

RESOLUTION NO. 2169

NOW, HEREBY BE IT RESOLVED that the Mayor and members of the City Council of the City of Albany, Oregon do hereby accept the following easement:


Grantor

A. Dell Miebach

Purpose

Construction and Maintenance of 7' sanitary sewer for property at the northwest corner of Ninth and Lafayette

DATED this 28th day of May, 1980.



Mayor

ATTEST:



City Recorder

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF
SEWER

THIS AGREEMENT, made and entered into this 19th day of
May, 19 80, by and between

A. DELL MEJACH

herein called grantors, and the CITY OF ALBANY, a Municipal corporation, herein called "City"

WITNESSETH:

That for and in consideration of the sum of -0-
DOLLARS

() cash in hand paid, the receipt of which is hereby acknowledged, the grantors have this day bargained and sold and by these presents do bargain, sell, convey and transfer unto the City of Albany, a permanent easement and right-of-way, including the perpetual right to enter upon the real property hereinafter described at any time that it may see fit, and to construct, maintain and repair sanitary sewer lines for the purpose of conveying sewer 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 sewer and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of the said sewer.

The easement and right-of-way hereby granted covers a strip of land 9 feet in width for the purpose of construction and 44 feet in width for the purpose of maintenance over the following described property:

Beginning at a 5/8" iron rod at the northeast corner of the Southeast quarter of block 31, Hackleman's second addition to the Albany, Linn County, Oregon; and running thence Westerly, along the North line of said Southeast quarter, 44.0 feet to a 5/8" iron rod; thence Southerly, parallel with the East line of said Southeast quarter, 9.0 feet; thence Easterly, parallel with the North line of said Southeast quarter, 44.0 feet to the East line of said block 31; thence Northerly, along said East line, 9.0 feet to the point of beginning.

TO HAVE AND TO HOLD the said easement and right-of-way unto the City of Albany and unto its successors and assigns forever.

EASEMENT FOR CONSTRUCTION OF A SANITARY SEWER
Page 2

The grantors do 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.

IN WITNESS WHEREOF, the grantors have hereunto fixed their hands and seals the day and year first hereinabove written.

A. Will Miebach

STATE OF OREGON)
County of)ss
City of)

On this 19th day of May, 1980
personally appeared the above named A. Will Miebach

and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 19 day of May
_____, 19 80.

Dez A Blair
Notary Public for Oregon

My Commission Expires: 8-1-83

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

I, Richard S. Olsen, as Mayor of the City of Albany, Oregon, pursuant to Resolution Number 2169, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: May 29, 19 80.

CITY OF ALBANY, OREGON
Richard S Olsen
Mayor

Holladay
Recorder