

RESOLUTION NO. 3266

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

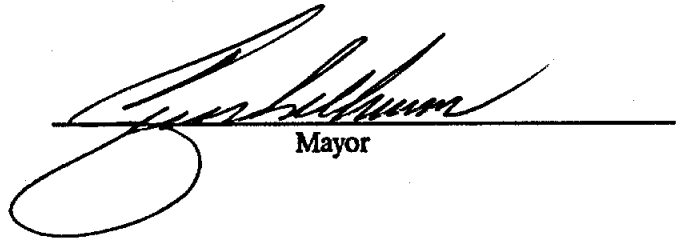
Grantor

L. David and Otis F. Seavy

Purpose


A permanent public utility easement for an existing sanitary sewer along the northern property line of Albany Typewriter Exchange, located at 939 Pacific Blvd. SE.

DATED this 23 day of June, 1993.



Mayor

ATTEST:



Deputy City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 14 day of June, 1993, by and between L. David Seavy and Otis F. Seavy, 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 permanent public utility easement across that property conveyed to L. David Seavy and Otis F. Seavy in Volume 530, Page 30, Linn County Microfilm Deed Records, more particularly described as follows and as shown on the attached map labeled EXHIBIT A:

The North 10 feet of the East 1/2 of the Southeast 1/4 of Block 44, Hackleman's Second Addition in the City of Albany, Linn County, Oregon.

Containing 662 square feet, 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.
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.
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.

GRANTOR:

L. David Seavy
L. David Seavy

Return to: City of Albany - Recorder
P.O. Box 490, Albany, OR 97321

Otis F. Seavy

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

The foregoing instrument was acknowledged before me this 11 day of June, 1993, by L. David Seavy as his voluntary act and deed.

Notary Public for Oregon

My Commission Expires: 7/1/93

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

The foregoing instrument was acknowledged before me this 11 day of June, 1993, by Otis F. Seavy as her voluntary act and deed.

Notary Public for Oregon

My Commission Expires: 7/1/93

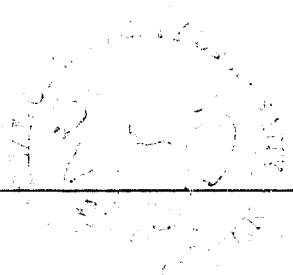
CITY OF ALBANY:
STATE OF OREGON)
County of Linn) ss.
City of Albany)

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3266, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 23rd day of June, 1993.

[Signature]
City Manager

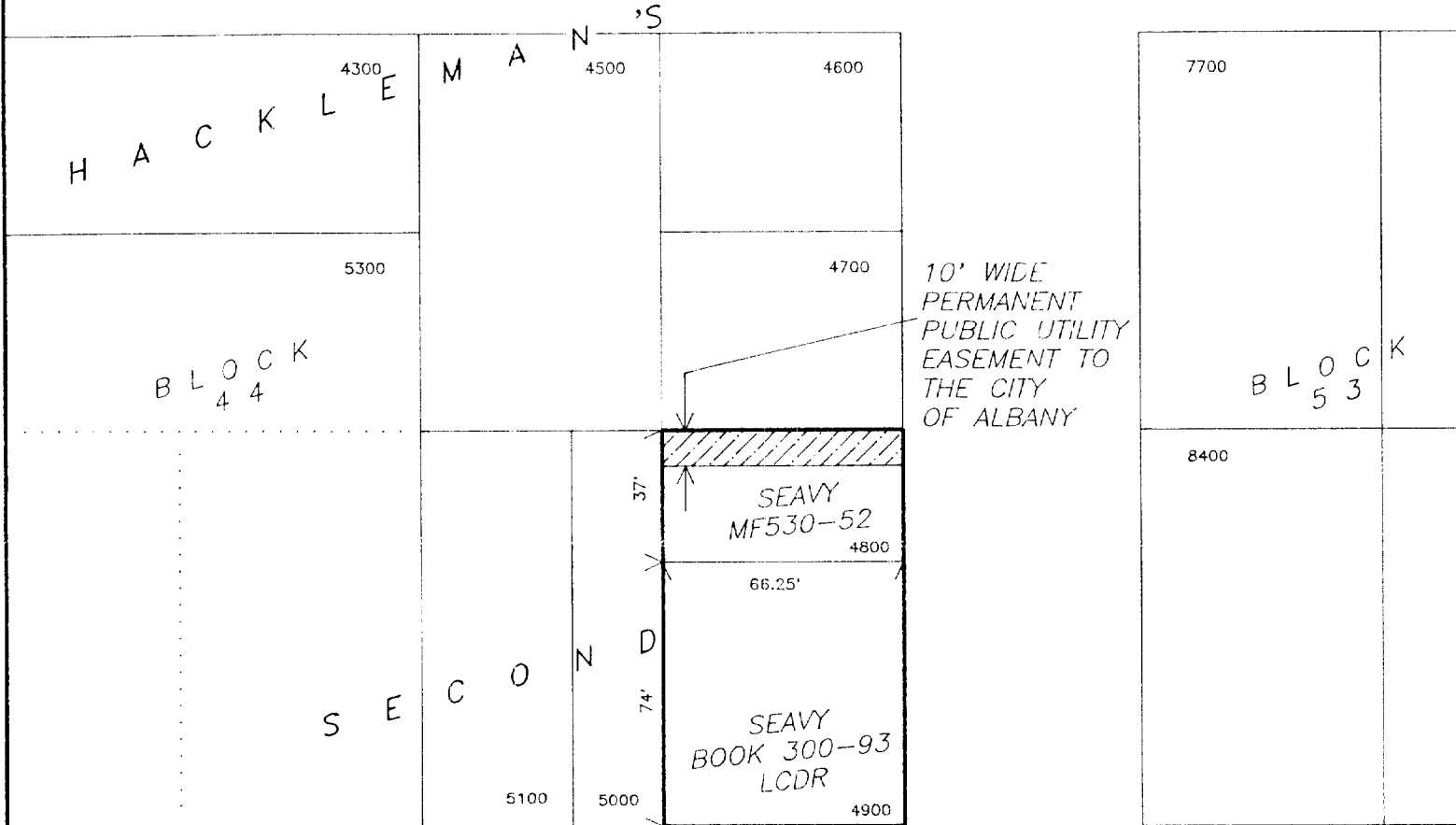
ATTEST:

Mam C. Whitlow
City Recorder

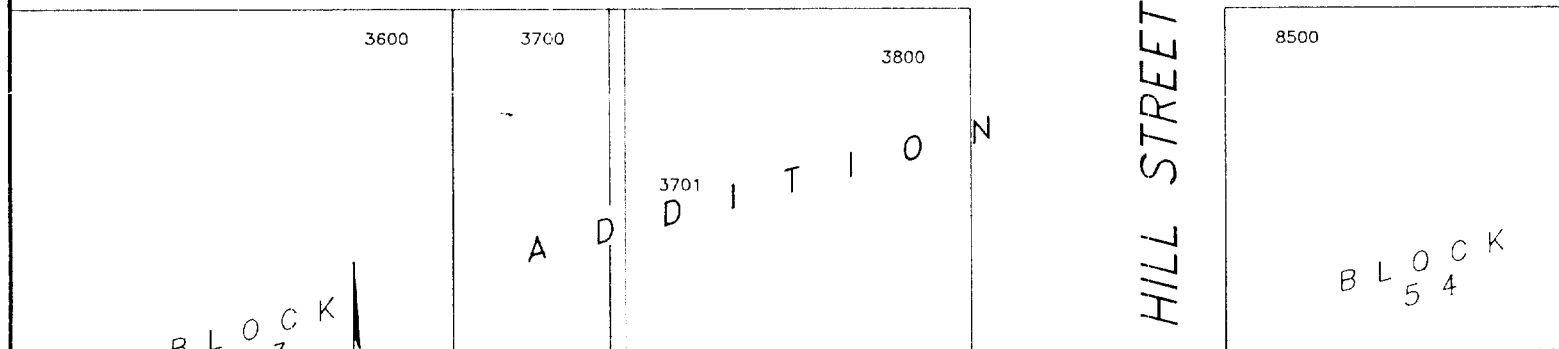


SEVENTH STREET

0648 PAGE 511



PACIFIC HIGHWAY



CITY OF ALBANY, OREGON
 PUBLIC WORKS DEPARTMENT
 ENGINEERING/UTILITIES DIVISION/JUNE 1993

EXHIBIT A:
 PERMANENT PUBLIC UTILITY EASEMENT
 OVER EXISTING PUBLIC SANITARY SEWER
 FROM SEAVYS TO THE CITY OF ALBANY

SCALE: 1" = 50'

(TAX LOT No.s TAKEN FROM MAP 11-3W-07AA)

STATE OF OREGON
County of Linn

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

STEVE DRUCKENMILLER
Linn County Clerk

MF 648

By [Signature], Deputy

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Recorded Document Recorder File No. 2329