

RESOLUTION NO. 2347

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

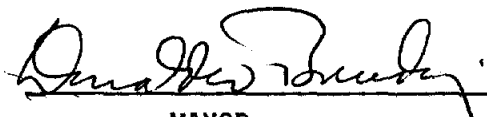
GRANTOR

Peter F. Wu

PURPOSE

Easement for construction and maintenance of bicycle path (see attached legal)

DATED this 25th day of August, 1982.


MAYOR

ATTEST:


CITY RECORDER

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF
BICYCLE PATH

THIS AGREEMENT, made and entered into this 11 day of Aug,
1982, by and between PETER F. WU
herein called grantors, and the CITY OF ALBANY, a Municipal corporation, herein
called "City."

WITNESSETH:

That for and in consideration of the sum of ~~_____~~
~~_____~~ DOLLARS (~~_____~~) cash in hand paid, the
receipt of which is hereby acknowledged, the grantors have this day 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 a bicycle path over, across, through and under the
lands hereinafter described, together with the right to excavate and fill for the
location of the said bicycle path and the further right to remove trees, bushes,
undergrowth and other obstructions interfering with the location, construction and
maintenance of the said bicycle path.

Beginning at a point on the east line of Wharf Lot 9 in the City of Albany, Linn
County, Oregon, said point being N8°53'30"E 80.50 feet from the southeast corner
of Wharf Lot 9; thence S81°19'W 100.83 feet; thence S8°40'E 15.00 feet; thence S81°19'W
100.83 feet to the west line of Wharf Lot 7; thence N8°40'W along the west line
of Wharf Lot 7 to the north line of Wharf Lot 7; thence easterly along the north
lines of Wharf Lots 7, 8, and 9 to the east line of Wharf Lot 9; thence S8°53'30"W
along the east line of Wharf Lot 9 to the point of beginning.

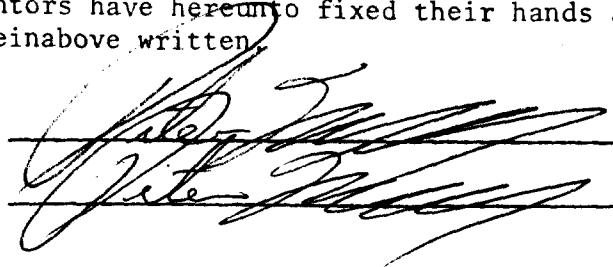
TO HAVE AND TO HOLD the said easement and right-of-way unto the City of Albany
and unto its successors and assigns forever.

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF BICYCLE PATH
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The City covenants that should it become necessary subsequent to the original construction of the said bicycle path, to enter in and upon the property for the purpose of maintenance, that the property will be restored to that condition that it was prior to the undertaking of the maintenance.

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.




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

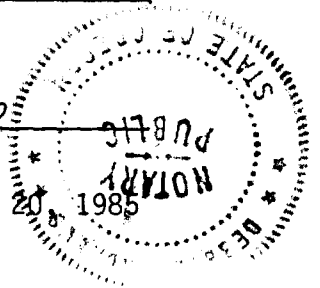
On this 16th day of August, 19 82
personally appeared the above named Peter Wu

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

Subscribed and sworn to before me this 16th day of August, 19 82.


Notary Public for Oregon

My Commission Expires: July 20, 1985

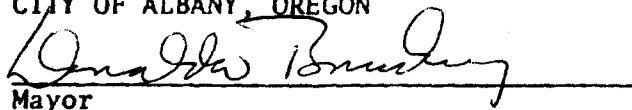


STATE OF OREGON)
County of Linn) ss
City of Albany)

I, Donald W. Brudvig, as Mayor of the City of Albany, Oregon, pursuant to Resolution Number 2347, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: August 26, 1982.

CITY OF ALBANY, OREGON


Mayor



541879

1200

October 7, 1982

COMPARED

STATE OF OREGON
County of Linn

I hereby certify that the attached was
received and duly recorded by me in
Linn County records:

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At 8:30 O'clock a.m.
Witness My Hand and Seal

DEL W. RILEY
Linn County Clerk

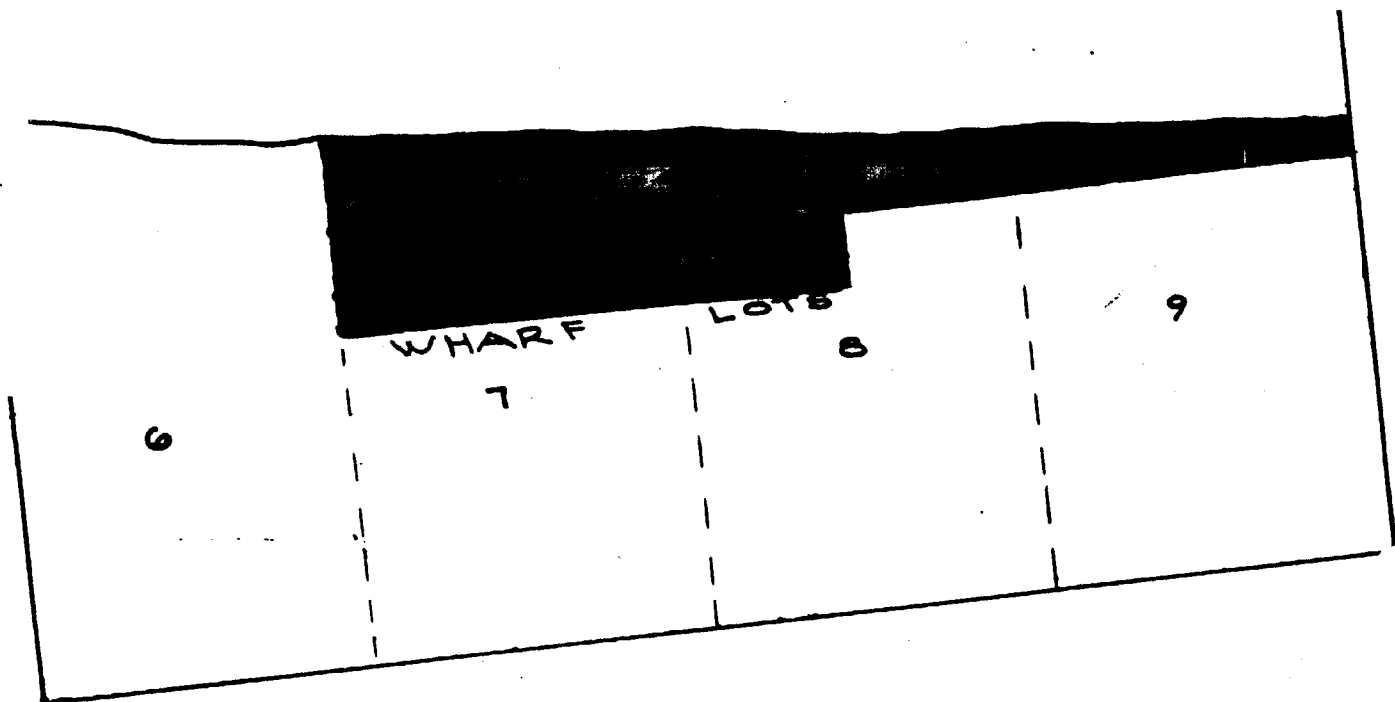
By Grace Helen Hunter
Deputy

City of Albany
P.O. Box 490
Albany, Ore
97321

SCALE
1" = 40'

N
1

WILLAMETTE RIVER



WATER AVE.

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Recorded Document Recorder File No. 1319