

RESOLUTION NO. 2185

NOW, THEREFOR, BE IT RESOLVED by the Mayor and Members of the Albany City Council that the following easement be accepted on behalf of the City:

Grantor
Thomas Hastings

Purpose
10 foot wide sanitary sewer easement
in Vista Homes Addition

(as condition of lot line adjustment)

DATED this 23rd day of July, 1980.

Richard S. Olsen
Mayor

ATTEST:

[Signature]
City Recorder

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF

SANITARY SEWER

THIS AGREEMENT, made and entered into this 7th day of JULY, 1980, by and between

Thomas R. Anderson

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

WITNESSETH:

That for and in consideration of the sum of \$0.00 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 0 feet in width for the purpose of construction and 5 feet in width for the purpose of maintenance over the following described property:

A 10.00 foot wide Sanitary Easement lying 5.00 feet on each side of the following described line:

Beginning at a point which is North 89° 51'00" East 1281.47 feet and South 01°36'00" East 134.00 feet from the northwest corner of Lot 10, VISTA HOMES, Albany, Linn County, Oregon; and running thence North 87° 27'40" West 61 feet.

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.

Thomas R. Hastings

STATE OF OREGON)
County of) ss
City of)

On this 7th day of JULY, 1980
personally appeared the above named
THOMAS R. HASTINGS

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

Subscribed and sworn to before me this 7th day of JULY, 1980.

Myrdal J. Carro
Notary Public for Oregon

My Commission Expires: AUGUST 25, 1983

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 2185, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: July 23, 1980.

CITY OF ALBANY, OREGON

Richard S. Olsen
Mayor

[Signature]
Recorder