

RESOLUTION NO. 5388

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN ABANDONMENT AND TERMINATION OF EASEMENT DOCUMENT:

Grantor

City of Albany, Oregon

Purpose

Abandonment of a sewer easement over a sewer on the Linn County Jail property on Jackson Street.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the City Manager is directed to execute the attached Abandonment and Termination of Easement Document.

DATED AND EFFECTIVE THIS 28TH DAY OF FEBRUARY 2007.



Mayor

ATTEST:



City Clerk

G:\Legal\QuitClaim Deed\Linn Jail SewerRES.doc

After Recording Return to:
City of Albany
P.O. Box 490
Albany, OR 97321

ABANDONMENT AND TERMINATION OF EASEMENT DOCUMENT

KNOW ALL PEOPLE BY THESE PRESENTS, that THE CITY OF ALBANY, a municipal corporation, does hereby abandon and terminate a portion of the following easement, described as follows, to wit:

Legal Description

A portion of the Public Utility Easement recorded in Volume 870 Page 912 of Linn County, Oregon Deed Records. See legal description on attached Exhibit A and maps on attached Exhibits B and C.

To Have and to Hold the same unto said CITY OF ALBANY, OREGON and its successors and assigns forever.

IN WITNESS WHEREOF, the CITY OF ALBANY, OREGON has executed this instrument this 6th day of March, 2007.

CITY OF ALBANY:

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

I, Wes Hare, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5388, do hereby execute this instrument on behalf of the City of Albany, pursuant to the terms thereof this 6th day of March 2007.

Wes Hare
City Manager

ATTEST:

Margaret Langwell
City Clerk

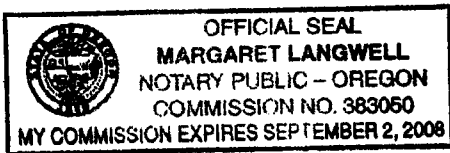


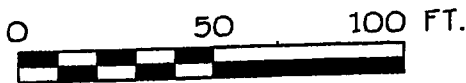
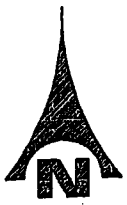
Exhibit A

Legal Description of portion of Easement being Terminated/Abandoned

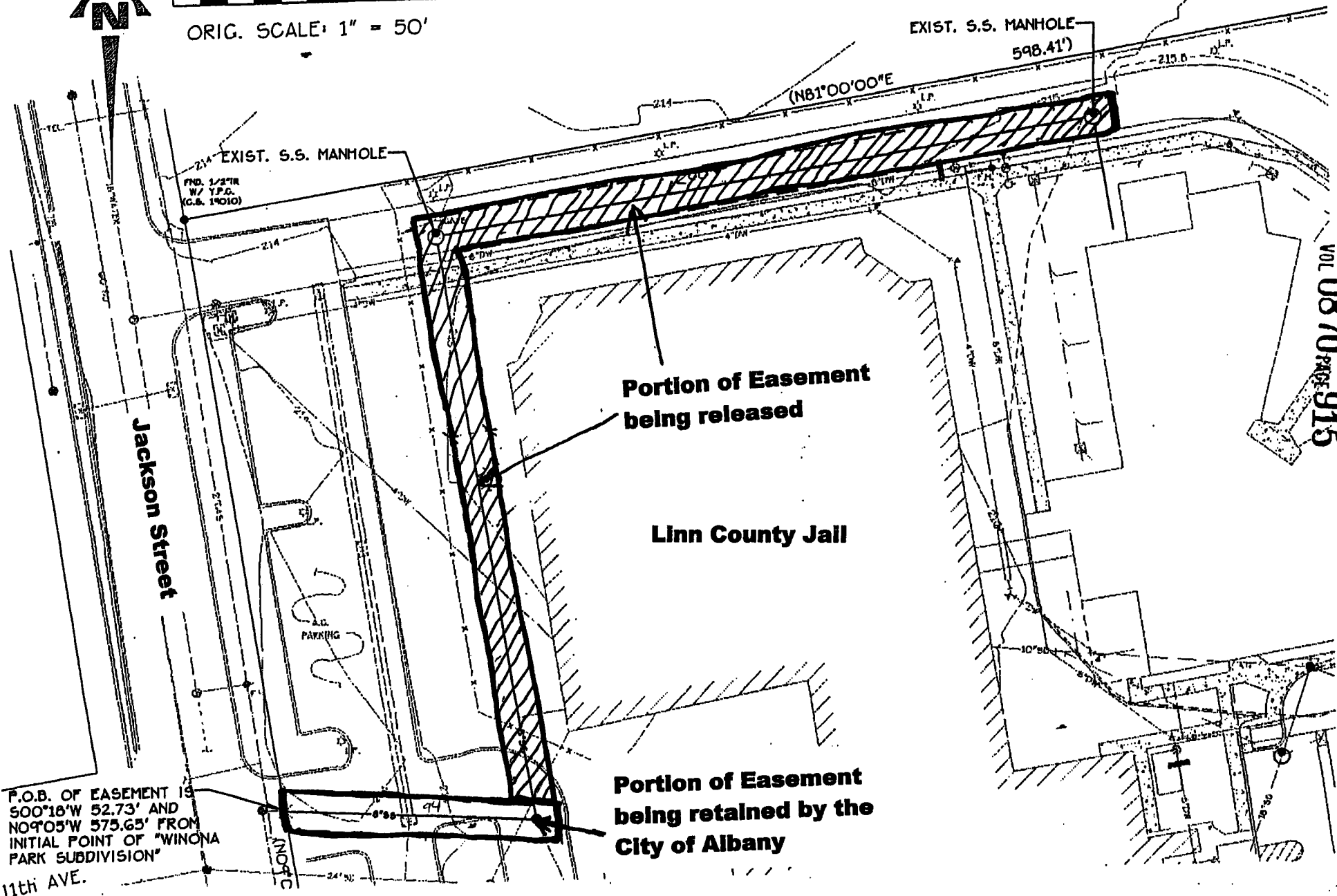
A portion of a 15.00 foot wide easement that was granted to the City of Albany by a deed recorded in Linn County Microfilm Deed records Volume 870 Page 912, the centerline of said 15.00 foot wide terminated easement over an existing sewer line being more particularly described as follows:

Beginning at a point on the Easterly right-of-way line of Jackson Street (a 66.00 foot wide right-of-way) that is South 09°18' West 52.73 feet and North 09°05' West 575 feet from the INITIAL POINT of "WINONA PARK SUBDIVISION", a subdivision of record in Linn County, Oregon; thence South 86°40'26" East 94.92 feet; thence North 09°20'57" West 7.5 feet to the **TRUE POINT OF BEGINNING**; thence continuing North 09°20'57" West 214.27 feet; thence North 80°51'17" East 249.54 feet to a manhole at the end of said sewer line; thence continuing North 80°51'17" East 7.5 feet to the terminus of the herein described easement being abandoned. As shown on the attached map labeled Exhibit B.

EXHIBIT "B"



ORIG. SCALE: 1" = 50'



**Portion of Easement
being released**

Linn County Jail

**Portion of Easement
being retained by the
City of Albany**

F.O.B. OF EASEMENT IS
S00°18'W 52.73' AND
N0°05'W 575.65' FROM
INITIAL POINT OF "WINONA
PARK SUBDIVISION"
11th AVE.

VOL 0870 PAGE 915

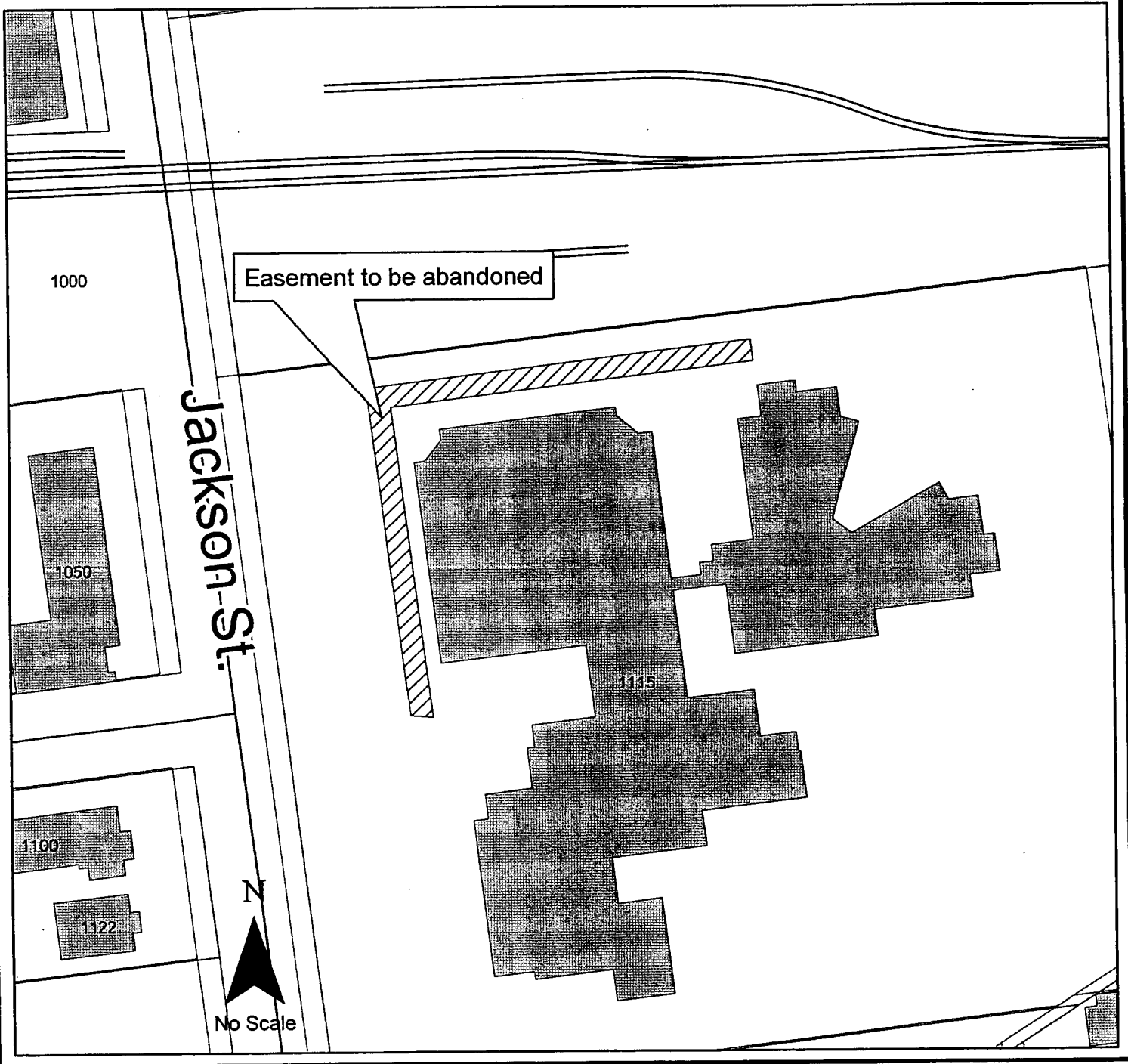
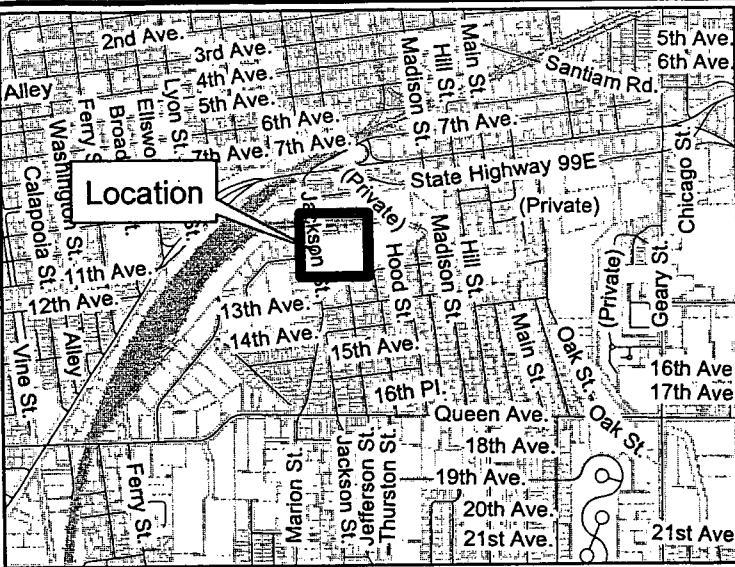
EXHIBIT C

11SO3W07AC00400

Abandonment of a sewer easement
over a sewer on the Linn County Jail
property on Jackson Street.



Geographic Information Services



LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2007-08141**
E-REL
Cnt=1 Stn=1 A. ZURCHER **04/02/2007 01:17:38 PM**
\$25.00 \$11.00 \$10.00 **\$46.00**



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



After Recording Return To:

City of Albany Recorder

PO Box 490

Albany, OR 97321

All Tax Statements Should Be Sent To:

Linn County

1. Name/Title of Transaction - by ORS 205.234 (a)

ABANDONMENT AND TERMINATION OF EASEMENT DOCUMENT

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

City of Albany

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

Linn County

4. True and Actual Consideration (if there is one), ORS 93.030

\$1.00

Resolution No. 5388

Recorded Document Recorder File No. 4889