

RESOLUTION NO. 6567

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Purpose

Hope Church (AKA First Assembly of God Albany)

A 2 foot by 20 foot easement for public sidewalk and pedestrian crosswalk sign.

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

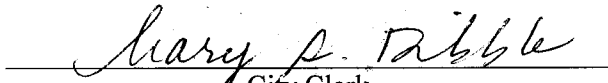
BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 25TH DAY OF JANUARY 2017.



Mayor

ATTEST:



City Clerk

EASEMENT FOR PUBLIC SIDEWALK AND PEDESTRIAN CROSSWALK SIGN

THIS AGREEMENT, made and entered into this 27th day of October, 2016, by and between Hope Church (AKA First Assembly of God Albany), an Oregon corporation, hereinafter 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, including the right to enter upon the real property hereinafter described, and to maintain and repair public sidewalk and a pedestrian crosswalk sign for the purpose of providing pedestrian access across and through the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public sidewalk and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public sidewalk and pedestrian crosswalk sign.

This agreement is subject to the following terms and conditions:

1. The easement hereby granted consists of:

A 2-foot wide sidewalk and pedestrian crosswalk sign easement. See legal description on attached Exhibit A and easement maps on attached Exhibits B and C.
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 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.

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

GRANTORS:

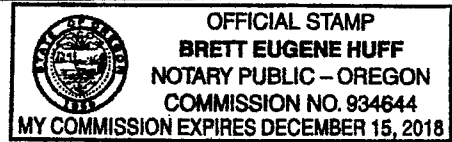
Hope Church (AKA First Assembly of God Albany)

Pastor Frank Silverii, President

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

The foregoing instrument was acknowledged before me this 27th day of October 2016,
by Pastor Frank Silverii as his voluntary act and deed.

Notary Public for Oregon
My Commission Expires: 12-15-2018



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 6567, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 27 day of January 2016. 2017^{MD}

City Manager

ATTEST:

City Clerk

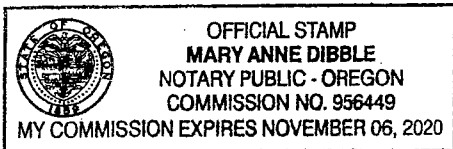


Exhibit A

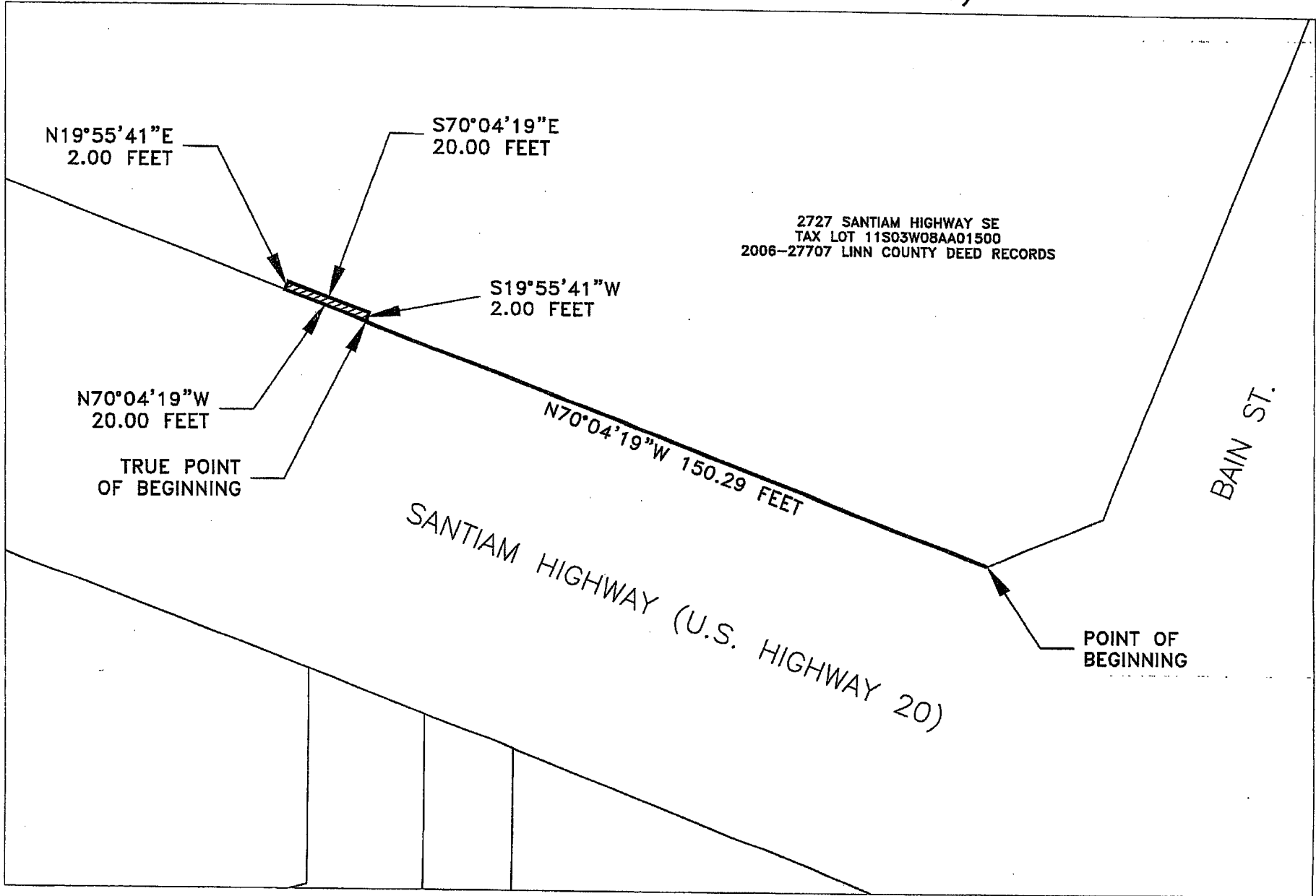
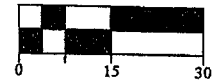
Legal Description for Sidewalk and Pedestrian Crosswalk Sign Easement

A 2.00-foot wide sidewalk and pedestrian crosswalk sign easement lying over a portion of the southern 2.00-feet of Lots 1 and 2, Glendorr Subdivision, in the NE 1/4 of Section 8, T11 South, R3 West, Willamette Meridian, City of Albany, Linn County, Oregon, more particularly described as follows;

Beginning at a point at the southeast corner of the property described in Linn County Deed Records, 2006-27707, said point being on the northern right-of-way line of Santiam Highway (also known as U.S. Highway 20) and henceforth known as the POINT OF BEGINNING; thence N 70°04'19" W 150.29 feet along said northern right-of-way line of Santiam Highway to the TRUE POINT OF BEGINNING; thence N 70°04'19" W 20.00 feet along said northern right-of-way line of Santiam Highway; thence N 19°55'41" E 2.00 feet; thence S 70°04'19" E 20.00 feet, said line running parallel to the northern right-of-way line of Santiam Highway; thence S 19°55'41" W 2.00 feet to the TRUE POINT OF BEGINNING. The easement is as shown on the attached maps labeled Exhibits B and C, attached hereto and incorporated herein by this reference.



EXHIBIT B
SIDEWALK AND PEDESTRIAN CROSSWALK SIGN EASEMENT
HOPE CHURCH
(AKA FIRST ASSEMBLY OF GOD ALBANY)



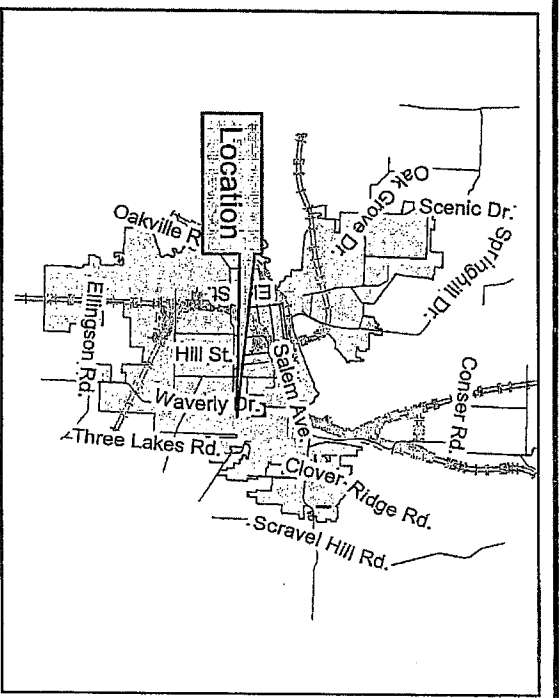


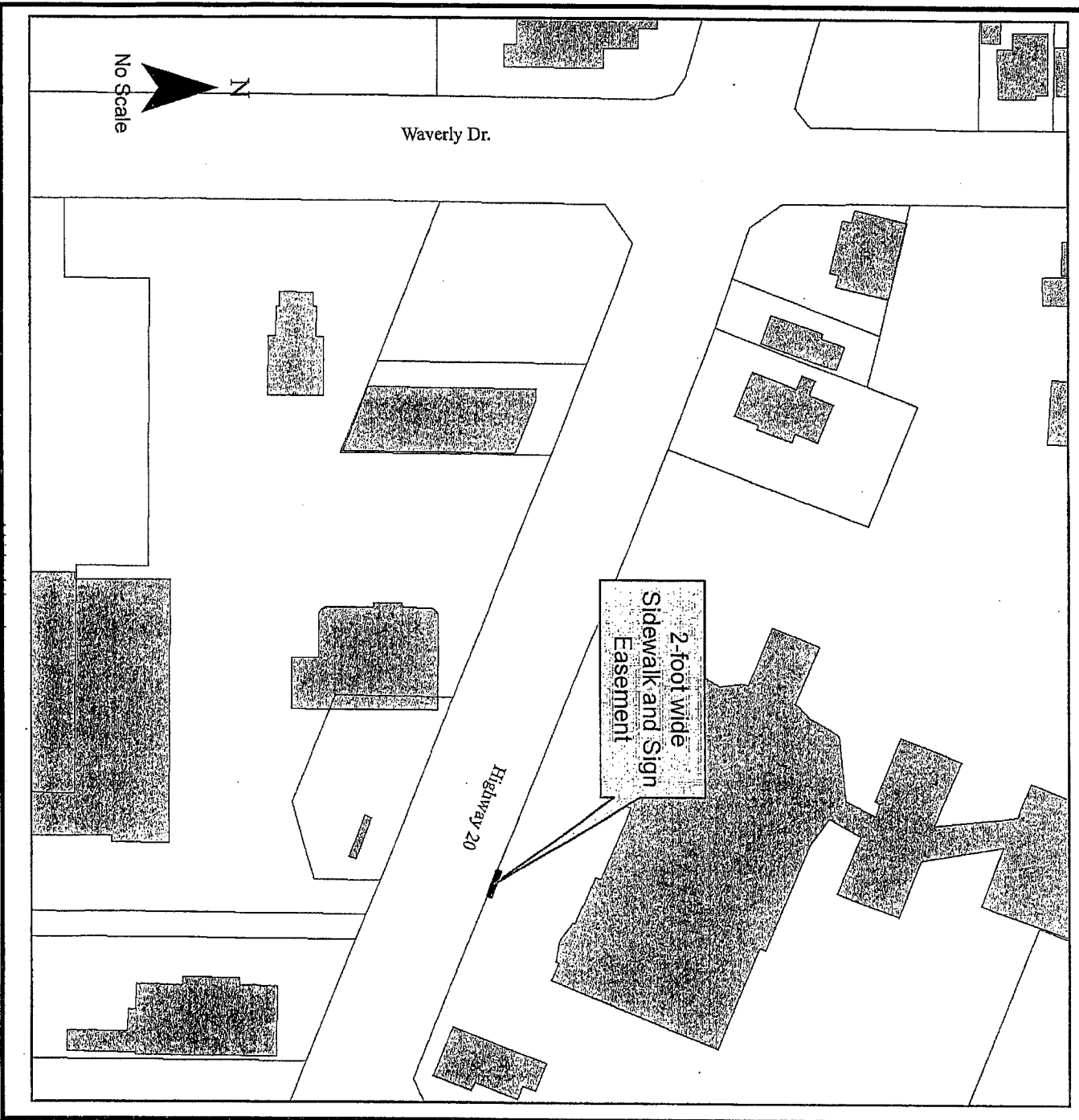
EXHIBIT C

11S03W08AA-01500

A 2 foot X 20 foot Easement for
public sidewalk and pedestrian
crosswalk sign



Geographic Information Services



original unavailable.

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON 2017-01944
E-EAS
Cnt=1 Str=44 COUNTER 01/31/2017 04:14:36 PM
\$30.00 \$11.00 \$20.00 \$19.00 \$10.00 \$90.00



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 City Clerk

PO Box 490

Albany, OR 97321

All Tax Statements Should Be Sent To:

Hope Church (AKA First Assembly of God Albany)

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

Easement

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

Hope Church (AKA First Assembly of God Albany)

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

City of Albany

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

\$1.00

Res. No. 6567