

RESOLUTION NO. 2790

BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following easement:

Grantor

Frank and Sherry Schoorl

Purpose

A 10-foot by 10-foot permanent utility easement located in the northwest corner of the property at 1710 SW Queen Avenue, Albany, Linn County, Oregon.

DATED this 8th day of June, 1987.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 26th day of May, 1988, by and between **Frank and Sherry School**, 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.

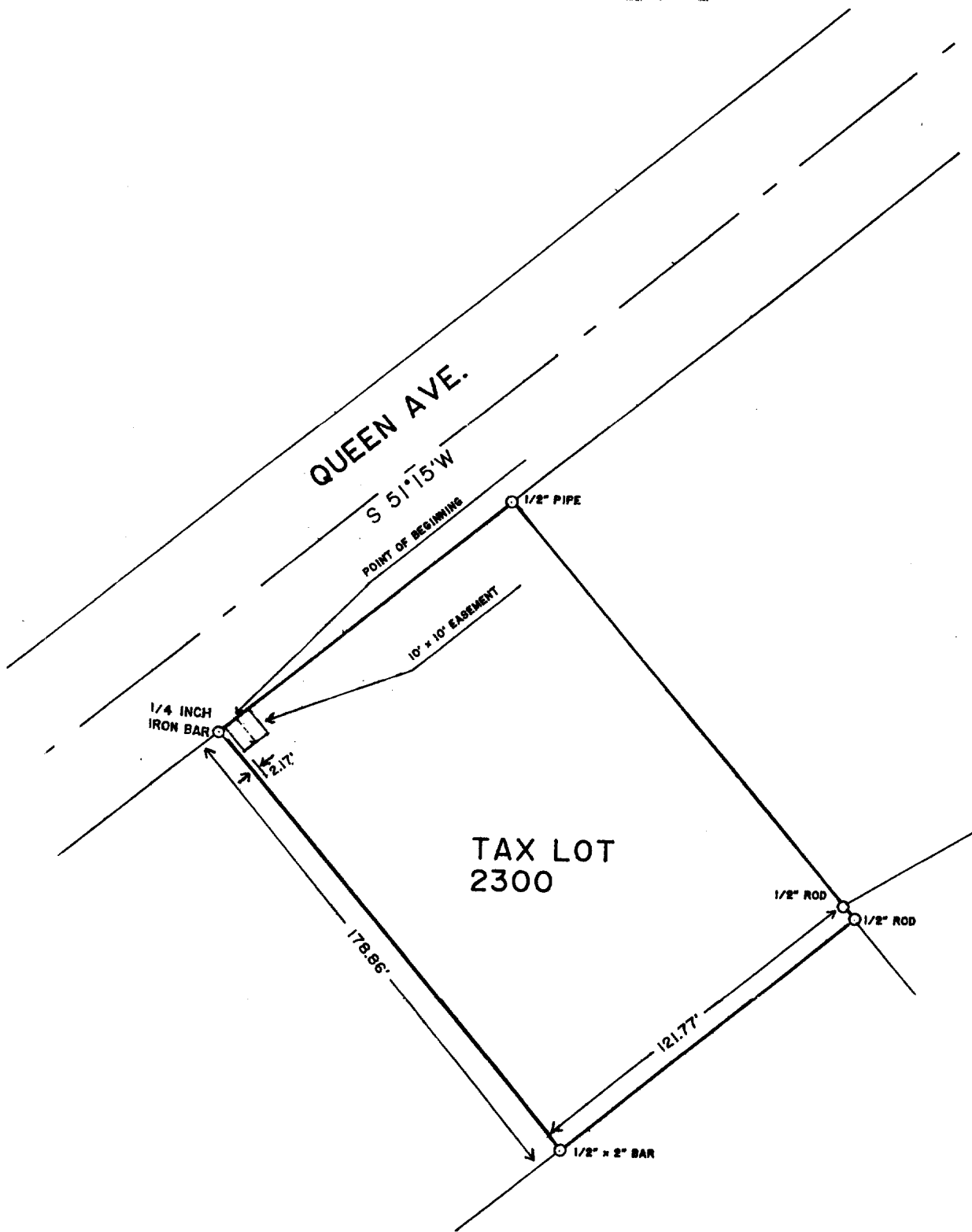
This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consist of:

A 10-foot wide permanent easement centered on the following described line and further shown on the attached drawing labeled EXHIBIT A.

Beginning at a point on the north property line of that parcel conveyed to Frank and Sherry School in Volume 409, Page 9 of the Linn County Deed Records, said point being north 51°15' east, 7.17 feet, from a 1/4-inch iron bar located at the northwest corner of said parcel, Section 13, Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon; thence south 38°45' east, 10.00 feet and there terminating.

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 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.



TAX LOT
2300

SCALE 1" = 50'

DATE: 5/2 /88

EXHIBIT "A"

6. No permanent structure shall be constructed on this easement.

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

Frank B. School
Frank School

Sherry School
Sherry School

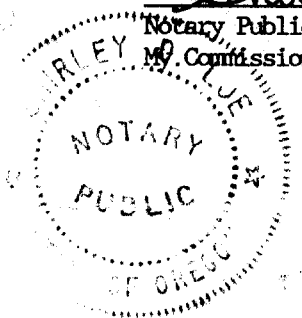
STATE OF OREGON)
County of Linn) ss.
City of Albany)

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

The foregoing instrument was acknowledged before me this 26th day of May, 1988, by grantor(s) as his/her/their voluntary act and deed.

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2790, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this 9th day of June, 1988.

Shirley A. Lee
Notary Public for Oregon
My Commission Expires: 2/8/89



CITY OF ALBANY, OREGON
William B. Barrons
City Manager

[Signature]
City Recorder

1500

ENTERED JUN 2 1 1988

At 8:30 O'clock a.m.
STEVE DRUCKENMILLER
Linn County Clerk

STATE OF OREGON
County of Linn

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

By SL, Deputy
City of Albany
P.O. Box 490
Albany, Or 97321

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Recorded Document Recorder File No. 1368