

RESOLUTION NO. 3053

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

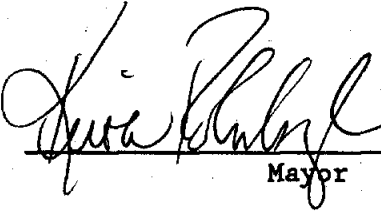
Grantor

William C. Houck and  
Russell B. Houck

Purpose

A seven and one-half foot wide permanent utility easement across that property located at 310 Chicago Street SE, City of Albany, Linn County, Oregon.

DATED this 24th day of April, 1991.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 11<sup>th</sup> day of April, 1991, by and between William C. Houck and Russell B. Houck, 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 consists of:

A seven and one-half foot permanent utility easement across those parcels conveyed to William C. Houck and Russell B. Houck by deed recorded in Microfilm Volume 295, Page 187, Linn County Microfilm Deed Records, more particularly described as follows and as shown on the attached map labeled EXHIBIT A:

A seven and one-half foot strip of land being parallel, adjacent and south of the following described lines: the north line of Lot 7 and the north line of Lot 8, Block 6, Woodles Riverside Addition, City of Albany, Linn County, Oregon.

Containing 0.017 acre, more or less.

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. Nothing herein shall reduce or limit grantors obligation to pay any costs or assessments which may result from the improvements.
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.

Lot 3

Lot 2

Lot 1

7.5' Permanent Utility Easement

William C. Houck  
Russell B. Houck  
MF 295, Page 187

Block 6  
Woodle's Riverside Addition  
Map 11-3-5CA  
Tax Lot 9501

Chicago Street

Lot 6

Lot 7

Lot 8

Front Avenue



Scale: 1" = 20'

CITY OF ALBANY, OREGON  
PUBLIC WORKS DEPARTMENT  
ENGINEERING/UTILITIES DIVISION 3/21/91

EXHIBIT A

7.5' Permanent Utility Easement  
from William C. and Russell B. Houck  
To The City Of Albany, Oregon

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.

William C. Houck  
William C. Houck  
Russell B. Houck  
Russell B. Houck

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 11 day of April, 1991, by grantor(s) as his/her/their voluntary act and deed.

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3053, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 24th day of April, 1991.

Lyle A. Knowlton  
Notary Public for Oregon  
My Commission Expires: 4/14/94

CITY OF ALBANY, OREGON

Steve Bryant  
City Manager

[Signature]  
City Recorder



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STATE OF OREGON  
County of Linn

STEVE DRUCKENMILLER  
Linn County Clerk

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

By [Signature], Deputy

City of Albany

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