



A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT

Grantor

Sharon K Gutierrez

Purpose

Accepting a 10-foot-wide sewer easement, as part of
SS-19-03, 2019 sewer point repairs.
11S03W05CC 14700

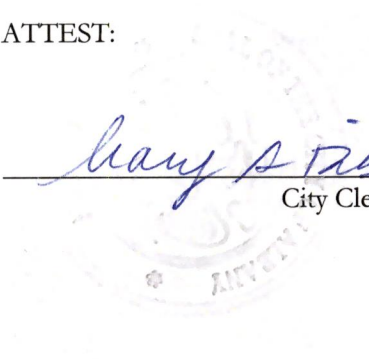
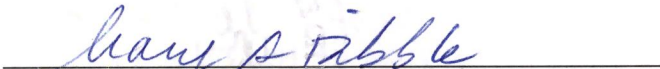
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED AND EFFECTIVE THIS 8TH DAY OF APRIL 2020.



Mayor

ATTEST:

City Clerk

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 28TH day of FEBRUARY, 2020, by and between Sharon K Gutierrez, 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 10-foot wide sewer easement for City of Albany utilities over an existing sewer line. 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 \$1.00, 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. A shed is not considered a permanent structure and is allowed within the easement.

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

GRANTOR:

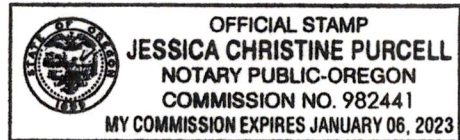
Sharon K Gutierrez

Sharon K Gutierrez

STATE OF OREGON)
County of Benton) ss.
City of Corvallis)

The foregoing instrument was acknowledged before me this 28th day of February, 2020, by Sharon K Gutierrez as her voluntary act and deed.

Notary Public for Oregon
My Commission Expires: 1/6/2023



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 6877, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 10th day of April 2020.

City Manager

ATTEST:

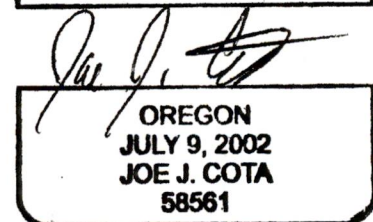
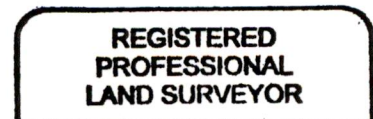
City Clerk (Deputy)

EXHIBIT "A"

Legal Description
10.00' wide Sanitary Sewer Easement
for
City of Albany, Oregon
located over
402 Geary Street SE
Tax Lot 14700, Assessor Map 11S-3W-05CC

A 10.00 foot wide strip of land located over that property conveyed to Sharon K. Gutierrez by Statutory Bargain and Sale Deed recorded in Document Number 2008-23225 in the Linn County, Oregon Deed Records on December 17, 2008 (hereinafter referred to as "Gutierrez Tract"), said strip of land being more particularly described as follows:

Beginning at the northwest corner of Lot 1 of Block 11 of "Bryant's Addition to the City of Albany", a subdivision recorded in the Linn County Book of Subdivision Plats; thence North 65°14'50" East, along the north line of said Lot 1, a distance of 10.88 feet; thence South 01°30'00" East 25.20 feet to a point on the south line of said Gutierrez Tract; thence South 88°30'00" West, along said south line, 10.00 feet to the southwest corner of said Gutierrez Tract; thence North 01°30'00" West 25.20 feet to the Point of Beginning.



RENEWS: 12/31/19

August 7, 2019
10' WIDE SS EASEMENT – GUTIERREZ
(19-145) JJC:ls
File Ref: z:/projects/2019/19-145/surveying/documents/Gutierrez easement.doc

LEGEND:

L1 = COURSE DATA, SEE "LINE DATA"
V. = VOLUME
PG. = PAGE

10.00' WIDE SANITARY SEWER EASEMENT

FOR

CITY OF ALBANY

LOCATED OVER

**402 GEARY STREET SE,
TAX LOT 14700, MAP 115-3W-05CC,**

**LOT 1, BLOCK 11 OF
"BRYANT'S ADDITION TO THE
CITY OF ALBANY"**

IN THE

CITY OF ALBANY, LINN COUNTY, OREGON

AUGUST 6, 2019

**LINE DATA
(SANITARY SEWER EASEMENT)**

- L1 = N65°14'50"E 10.88'
- L2 = S01°30'00"E 25.20'
- L3 = S88°30'00"W 10.00'
- L4 = N01°30'00"W 20.90'

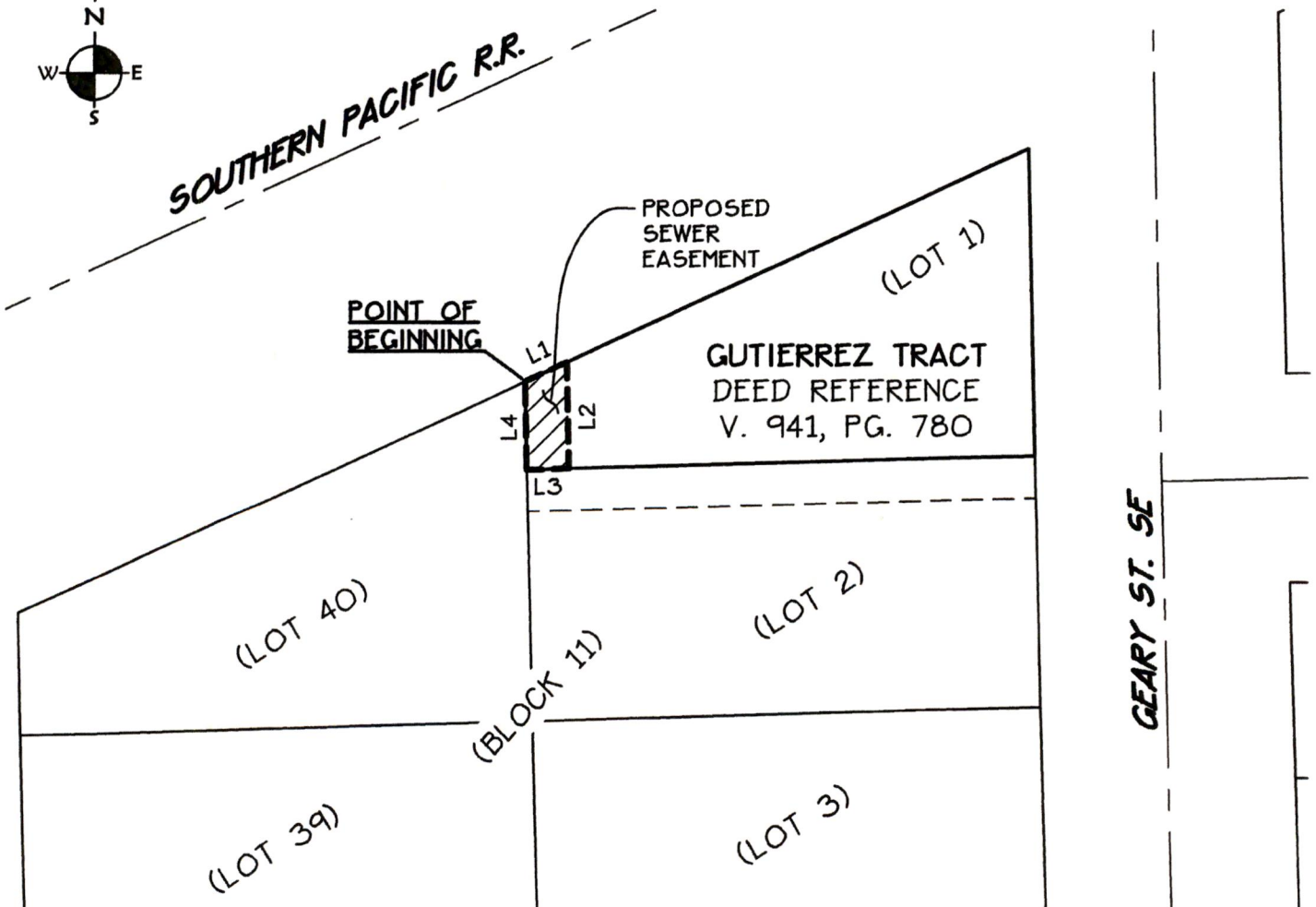
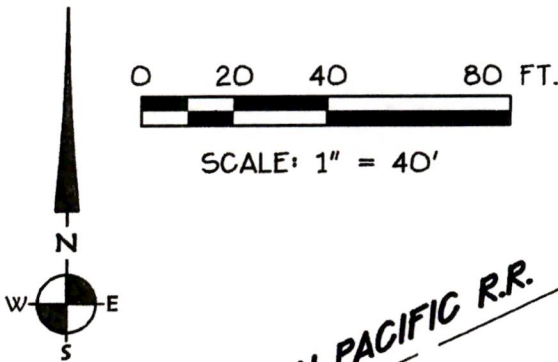
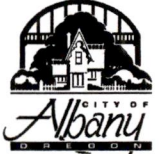
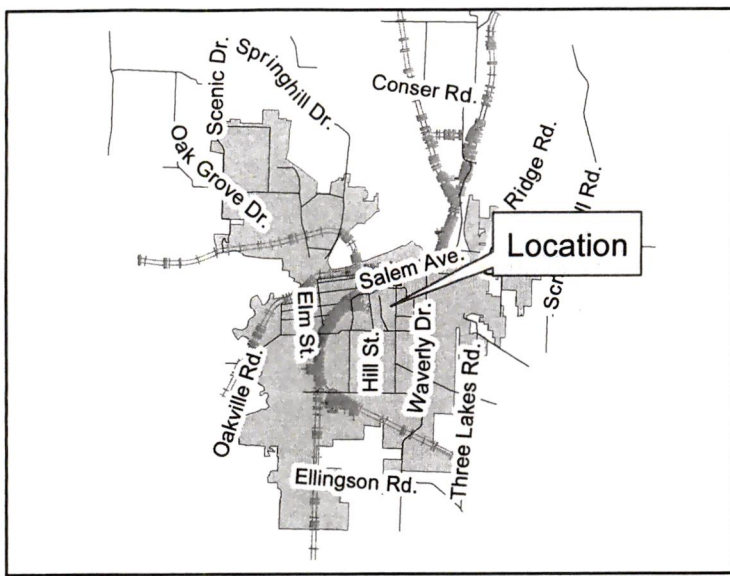


EXHIBIT C

11S03W05CC- 14700

A 10 foot wide sewer easement,
as part of SS-19-03,
2019 sewer point repairs



Geographic Information Services

