



RESOLUTION NO. 6856

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT

Grantor

Kevin Lake and Anna Lake

Purpose

Accepting a variable width water easement, as part of
WL-20-04, Park Terrace Water Line 10S04W36AC
00700

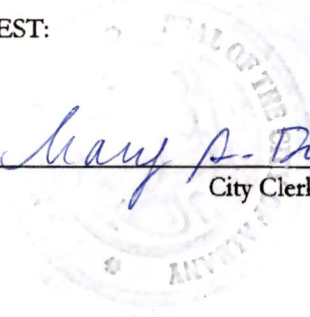
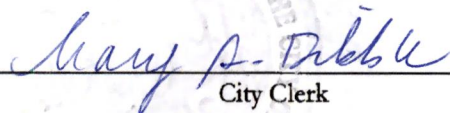
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED AND EFFECTIVE THIS 12TH DAY OF FEBRUARY 2020.



Mayor

ATTEST:

City Clerk

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 3 day of FEBRUARY, 2020, by and between Kevin Lake and Anna Lake, 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, 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:

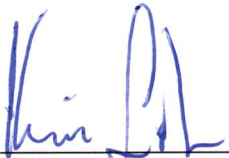
1. The easement hereby granted consists of:

A variable width public water easement. See legal description on attached Exhibit A and easement maps on attached Exhibits B and C.
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 \$1,207.44, 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.

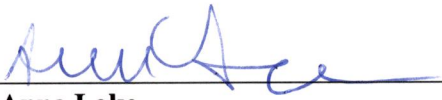
IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

GRANTOR:

Kevin Lake and Anna Lake



Kevin Lake



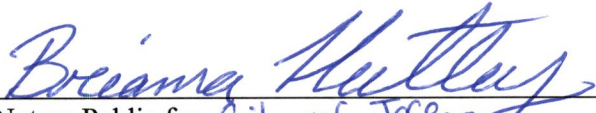
Anna Lake

STATE OF Oregon)
County of Marion) ss.
City of Jefferson)


STATE OF Oregon)
County of Marion) ss.
City of Jefferson)

The foregoing instrument was acknowledged before me this 3 day of February, 2020, by Kevin Lake as his voluntary act and deed.

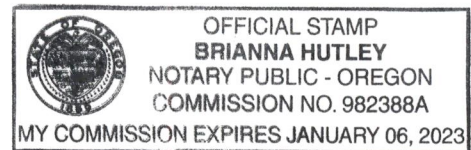
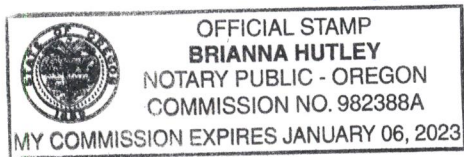
The foregoing instrument was acknowledged before me this 3 day of February, 2020, by Anna Lake as her voluntary act and deed.



Notary Public for City of Jefferson
My Commission Expires: January 06, 2023



Notary Public for City of Jefferson
My Commission Expires: January 06, 2023



CITY OF ALBANY:

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

I, Peter Troedsson, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 6856, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this _____ day of _____ 2020.

City Manager

ATTEST:

City Clerk

EXHIBIT "A"

Legal Description

Water Line Easement

located over

Tax Lot 700 of Benton County Assessor Map 10S-04W-36AC
1803 Park Terrace Dr. NW, Albany, Oregon

A variable width strip of land for easement purposes located over a portion of that property conveyed to Kevin Lake and Anna Lake, husband and wife, as tenants by the entirety by Statutory Warranty Deed recorded in M-325368-02 in the Benton County, Oregon Deed Records on September 16, 2002 (hereinafter referred to as the "Lake Tract") said strip of land being more particularly described as follows:

Beginning at a point on the north line of said Lake Tract that is North 89°53'00" East 5.00 feet from the northwest corner of said Lake Tract said point being on the east line of an existing 5.00 foot Utility Easement recorded in M-149562-92 in the Benton County Deed Records (hereinafter referred to as the "Existing Easement"); thence North 89°53'00" East, along the north line of said Lake Tract, 14.20 feet; thence South 00°13'00" East 14.50 feet; thence South 44°50'00" West 13.00 feet to a point that is 5.00 feet easterly, when measured at right angles, of the east line of said Existing Easement; thence South 00°13'00" East, parallel to said Existing Easement, 142.89 feet; thence South 89°47'00" West 5.00 feet to a point on the east line of said Existing Easement; thence North 00°13'00" West 166.60 feet to the Point of Beginning.

County Survey Number 3372, a record of survey filed in the office of the Benton County Surveyor, was held to establish the Basis of Bearings of the above described strip of land.

Project # 19-230



RENEWS:

0 20 40 80 FT.



SCALE: 1" = 40'

EXHIBIT "B"

CITY OF ALBANY WATERLINE EASEMENT

LOCATED IN THE

NE 1/4 SECTION 36, T. 10 S., R. 4 W., W.M.
CITY OF ALBANY, BENTON COUNTY, OREGON
TAX LOT 700 OF BENTON CO. ASSESSOR
MAP 105-4W-36AC
1803 PARK TERRACE DR. NW, ALBANY, OR.



(LOT 19)

PARK TERRACE DR. NW

POINT OF BEGINNING

(LOT 20)

{ TREE VIEW
SUBDIVISION }

(LOT 21)

NORTHWEST
CORNER
OF LAKE TRACT



VARIABLE WIDTH EASEMENT
CREATED BY THIS DOCUMENT

LAKE TRACT
DEED M-325368-02

N00°13'00"W 166.60'

S00°13'00"E 142.89'


EXISTING UTILITY
EASEMENT PER
M-149562-92



PARK TERRACE DR. NW

LEGEND:

① COURSE DATA;
SEE "LINE TABLE"

 EASEMENT CREATED BY
THIS DOCUMENT
AREA = 1,009 SF

LINE TABLE:

- ① N89°53'00"E 14.20'
- ② S00°13'00"E 14.50'
- ③ S44°50'00"W 13.00'
- ④ S89°47'00"W 5.00'

Date: 11/22/2019 Time: 15:02
Scale: 1=1(P5)
File: dwg\2019\19-230\19-230_ex.dwg (George)

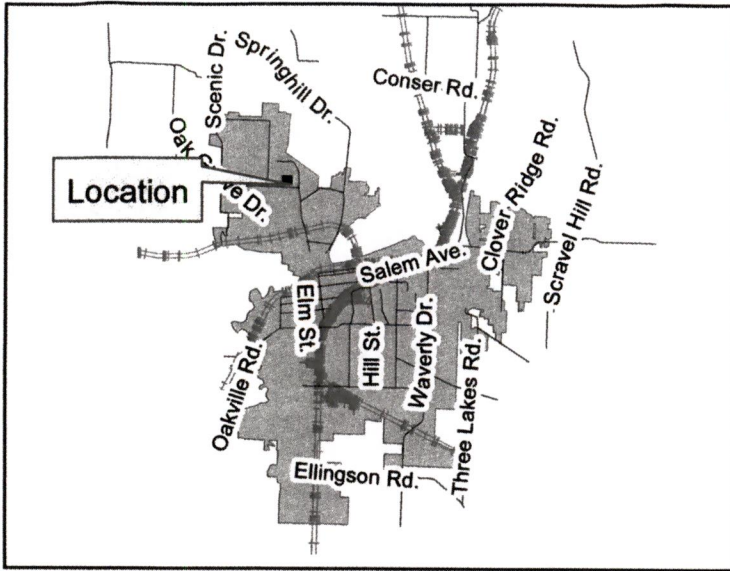


K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2563

EXHIBIT C

10S04W36AC 00700

A Variable width easement
for WL-20-04,
Park Terrace Water line



Geographic Information Services

