

RESOLUTION NO. 3412

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

Grantor

Robert R. Egan and Gloria A. Egan

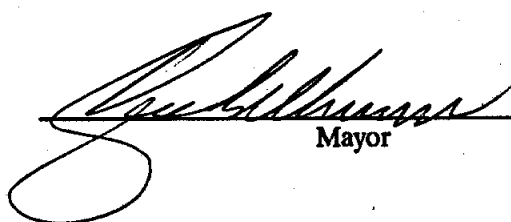
Purpose

permanent public utility easement (over existing sanitary sewers) across property located at 1745 Jefferson Street SE

DATED this 14th day of September, 1994.



ATTEST:



Mayor



Deputy City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 17 day of August 1994, by and between Robert R. Egan and Gloria A. Egan, husband and wife, 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:

Two (2) permanent public utility easements, for an existing sanitary sewer, across those parcels conveyed to Grantor by deed recorded in Volume 139, Page 314, Linn County Microfilm Deed Records, being more particularly described as follows and as shown on the attached map labeled Exhibit A:

TRACT I: The northerly 4.5 feet of even width of Lot 7 and Lot 8, Block 4, Goltra's Park Addition to the City of Albany, a subdivision of record in Section 7, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon.

Containing 413 square feet of land, more or less.

TRACT II: The southerly 17.5 feet of the northerly 30 feet of vacated "B" Street (Book 199, Page 285, said deed records) adjacent to Lot 7 and Lot 8, Block 4, said Goltra's Park Addition to the City of Albany, Linn County, Oregon.

Containing 1,605 square feet of land, 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.

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

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

GRANTOR:

Robert R. Egan
Robert R. Egan

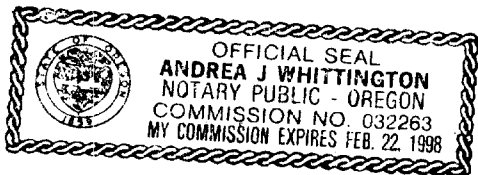
Gloria A. Egan
Gloria A. Egan

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

The foregoing instrument was acknowledged before me this 17th day of August, 1994, by Robert R. Egan and Gloria A. Egan, husband and wife, as their voluntary act and deed.

Andrea J. Whittington
Notary Public for Oregon

My Commission Expires: 2-22-98



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 3412, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 14th day of September, 1994.

Steve Bryant
City Manager

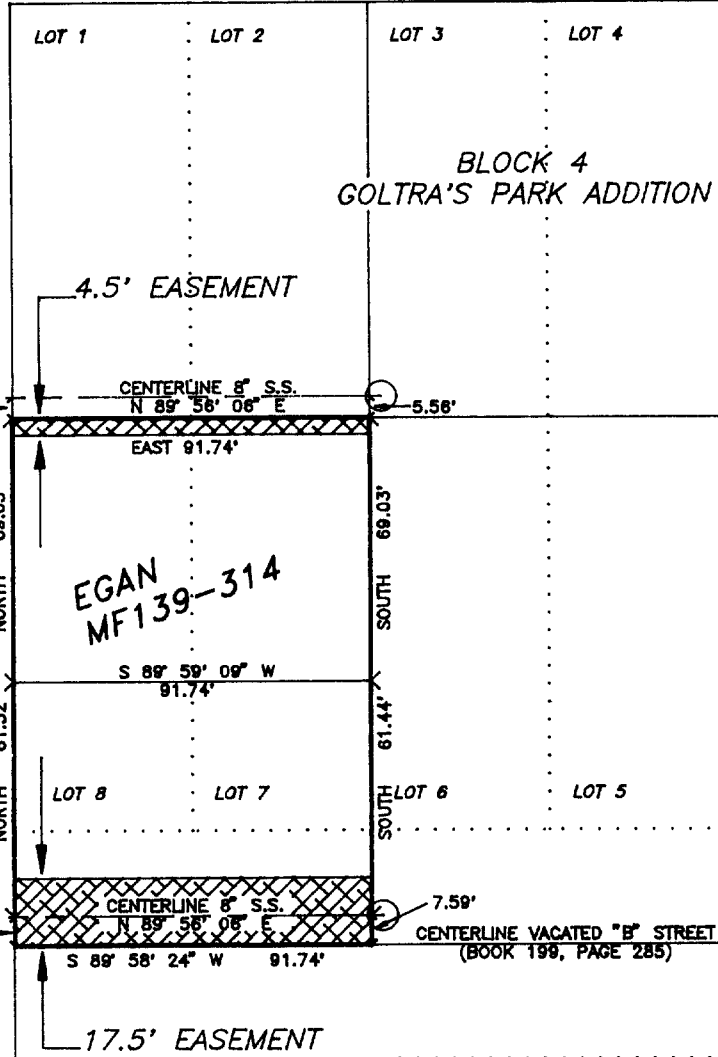
ATTEST:

Norm C. Withrow
City Recorder



QUEEN AVE.

SCALE: 1" = 50'



EXG. SAN. SEWER LINES

JEFFERSON ST.

THURSTON ST.

CITY OF ALBANY, OREGON
PUBLIC WORKS DEPARTMENT
ENGINEERING/UTILITIES DIVISION/JULY 1994

EXHIBIT A: PERMANENT PUBLIC UTILITY
EASEMENTS FROM ROBERT R. EGAN
AND GLORIA A. EGAN TO THE
CITY OF ALBANY

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

By [Signature], Deputy

M 15
R 10
S
A
O

8:30 O'clock a.m.

SEP 21 1994

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MF 404
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Recorded Document Recorder File No. 2512