

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

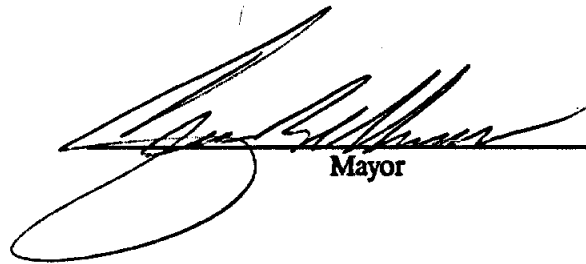
Grantor

Charles and Alma Green, and Rodney W.
Tripp and Russell W. Tripp

Purpose

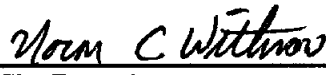
A corrective permanent public utility easement, nineteen feet in width, over an existing sanitary sewer across property located at 2700 and 2720 Willetta Street SW.

DATED this 14 day of July, 1993.



Mayor

ATTEST:



Deputy City Recorder



EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 21 day of June, 1993, by and between Charles Green and Alma Green, and Rodney W. Tripp and Russell W. Tripp, 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 corrected right-of-way hereby granted consists of:

A 19-foot wide permanent public utility easement across Lot 6 and Lot 7 of Winfield Way, a subdivision of record in Section 13, Township 11 South, Range 4 West, Willamette Base and Meridian, City of Albany, Linn County, Oregon, more particularly described as follows:

The southerly 9 feet of even width of Lot 7, Winfield Way TOGETHER WITH the northerly 10 feet of even width of Lot 6, Winfield Way.

Containing 2090 square feet, more or less.

- 2. The right-of-way hereby released consists of:

That portion of an easement granted to the City of Albany, Oregon by instrument recorded on May 6, 1957 in Book 254, Page 195, Linn County Deed Records, which crosses Lot 7, said Winfield Way subdivision.

- 3. 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.
4. 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.
5. 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.
6. Upon performing any maintenance, the City shall return the site to original or better condition.
7. 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.

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

GRANTORS:

Charles Green
 Charles Green

Alma Green
 Alma Green

Rodney W. Tripp
 Rodney W. Tripp

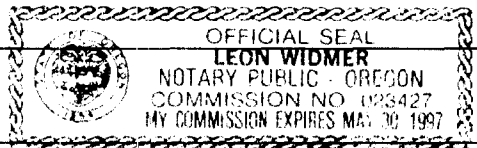
Russell W. Tripp
 Russell W. Tripp

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

The foregoing instrument was acknowledged before me this 24th day of June, 1993, by Charles Green as his voluntary act and deed.

Leon Widmer
 Notary Public for Oregon

My Commission Expires: 5-30-97

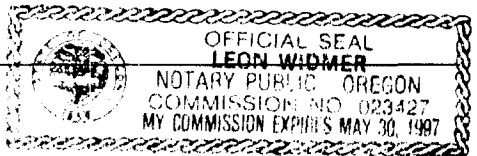


STATE OF OREGON)
 County of Linn) ss.
 City of Albany)

The foregoing instrument was acknowledged before me this 24th day of June, 1993, by Alma Green as her voluntary act and deed.

Leon Widmer
 Notary Public for Oregon

My Commission Expires: 5-30-97

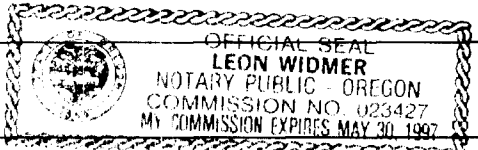


STATE OF OREGON)
 County of Linn) ss.
 City of Albany)

The foregoing instrument was acknowledged before me this 24th day of June, 1993, by Rodney W. Tripp as his voluntary act and deed.

Leon Widmer
 Notary Public for Oregon

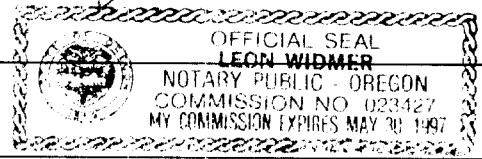
My Commission Expires: 5-30-97



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

The foregoing instrument was acknowledged before me this 24th day of June, 1993 by Russell W. Tripp as his voluntary act and deed.

Leon Widmer
Notary Public for Oregon



My Commission Expires: 5-30-97

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 3275, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 14th day of July, 1993.

Steve Bryant
City Manager

ATTEST:

Mona C. Withrow
City Recorder

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 649
By [Signature], Deputy PAGE 56

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Resolution No. 3275

Recorded Document Recorder File No. 2327