

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

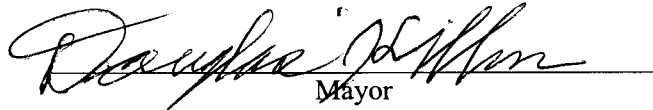
Rene E. Larson

Purpose

A 10-foot wide easement over an existing public storm drainage line along the north property line of 1440 Sherman Street SE.

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

DATED AND EFFECTIVE THIS 25TH DAY OF APRIL 2007.



Mayor

ATTEST:



City Clerk

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 19th day of February, 2007, by and between Rene E. Larson, herein called Grantor, and the City of Albany, herein called Grantee.

WITNESSETH:

That for and in consideration of the total compensation to be paid by the Grantee, the Grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the Grantee, 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 10-foot wide easement along the northerly boundary of the property described in Exhibit A, and more particularly described on the attached map, Exhibit B.
2. The permanent easement described herein grants to the Grantees, and to their successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that they may see fit, for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$0.00, receipt of which is acknowledged by the Grantors, and in further consideration of the improvements to be placed upon said property and the benefits Grantors may obtain there from.
4. The Grantors do hereby covenant with the Grantees 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 Grantees shall return the site to original or better condition.
6. No permanent structure shall be constructed on this easement, excepting those that already exist.

AFTER RECORDING RETURN TO:

The City of Albany
Attn: Public Works, Engineering
333 Broadalbin SW
Albany, OR 97321-0144

CITY OF ALBANY

IN WITNESS WHEREOF, the Grantor has hereunto fixed his/her/their hands and seals the day and year above written.

GRANTOR:

Rene Larson
Rene E. Larson

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

The foregoing instrument was acknowledged before me this 19th day of February, 2007, by Rene E. Larson as her voluntary act and deed.



Kevin L. Hamilton
Notary Public for Oregon
My Commission Expires: Oct. 07, 2007

CITY OF ALBANY:

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

Deane Taniguchi Dennis Pro Tem

I, ~~Wes Hare~~ as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5422, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 26 day of April 2007.

Deane Taniguchi Dennis
City Manager *Pro Tem*

ATTEST:

Betty Loggwell
City Clerk

CITY OF ALBANY

EXHIBIT A

Lot 33, Block 2, Amended Plat of Oak Grove Acres, in the City of Albany, County of Linn, and State of Oregon; this property being commonly known as 1440 Sherman St. SE, and being identified by the Linn County Assessor's Office as Maplot Number 11S-03W-07DA TL03200 as recorded by Deed in Book Volume 1086 Page 651.

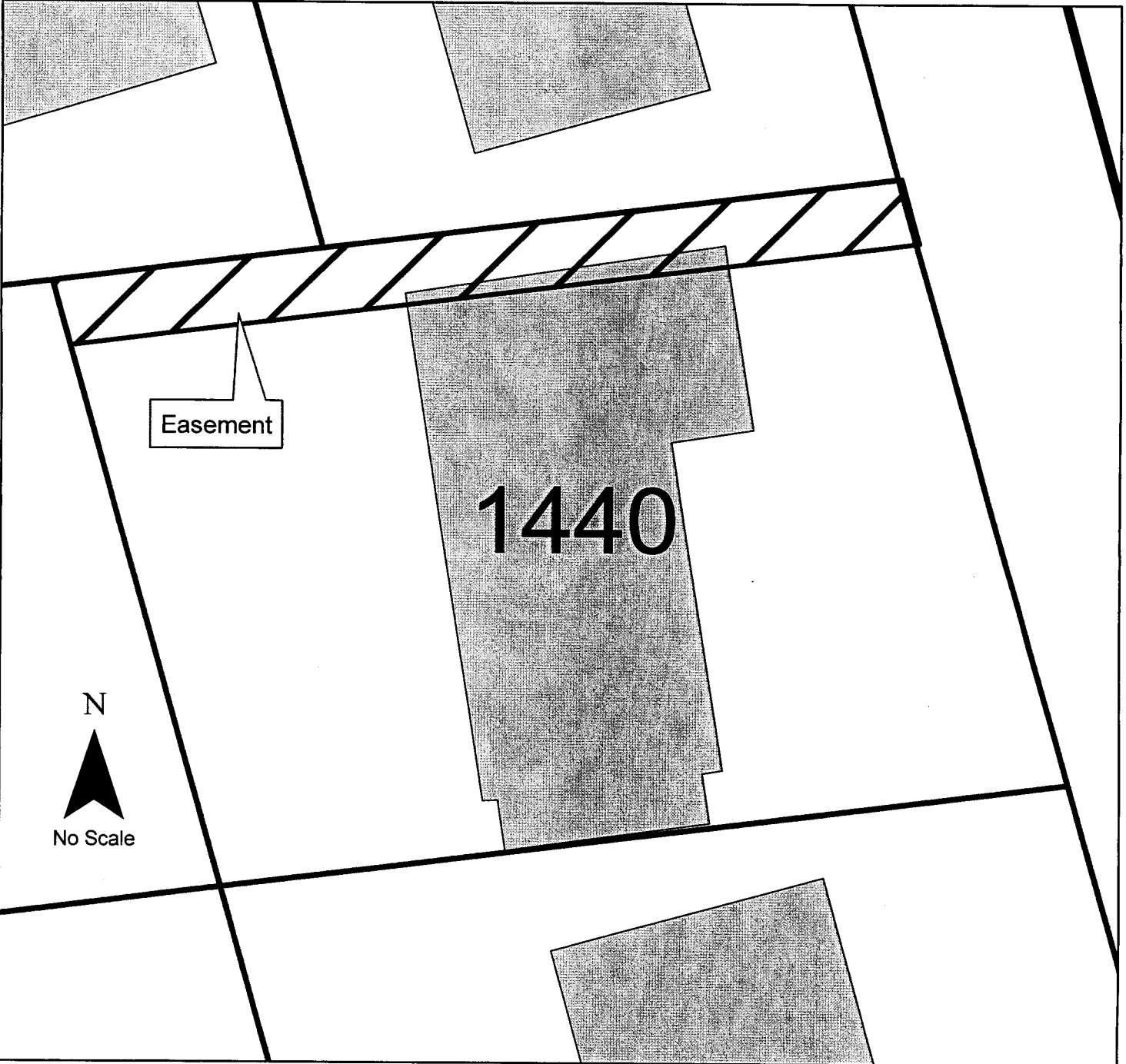
EXHIBIT B

11SO3W07DA03200

A 10-foot wide easement over an existing public storm drainage line along the north property line of 1440 Sherman Street SE.



Geographic Information Services



LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2007-13426**
E-UT
Cnt=1 Stn=1 COUNTER **06/01/2007 02:31:05 PM**
\$25.00 \$11.00 \$10.00 **\$46.00**



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.



Steve Druckenmiller - County Clerk

After Recording Return To:
City of Albany City Clerk _____
PO Box 490 _____
Albany, OR 97321 _____

All Tax Statements Should Be Sent To:
City of Albany Assessment Clerk _____
PO Box 490 _____
Albany, OR 97321 _____

1. Name/Title of Transaction - by ORS 205.234 (a)
Easement for Public Utilities
2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160
Rene E. Larson
3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160
City of Albany
4. True and Actual Consideration (if there is one), ORS 93.030
\$.00

Resolution No. 5422

Recorded Document Recorder File No. 4903