



A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT

Grantor

Bob G. Mitchell

Purpose

Accepting a 15-foot wide water easement, as part of a multi-family development project.
11S03W04AC 02602

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

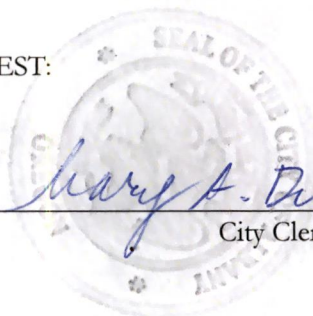
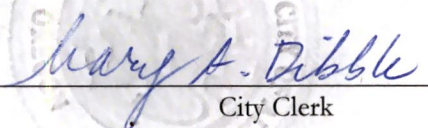
BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 10TH DAY OF APRIL 2019.



Mayor

ATTEST:

City Clerk

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 25th day of March, 2019, by and between Bob G. Mitchell, 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 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 easement hereby granted consists of:

A 15-foot wide water 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.

GRANTOR:

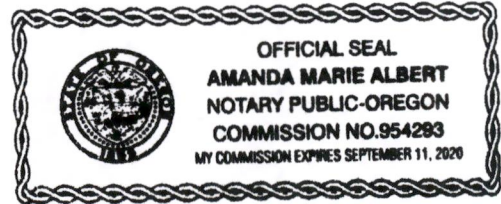
Bob G. Mitchell

Bob G. Mitchell
Bob G. Mitchell

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

The foregoing instrument was acknowledged before me this 25th day of March, 2019, by Bob G. Mitchell as his voluntary act and deed.

Amanda Albert
Notary Public for Oregon
My Commission Expires: Sept. 11th, 2020



CITY OF ALBANY:

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

I, Peter Troedsson, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number _____, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this _____ day of _____ 2019.

City Manager

ATTEST:

City Clerk

EXHIBIT "A"

AN AREA OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, IN LINN COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH BOLT MARKING THE SOUTHWEST CORNER OF LOT 3 OF HARVEY'S SUBDIVISION OF LINN COUNTY, OREGON; THENCE SOUTH 89°34'33" EAST 145.56 FEET TO A 5/8 INCH IRON ROD ON THE WESTERLY RIGHT-OF-WAY OF CLOVER RIDGE ROAD NORTHEAST; THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 00°46'47" EAST 1.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, SOUTH 00°46'47" EAST 15.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 89°36'41" WEST 34.39 FEET; THENCE NORTH 00°23'19" EAST 15.00 FEET; THENCE SOUTH 89°36'41" EAST 34.08 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED AREA CONTAINS ± 514 SQUARE FEET.

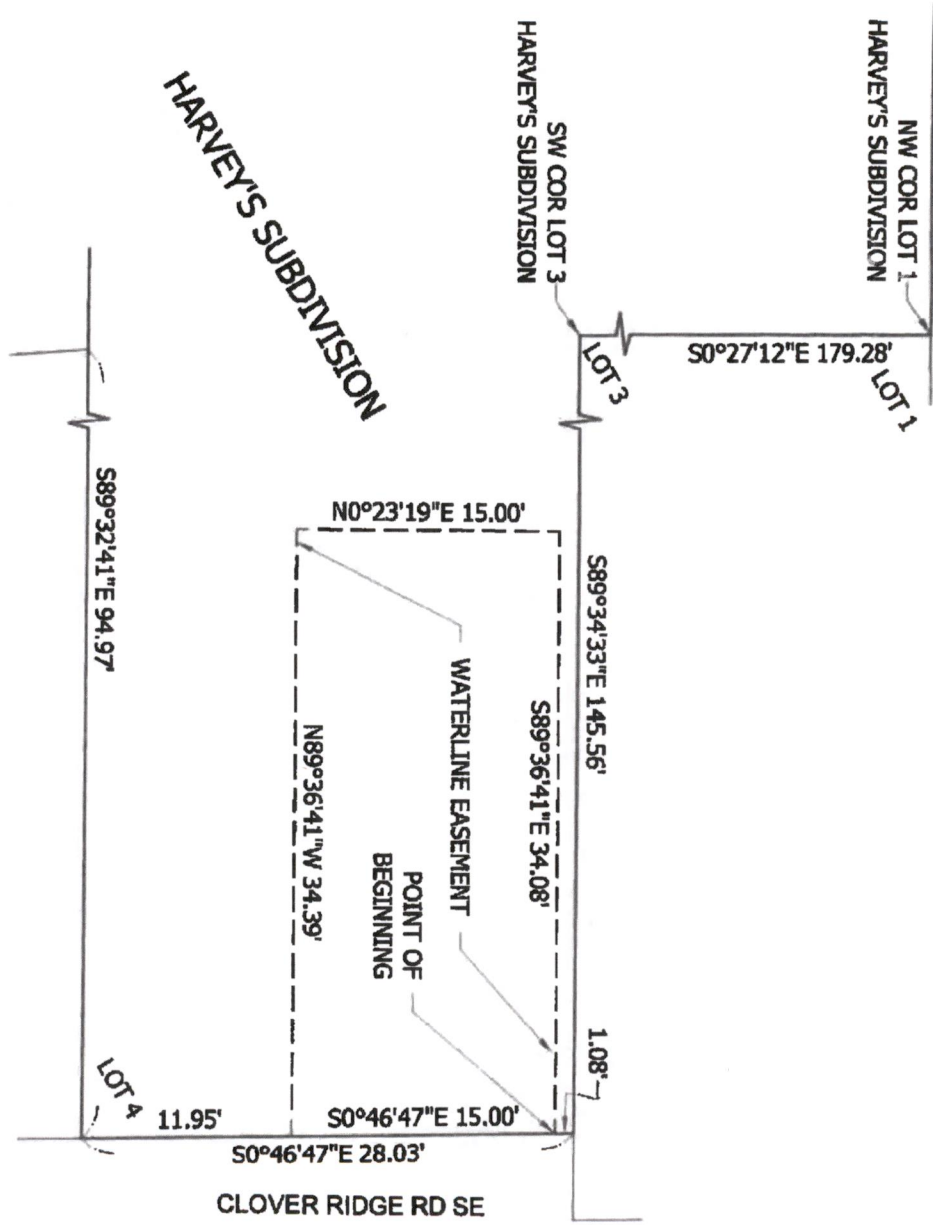


Udell Engineering & Land Surveying, LLC
63 East Ash Street, Lebanon, OR 97355
Ph: 541-451-5125 • Fax: 541-451-1366

SCALE: 1" = 10'



0' 10'



SHEET 1
OF 1
SCALE: AS NOTED



Date: 03/20/2019
 Project: 16-017 CLOVER RIDGE
 Drawn by: KWD
 Checked by: RWT

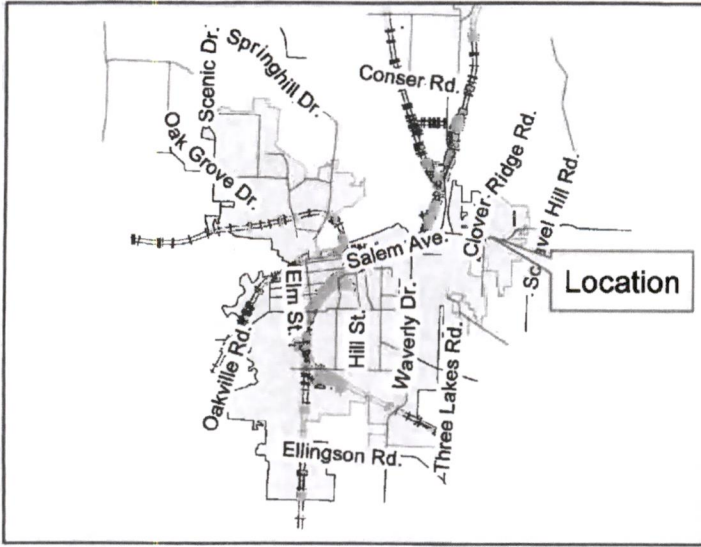
EXHIBIT "B"
 108 CLOVER RIDGE RD
 ALBANY, OR 97322

UDELL ENGINEERING
 AND
 LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON, 97355
 541-451-5125

EXHIBIT C

11S03W04AC- 02602

A 15 foot wide Water easement,
as part of a Multi-family
Development Project



Geographic Information Services

