

RESOLUTION NO. 4659

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

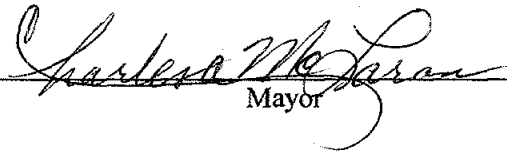
Letha May

Purpose

A permanent public utility easement described in attached EXHIBIT A and as shown in attached EXHIBIT B.

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

DATED THIS 13TH DAY OF MARCH 2002.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 30 day of November 2001, by and between **Letha May**, hereinafter called Grantor, 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 grantor has this day bargained and sold and by these presents does 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

See Legal Description on Attached Exhibit A and Map on Attached Exhibit B
- 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 ^{2m} ~~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 Grantor does 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 430, Albany, OR 97321

IN WITNESS WHEREOF, the Grantor has hereunto fixed his hand and seal the day and year above written

GRANTOR:

CITY OF ALBANY:

Letha May
Letha May

STATE OF Oregon)
County of Linn) ss
City of Tangent)

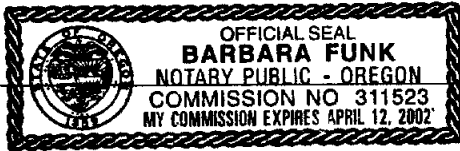
STATE OF OREGON)
County of Linn) ss
City of Albany)

The foregoing instrument was acknowledged before me this 30 day of November, 2001, by Letha May as/her/their voluntary act and deed

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number _____ do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this _____ day of _____, 2001.

Barbara Funk
Notary Public for Oregon
My Commission Expires 4-12-2002

Steve Bryant
City Manager



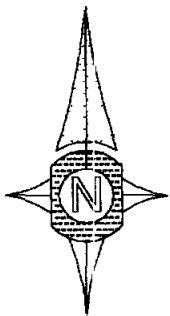
ATTEST

Ken Thompson
City Recorder

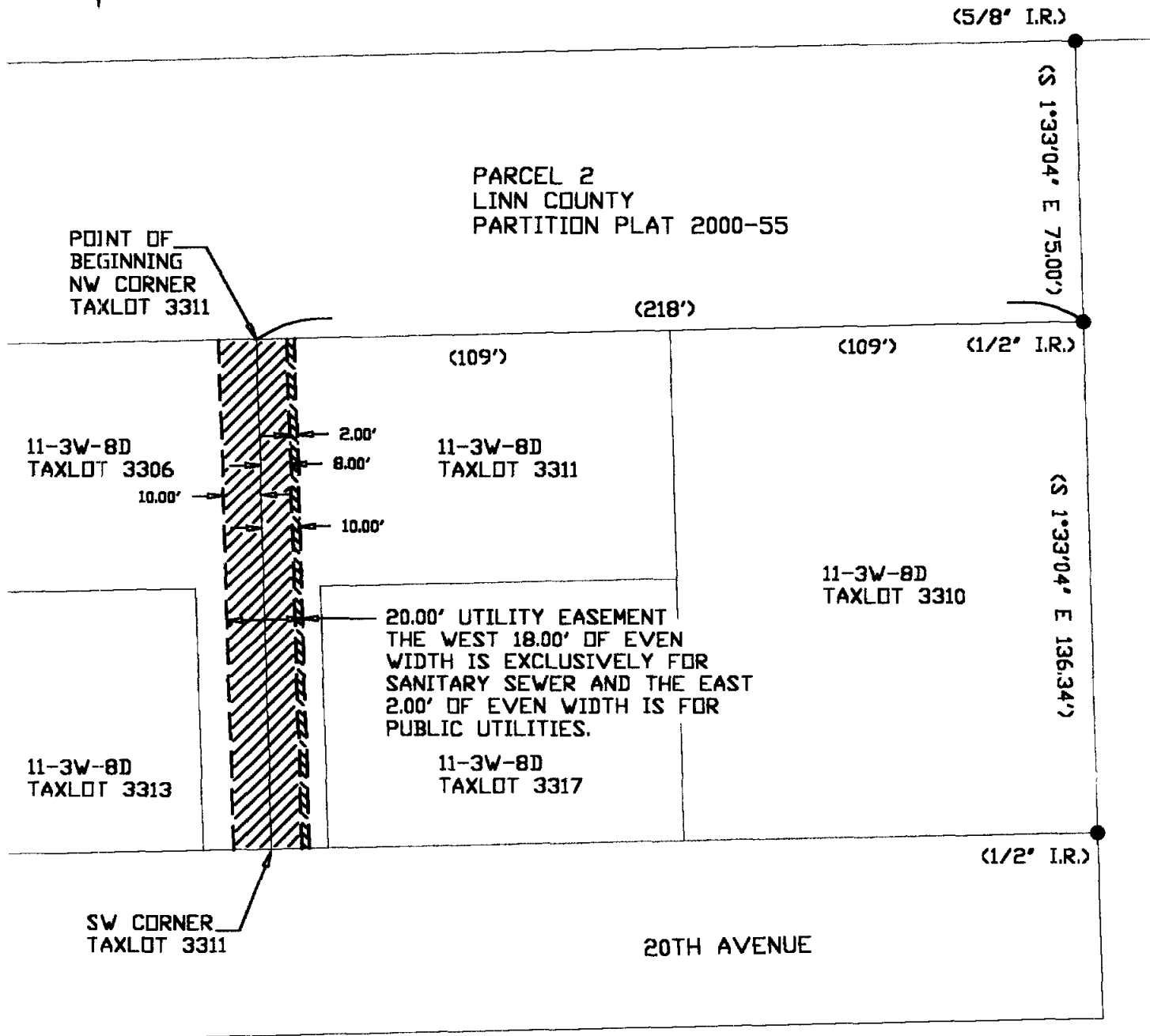
EXHIBIT B

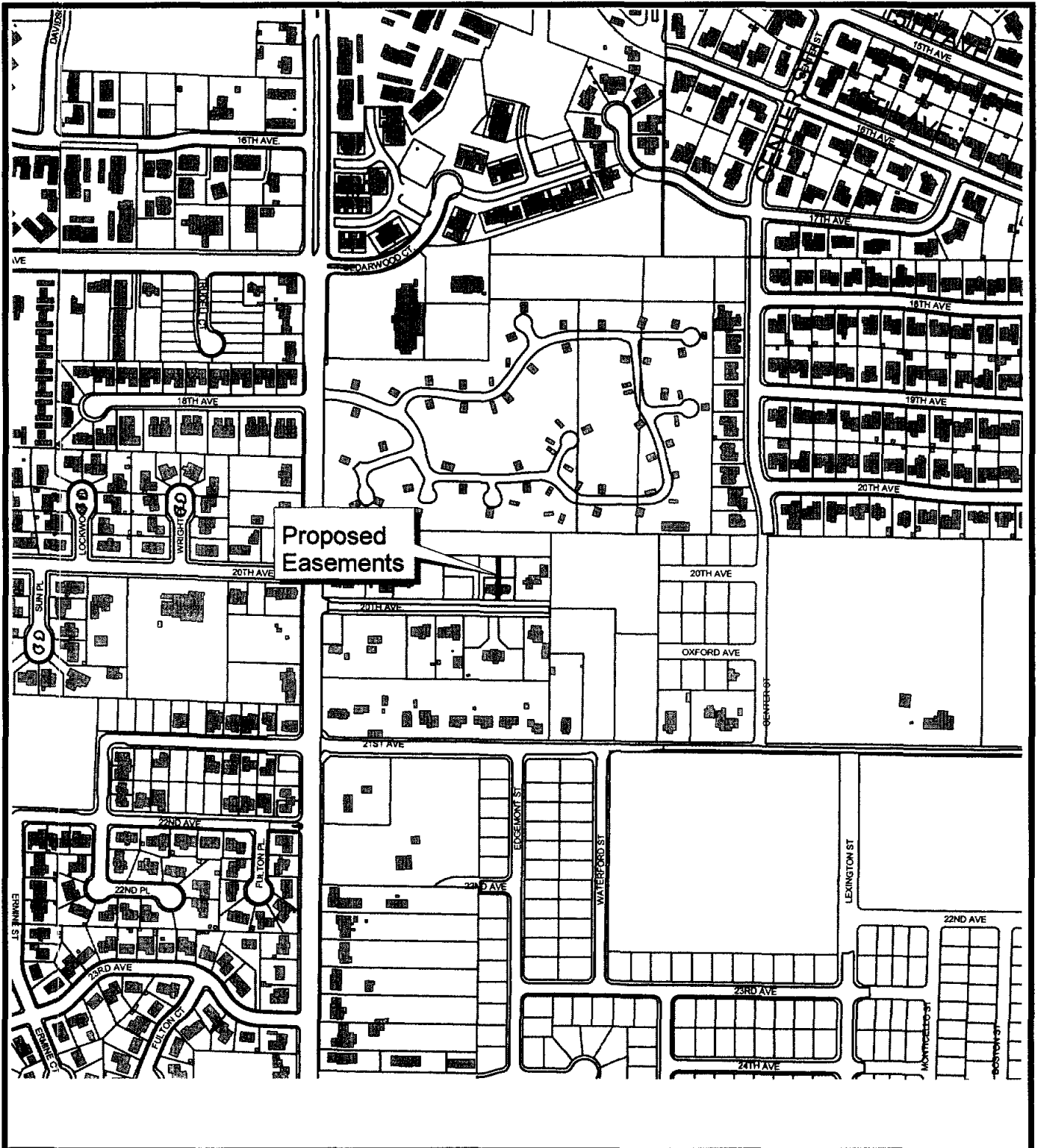
CITY OF ALBANY PUBLIC WORKS EASEMENT DEDICATION SE 1/4 SECTION 8

TOWNSHIP 11 SOUTH OF RANGE 3 WEST
WILLAMETTE MERIDIAN, LINN COUNTY, OREGON



SCALE 1" = 40'





VICINITY MAP

	CHAMBERLIN HOUSE SS AND WATER SI-01-04		10' Wide Public Utility Easements	
	MR. BRASH	Engineering		
angles J AV_PROJSITE_MAP APR				

EXHIBIT A

A strip of land 20.00 feet in even width being 10.00 feet on either side of the following described centerline.

Beginning at a point on the South line of Parcel 2 of Linn County Partition Plat 2000-55 which is 218.00 feet Westerly of the Southeast corner of said Parcel 2 and also being the Northwest corner of the land described in Linn County Deed Reference Microfilm Volume 1132-Page 661, thence South along the West line of said land described in Linn County Microfilm Volume 1132-Page 661 136 feet more or less to the Southwest corner of said land and also being on the North right-of-way of 20TH Ave.

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 JR, Deputy

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A
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MF 1273

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Recorded Document Recorder File No. 4090