

RESOLUTION NO. 3827

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Allen and Vernita Campbell

Purpose

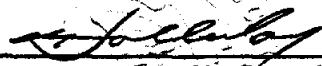
A permanent public utility easement on property located at the southwest corner of Allen Lane and Supra Drive.


NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED THIS 13TH DAY OF AUGUST 1997.

  
\_\_\_\_\_  
Council President

ATTEST:

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



EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 25<sup>th</sup> day of July, 1997, by and between Allen and Vernita Campbell, 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 more particularly described as follows and as shown on the attached map labeled EXHIBIT A:

BEGINNING AT A 5/8 INCH IRON ROD, SAID IRON ROD BEING THE SOUTHWEST CORNER OF PARCEL 2 OF LINN COUNTY SURVEY NO. 21469, THENCE NORTH 0°51'49" EAST 474.77 FEET; THENCE SOUTH 89°15'13" EAST 25.00 FEET; THENCE SOUTH 0°51'49" WEST 474.76 FEET; THENCE NORTH 89°15'59" WEST 25.00 FEET TO THE POINT OF BEGINNING. CONTAINING 11,869 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, receipt of which is acknowledged by the Grantor, 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 400, Albany, OR 97321

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

GRANTOR:

Allen Campbell

Allen Campbell

Vernita Campbell

Vernita Campbell

STATE OF OREGON )

County of Linn ) ss.

City of Albany )

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of July, 1997, by Allen and Vernita Campbell as his/her/their voluntary act and deed.

C. Marie Redner

Notary Public for Oregon

My Commission Expires: 7/29/2000

FILE: SI-96-27  
CAMPBELL.JW



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 3827, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 13<sup>th</sup> day of August, 1997.

Steve Bryant  
City Manager

ATTEST:

[Signature]  
City Recorder

P.C.  
C.S.21254

ALLEN LN.

FD. 1/2" I.R.  
C.S.20009

N89°15'13"W 769.47'  
(S89°15'40"E 769.66')C.S.20009

(.0008)  
,0008

348.11'

421.36'



S0°44'47"W 437.38'  
TD RADIUS POINT  
(0°44'20"W 437.46')

10' PUBLIC UTILITY  
EASEMENT

NEW 25'  
P.U.E.

N0°51'49"E 183.82'  
(N0°51'49"E 183.82')

(C.S.20009)

SUPRA DR.

P.T.

PARCEL 1  
8.025 AC ±

PARCEL 2  
5.00 AC.

FD. 5/  
P.T.  
C.S.200

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28°35'35"  
(28°35'15")  
C.S. 13207

N0°51'49"E 474.77'

NEW LOT LINE

10' PUBLIC UTILITY  
EASEMENT

15'  
P.U.E.

(B)

769.03'

497.18'

1266.21'

BASIS OF BEARING  
S89°15'59"E 1288.63'  
(S89°15'59"E 1288.82')C.S.20009

P.P. 1995-32  
PARCEL 2

INITIAL  
FD. 5/8'  
C.S.2125  
NE CORN  
PARTITI

PARCEL 3  
1995-32

20'  
P.U.E.

CURVE DATA

# EXHIBIT A

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 Sm, Deputy

M  
R 15  
S 10  
A  
O

Aug 19 3 13 PM '97

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MF 888  
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Recorded Document Recorder File No. 3005