

RESOLUTION NO. 6351

A RESOLUTION GRANTING THE FOLLOWING UNDERGROUND POWERLINE EASEMENT:

Grantor: **CITY OF ALBANY**

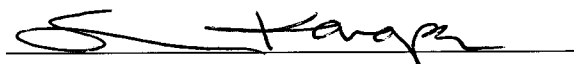
Purpose

Grantee: **Michael S. Todd**

Granting a 5-foot wide underground power line easement across City property to provide power to a sign for the 7-11 store at 1032 2nd Avenue SE, as part of the Main Street Reconstruction project, ST-13-04.

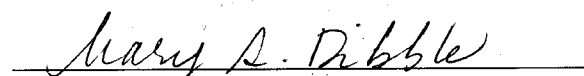
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby grant this access easement.

DATED AND EFFECTIVE THIS 9th DAY OF JULY 2014.



Mayor

ATTEST:



City Recorder

POWER LINE EASEMENT

THIS EASEMENT, granted this 9th day of July 2014 by the **City of Albany**, a Municipal Corporation, herein called "Grantor," to **Michael S. Todd**, herein called "Grantee."

WITNESSETH:

The Grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the Grantee, and grantee's heirs, successors and assigns, an underground power line easement, including the right to enter upon the real property hereinafter described, and to maintain, repair, and replace the power line within the easement area, for the purpose of providing electric power to the sign at the south end of the easement area.

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 maps on attached EXHIBIT "B" and EXHIBIT "C", attached hereto and made a part hereof.

2. The easement described herein grants to the grantee, the right to enter upon said easement at any time that it may see fit for power line construction, maintenance, evaluation, replacement and/or repair purposes.
3. After performing any work in the easement area, the grantee shall return the easement area to original or better condition.

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

GRANTOR:
City of Albany

By: *Stewart Taylor*
Stewart Taylor,
Finance Director

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

The instrument was acknowledged before me this
25 day of July 2014 by Stewart Taylor,
Finance Director, City of Albany.

Mary A. Dibble
Notary Public for Oregon
My Commission Expires: 12/5/16



CITY OF ALBANY:

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

I, Wes Hare as City Manager of the City of Albany,
Oregon, pursuant to Resolution Number 6351, do
hereby grant on behalf of the City of Albany, the above
instrument pursuant to the terms thereof this
28 day of July 2014.

Wes Hare
City Manager

ATTEST:

Mary A. Dibble
City Recorder

EXHIBIT A

K & D ENGINEERING, Inc.

Engineers • Planners • Surveyors

Legal Description

Underground Power Line Easement

over

Tax Lots 5900 and 5800 of Assessor Map 11S-03W-06DD

A 5.00 foot wide strip of land for easement purposes located over a portion of the property conveyed to the City of Albany described by deed recorded in Document Number 2013-2069 in the Linn County, Oregon Deed Records that is more particularly described as follows:

Beginning at a point that is North 49°19'17" East 52.10 feet of the southwest corner of said City of Albany property; thence North 07°28'34" East 71.95 feet; thence North 19°50'50" West 117.96 feet to a point on the north line of said City of Albany property; thence North 83°03'12" East, along said north line, 5.43 feet; thence South 29°50'50" East 17.54 feet; thence South 07°28'34" West 73.43 feet; thence North 45°29'23" West 3.87 feet; South 44°30'37" West 3.17 feet to the Point of Beginning.

The bearings of the above described strip are Grid bearings established by Oregon State Plane Coordinates North Projection per the City of Albany GIS.

July 2, 2014
POWER EASEMENT DESCRIPTION
OVER TAX LOT 5900
(12-96) JJC:ls

File Ref: z:/projects/2012/12-96/surveying/documents/power-easement 5900.doc

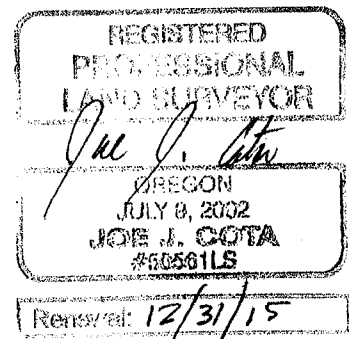
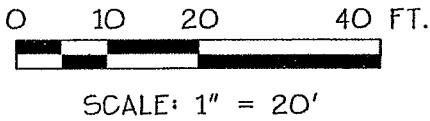


EXHIBIT "B"

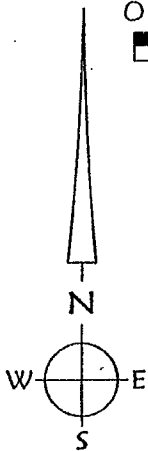
JULY 2, 2014



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
JOE J. COTA
#58561LS

Renewal: 12/31/15



TAX LOT 5600
MAP 11503W06DD
1032 2ND AVE SE

TAX LOT 5700
MAP 11503W06DD
222 MAIN ST SE

TAX LOT 5800
MAP 11503W06DD
230 MAIN ST SE

N83°03'12"E
5.43'

S29°50'50"E
17.54'

N29°50'50"W
17.96'

**5' WIDE UNDERGROUND
POWER LINE EASEMENT**

TAX LOT 5900
MAP 11503W06DD
1029 3RD AVE SE

N07°28'34"E 71.95'
S07°28'34"W 73.43'

LINE DATA TABLE:

- L1 N45°29'23"W 3.87'
- L2 S44°30'37"W 3.17'
- L3 S45°29'23"E 6.00'
- L4 S44°30'37"W 6.00'
- L5 N45°29'23"W 6.00'
- L6 N44°30'37"E 2.83'

MAIN ST SE

P.O.B.

P.O.B.

N49°19'17"E 52.10'

SEE DETAIL

SIGN EASEMENT

DETAIL

3RD AVE SE



K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2583

Date: 7/2/2014

Time: 16:50

Scale: 1=20

File: dwg\2012\12-96\12-96_ease.dwg (lan)

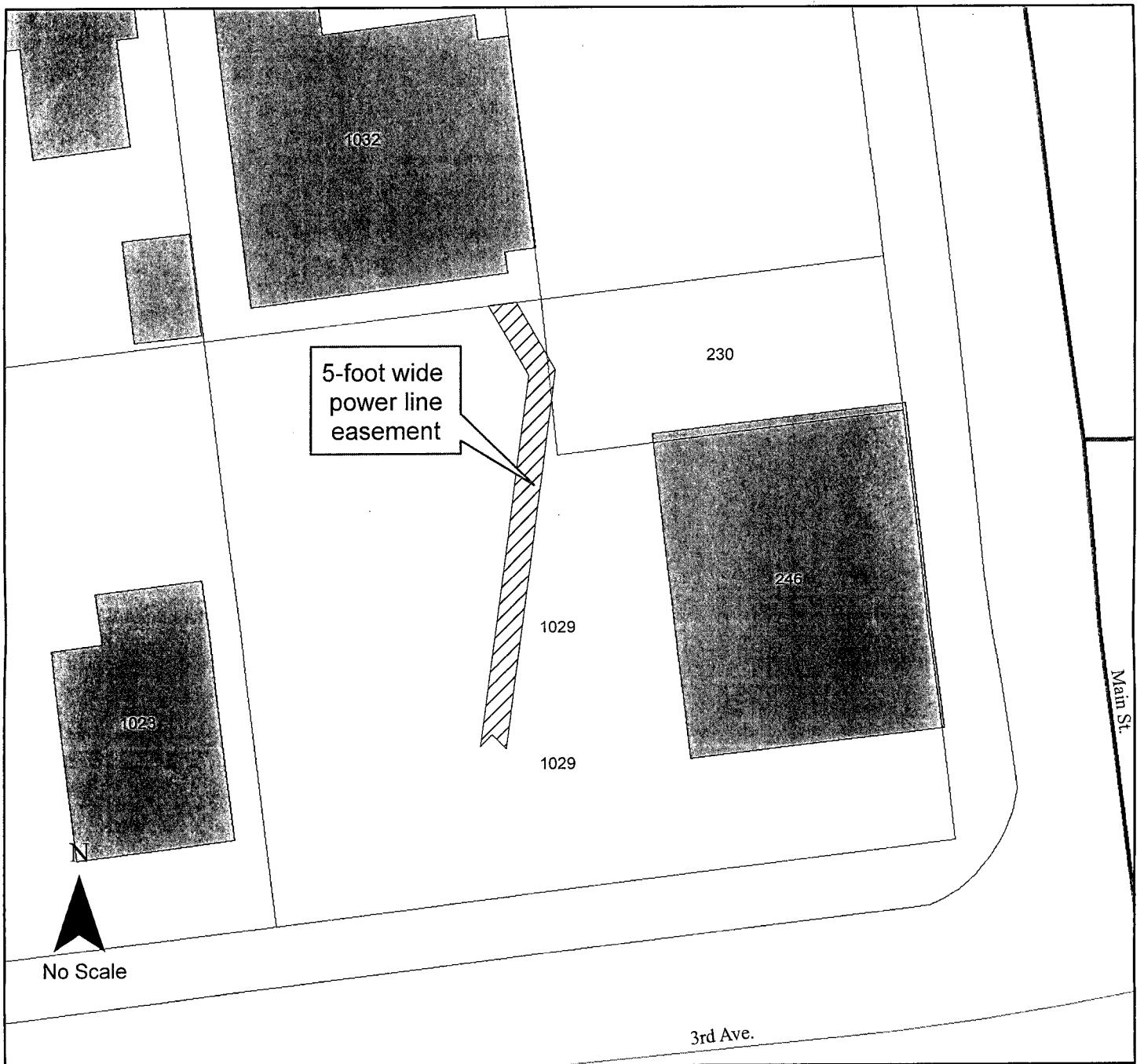
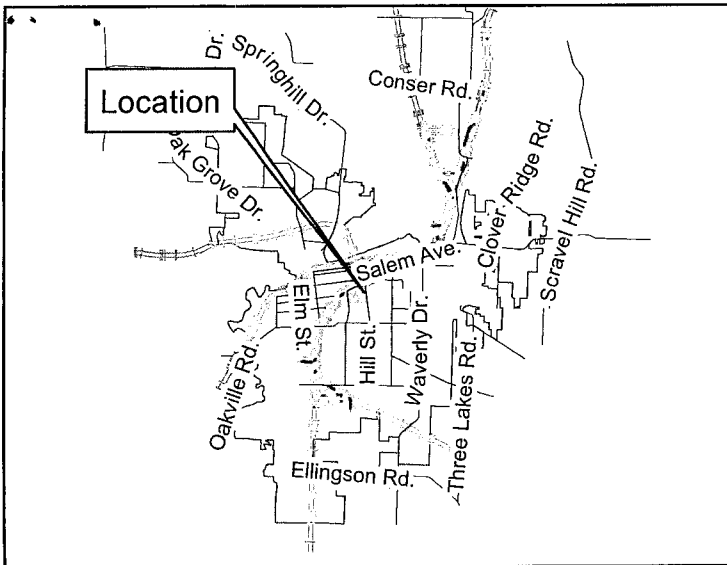
EXHIBIT C

11S03W06DD 05900 & 05800

Granting a 5-foot wide underground power line easement across City property to provide power to a sign for the 7-11 store at 1032 2nd Avenue SE, as part of the Main Street Reconstruction project, ST-13-04



Geographic Information Services



LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY OREGON **2014-09478**
E-EAS
Cnt=1 Stn=44 COUNTER **07/28/2014 02:55:42 PM**
\$30.00 \$11.00 \$20.00 \$19.00 \$10.00 **\$90.00**



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

1. Name/Title of Transaction - by ORS 205.234 (a)

Powerline Easement

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

City of Albany

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

Michael S. Todd

4. True and Actual Consideration (if there is one), ORS 93.030

\$0