

RESOLUTION NO. 4347

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT FOR PUBLIC UTILITIES:

Grantor

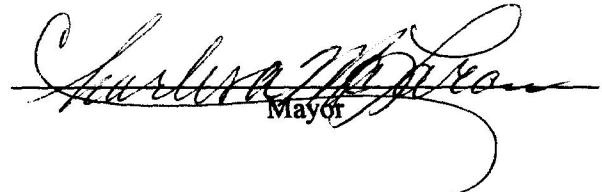
**Evangel Assembly DBA New Life Center**

Purpose

A permanent 15-foot wide public utility easement more particularly described in the attached "EXHIBIT A", shown in the attached drawing "EXHIBIT B" and located in the attached Vicinity Map.

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

DATED THIS 27TH DAY OF SEPTEMBER 2000.

  
Mayor

ATTEST:

  
City Recorder Clerk

Taxes: Exempt

**EASEMENT FOR PUBLIC UTILITIES**

THIS AGREEMENT, made and entered into this 7<sup>th</sup> day of SEPT, 2000, by and between **Evangel Assembly DBA New Life Center**, herein called Grantor, 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 grantor has this day bargained and sold and by these presents does 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:  
  
One public utility easement described in the attached legal description labeled "Exhibit A," and as shown in the attached drawing labeled "Exhibit B."
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 the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
4. The Grantor does 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  
PO Box 490  
Albany, OR 97321

IN WITNESS WHEREOF, the Grantor has hereunto fixed his hand and seal the day and year above written.

**GRANTOR:**  
**Evangel Assembly DBA New Life Center**

**CITY OF ALBANY:**

*Wayne Kreitman*  
By: *Wayne Kreitman*  
Wayne Kreitman  
Title: Business Administrator

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

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 4347, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 27 day of September, 2000.

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

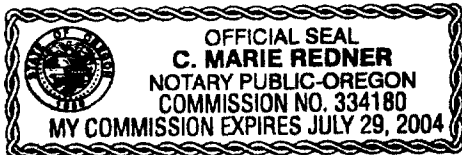
The foregoing instrument was acknowledged before me this 7th day of September 2000 by his voluntary act and deed.

*Steve Bryant*  
City Manager

ATTEST:

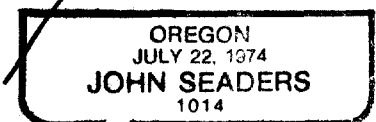
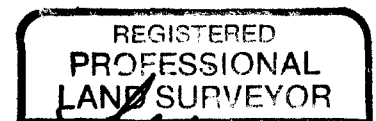
*C. Marie Redner*  
Notary Public for Oregon  
My Commission Expires July 29, 2004

*Betty Langwell*  
City Recorder



**EXHIBIT A**

Commencing at the Southwest corner of the Donation Land Claim of Jordan S. Robinson and wife, said point being the  $\frac{1}{4}$  corner of Section 20 and 29, said point also being in Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence North  $67^{\circ}46'20''$  East 43.21 feet to the true point of beginning; thence North 15.00 feet to a point; thence North  $89^{\circ}24'59''$  East 1631.01 feet to a point; thence North  $1^{\circ}31'35''$  West 580.23 feet to a point; thence North  $88^{\circ}28'25''$  East 15.00 feet to a point; thence South  $1^{\circ}31'35''$  East 9.65 feet to a point; thence North  $88^{\circ}25'54''$  East 50.42 feet to a point; thence South  $1^{\circ}34'06''$  East 15.00 feet to a point; thence South  $88^{\circ}25'54''$  West 50.43 feet to a point; thence South  $1^{\circ}31'35''$  East 249.22 feet to a point; thence North  $88^{\circ}28'25''$  East 12.31 feet to a point; thence South  $1^{\circ}31'35''$  East 15.00 feet to a point; thence South  $88^{\circ}28'25''$  West 12.31 feet to a point; thence South  $1^{\circ}31'35''$  East 291.61 feet to a point; thence North  $89^{\circ}24'59''$  East 9.56 feet to a point; thence South  $0^{\circ}35'01''$  East 15.00 feet to a point; thence South  $89^{\circ}24'59''$  West 1636.85 feet to point; thence South  $0^{\circ}35'01''$  East 8.46 feet to a point; thence South  $89^{\circ}24'59''$  West 15.00 feet to a point; thence North  $0^{\circ}35'01''$  West 8.46 feet to a point; thence South  $89^{\circ}24'59''$  West 3.88 feet to the true point of beginning.

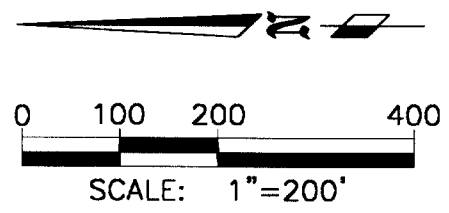
**EXPIRES 6/30/2002**

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**EXHIBIT B**

*John Seaders*  
OREGON  
JULY 22, 1974  
**JOHN SEADERS**  
1014

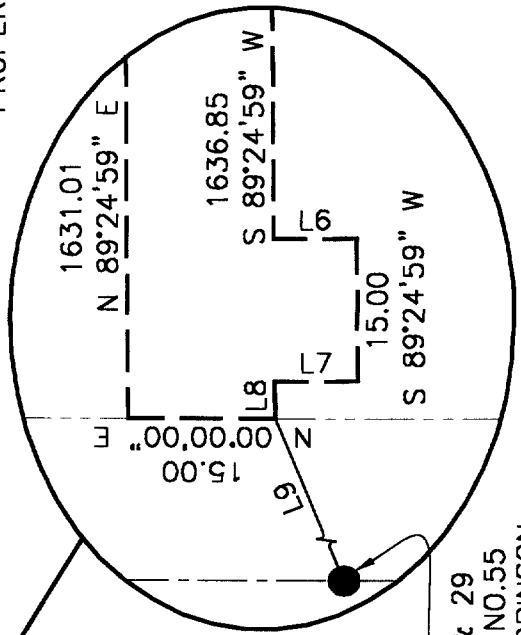
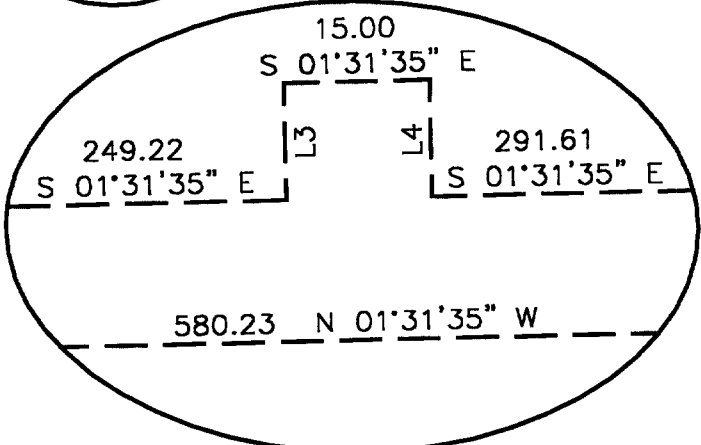
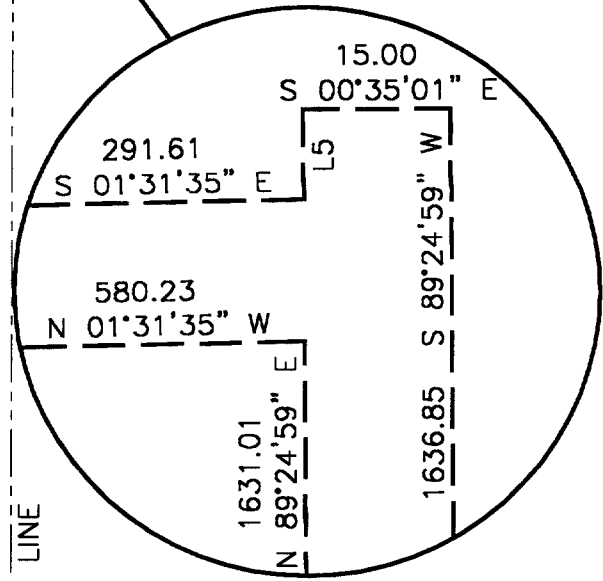
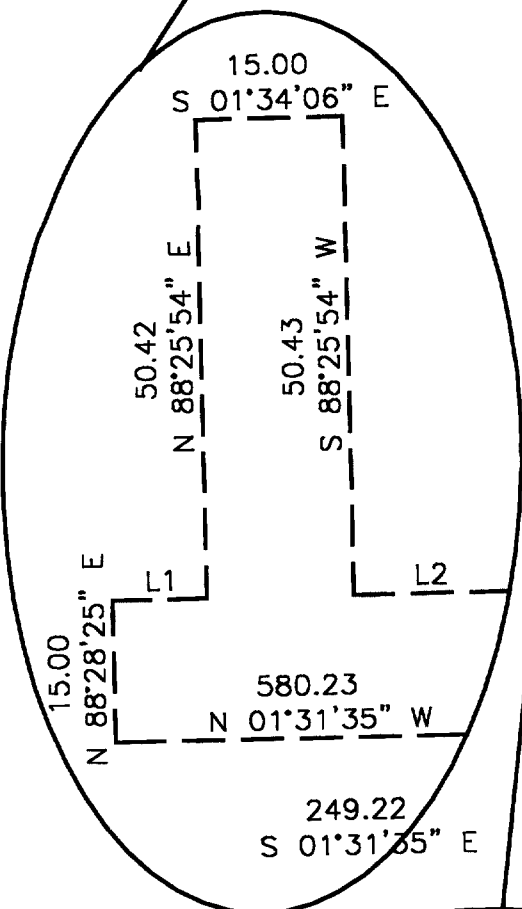
EXPIRES 6/30/2002



WATER  
EASEMENT

PROPERTY LINE

L#	BEARING	LENGTH
L1	S01°31'35"E	9.65
L2	N01°31'35"W	580.23
L3	N88°28'25"E	12.31
L4	S88°28'25"W	12.31
L5	N89°24'59"E	9.56
L6	S00°35'01"E	8.46
L7	N00°35'01"W	8.46
L8	S89°24'59"W	3.88
L9	S67°46'20"W	43.21



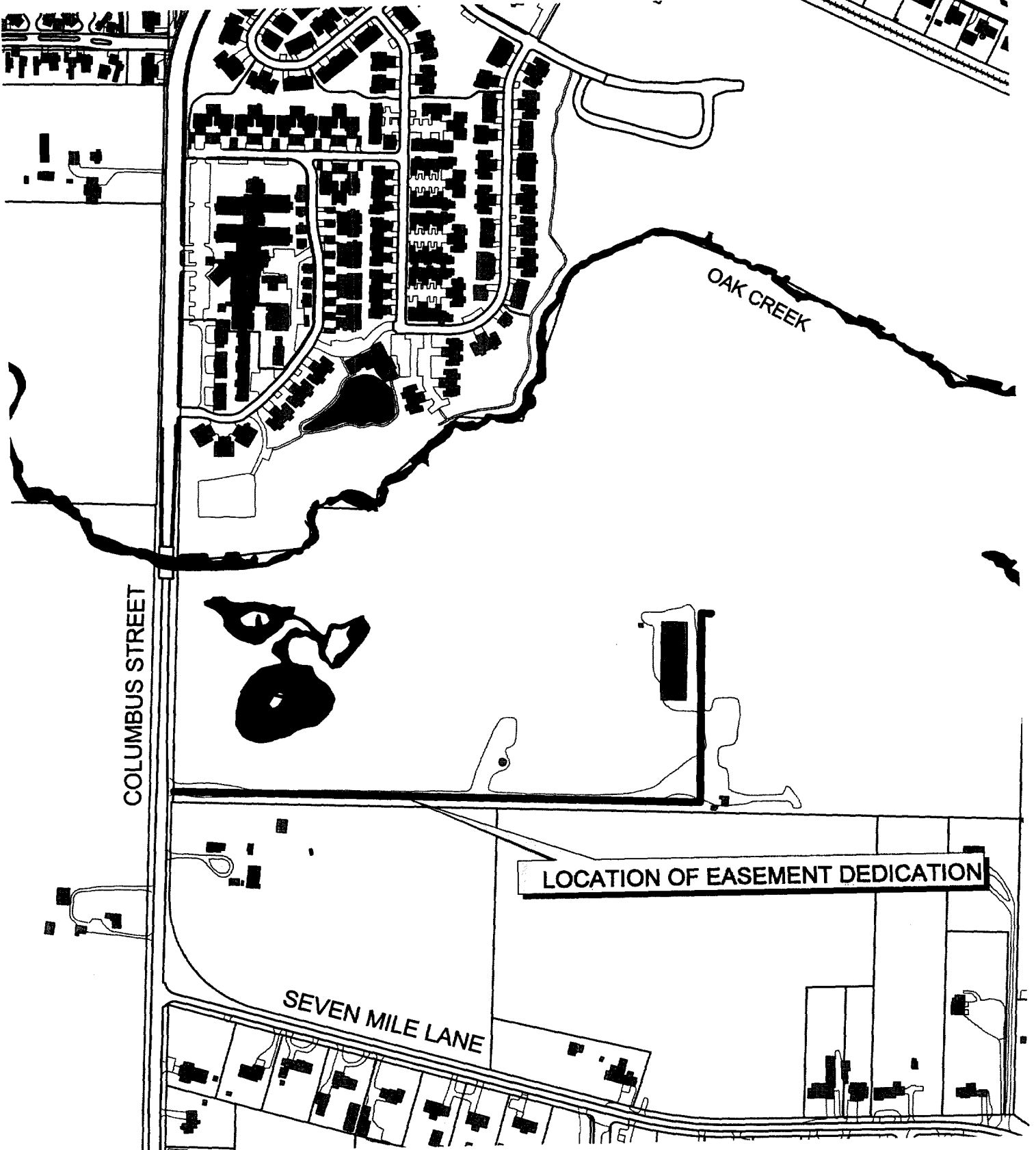
COLUMBUS STREET

PROPERTY LINE

1/4 CORNER  
SECTION 20 & 29  
AND SW DLC NO.55  
JORDAN S. ROBINSON

Evangel Assembly DBA  
New Life Center  
Public Utility Easement

# Vicinity Map



STATE OF OREGON  
County of Linn

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

STEVE DRUCKENMILLER  
Linn County Clerk

By SR, Deputy

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Recorded Document Recorder File No. 3681