

RESOLUTION NO. 4228

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Jose Vidrio Obledo and Elizabeth D. Vidrio

Purpose

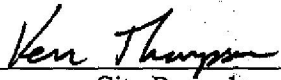
A permanent easement for a sanitary sewer main as shown in attached exhibit "A".

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

DATED THIS 23RD DAY OF FEBRUARY 2000.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 2 day of February 2000, by and between Jose Vidrio Obledo and Elizabeth D. Vidrio, 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 permanent public utility easement across that property conveyed to Jose Vidrio Obledo and Elizabeth D. Vidrio, described in Volume 1007, Page 813, Linn County Microfilm Deed Records, said easement being more particularly described as follows and as shown on the attached map labeled "EXHIBIT A".

The easterly 10.0 feet of Lot 18 and 19, Block 4, Burkhart Addition to the City of Albany, Section 5, T.11S., R.3W., Willamette Meridian, Linn County, Oregon.

Containing 0.023 acres of land, 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 \$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.
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.

Return to: City of Albany, Oregon  
P.O. Box 450, Albany, OR 97321

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

GRANTOR:

CITY OF ALBANY:

Jose Vidrio Obledo  
Jose Vidrio Obledo

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

Elizabeth D. Vidrio  
Elizabeth D. Vidrio

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 4828, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 23 day of February, 2000.

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

The foregoing instrument was acknowledged before me this 2nd-day of February, 2000 by their voluntary act and deed.

Steve Bryant  
City Manager

ATTEST:

C. Marie Redner  
Notary Public for Oregon  
My Commission Expires: July 29, 2000

Ken Thompson  
City Recorder



BLOCK 4  
BURKHART ADDITION  
TO THE CITY OF ALBANY

6TH AVE.

BURKHART ST.

LOT 18

LOT 19

8" sewer main

10 FOOT WIDE  
PUBLIC UTILITY EASEMENT

STATE HIGHWAY 99E

# EXHIBIT A

easement at 605 se burkhart

0 100 Feet



PW- Engineering

ka

kellya j:\av\_proj\site\_map.apr

Jan 4, 2000

The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, occasionally the information proves to be incorrect, and thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the information provided, it is specifically advised that you independently field-verify the information contained within our records.



STATE OF OREGON  
County of Linn

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

STEVE DRUCKENMILLER  
Linn County Clerk

MF 1092

By DA, Deputy

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Recorded Document Recorder File No.3553