

RESOLUTION NO. 3671

BE IT RESOLVED BY THE ALBANY CITY COUNCIL THAT IT DOES HEREBY ACCEPT THE FOLLOWING EASEMENT:

Grantor

Taskin, L.L. C.

Purpose

A public utility easement 5.0 feet in even width across that property in the Southeast quarter of Section 8, Township 11 South, Range 3 West of the Willamette Meridian, Linn county, Oregon.

DATED THIS 10TH DAY OF JULY 1996.



Mayor

ATTEST:




City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 14 day of June, 1996, by and between Taskin, L.L.C., 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 5 foot wide easement for public utilities, being in the Southeast quarter of Section 8, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, more particularly described as follows: Beginning at a point on the South right-of-way line of East Queen Avenue which bears North 88°41'00" East along the centerline of said Avenue 1650.82 feet and South 01°19'00" East 35.00 feet from the Southeast corner of the Abram Hackleman Donation Land Claim No. 62, said point of beginning being the Northeast corner of that tract of land described in Deed to Taskin, L.L.C., recorded in Linn County Deed Records Volume 772 Page 834 and Page 835; thence along the East line of said Taskin, L.L.C. property South 01°25'58" East 10.00 feet to the true point of beginning; thence continuing along said East line South 01°25'58" East 5.00 feet; thence South 88°41'00" West 189.77 feet to a point on the East line of a 50 foot easement conveyed to the public in Linn County Deed Records Volume 288 Page 618; thence along the East line of said 50 foot easement North 01°58'28" West 5.00 feet; thence North 88°41'00" East 189.82 feet to the true point of beginning, the above described easement containing 949 square feet of land, more or less. The bearings for this description are based on Linn County Survey 21297. See attached drawing labeled Exhibit A.

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.

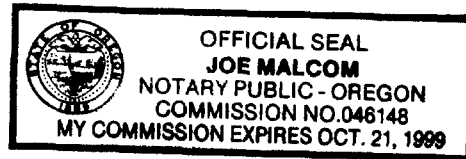
GRANTOR:
Taskin, L.L.C.

By: M. T. AliNiaze
M. T. AliNiaze, General Manager

STATE OF OREGON)
County of BENTON) ss.
City of CORVALLIS)

The foregoing instrument was acknowledged before me this 14th day of June, 1996, by M.T. AliNiaze, general manager of Taskin, L.L.C., an Oregon corporation, on behalf of the corporation.

Joe Malcom
Notary Public for Oregon
My Commission Expires: 10-21-99



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 3671, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 12 day of July, 1996.

SPD Bryant
City Manager

ATTEST: [Signature]
City Recorder

S.E. CORNER A. HACKLEMAN
DLC NO. 62

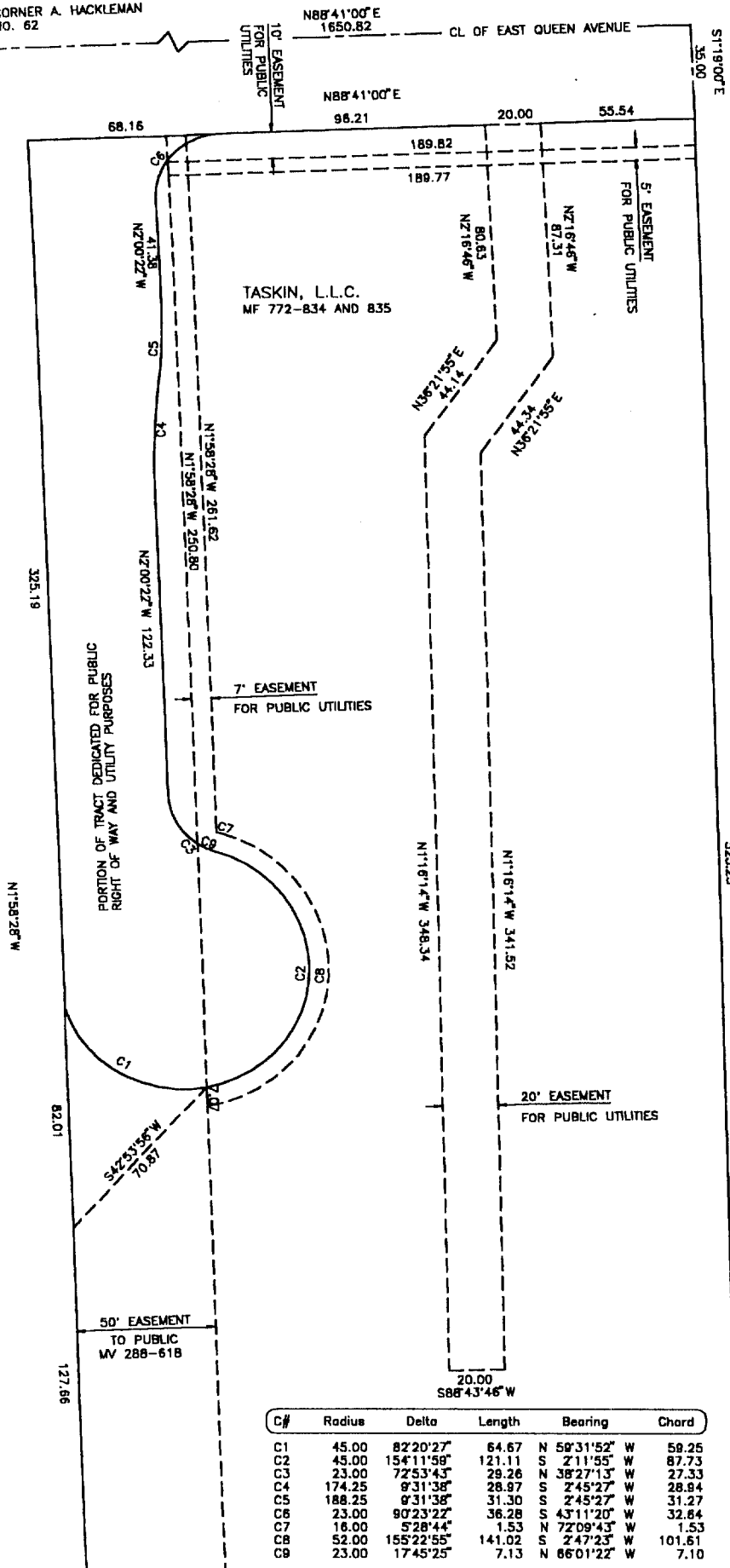


Exhibit A

SOUTHEAST 1/4 SECTION 8
TOWNSHIP 11 SOUTH
RANGE 3 WEST
WILLAMETTE MERIDIAN
CITY OF ALBANY
LINN COUNTY
OREGON



C#	Radius	Delta	Length	Bearing	Chord
C1	45.00	82°20'27"	64.67	N 50°31'52" W	59.25
C2	45.00	154°11'59"	121.11	S 2°11'55" W	87.73
C3	23.00	72°53'43"	29.26	N 38°27'13" W	27.33
C4	174.25	8°31'38"	28.97	S 89°24'27" W	28.94
C5	188.25	8°31'38"	31.30	S 89°24'27" W	31.27
C6	23.00	80°23'22"	36.28	S 43°11'20" W	32.84
C7	18.00	52°8'44"	1.53	N 72°09'43" W	1.53
C8	52.00	155°22'55"	141.02	S 24°7'23" W	101.61
C9	23.00	174°45'25"	7.13	N 86°01'22" W	7.10

825
JUL 15 2 27 PM '96

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 *CMC*, Deputy PAGE 572

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Recorded Document Recorder File No. 2792