

RESOLUTION NO. 2323

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does accept the following easement:

Grantor

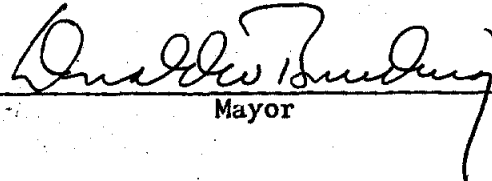
James D. and Gayle Haring.

Purpose

Easement for Construction and Maintenance of Storm Sewer

(125' by 70' - see attached legal)

DATED this 14th day of April, 1982.



Mayor

ATTEST:



City Recorder

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF

STORM SEWER

James D. Haring
THIS AGREEMENT, made and entered into this 8th day of
April, 19 82, by and between
James D. and Gayle Haring

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
(\$0.00-----) 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 125 feet in width for the purpose of construction and
70 feet in width for the purpose of maintenance over the
following described property:

Commencing at the Southwest Corner of the Hugh Nickerson
D. L. C. No. 39; and running thence N 89°58'30"E 25.00 feet
to the true point of beginning.

thence N 89°58'30" E 212.60 feet;
thence South 70.00 feet (or 125.00 feet for construction);
thence S 89°58'30" W 212.60 feet;
thence North 70.00 feet (or 125.00 feet for construction)
to the true 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 STORM 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.

James D. Haring
Gayle M. Haring

STATE OF OREGON)
County of)ss
City of)

On this 8TH day of APRIL, 1982
personally appeared the above named
• JAMES D. HARING AND GAYLE M. HARING

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

Subscribed and sworn to before me this 8TH day of APRIL, 1982.

W. J. [Signature]
Notary Public for Oregon

My Commission Expires: August 25, 1983

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

I, Donald W. Brudvig, as Mayor of the City of Albany, Oregon, pursuant to Resolution Number 2323, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: April 16, 1982.

CITY OF ALBANY, OREGON

Donald W. Brudvig
Mayor

[Signature]
Recorder

Resolution No. 2323

Recorded Document Recorder File No. 4106