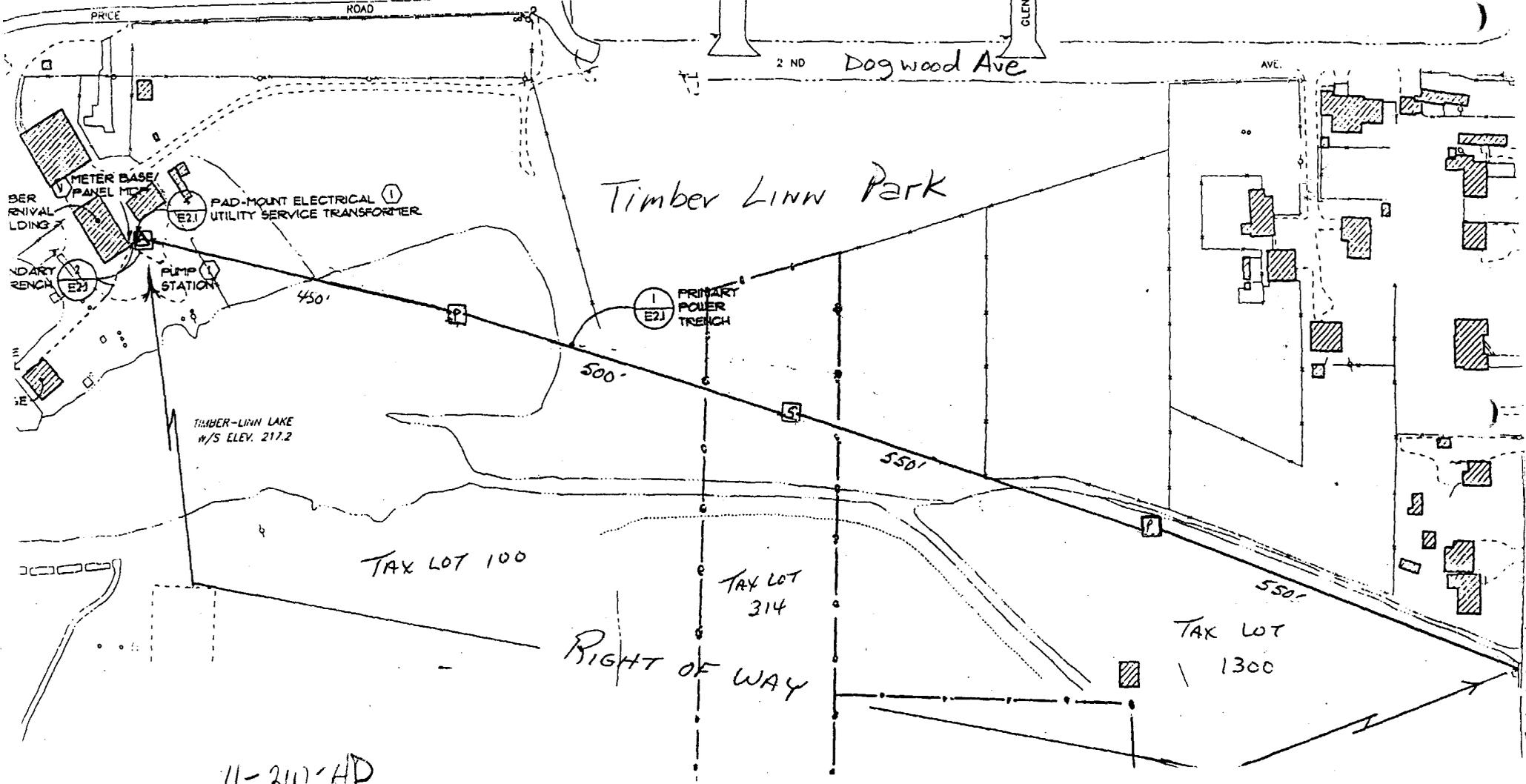
TIMBER STREET

WESTERN

GLENDALE

2 ND Dogwood Ave

Timber Linn Park



11-3W-4D

Resolution No. 4033

Recorded Document Recorder File No. 3274