

RESOLUTION NO. 2572

BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following easement:

Grantor

Robert S. Rondeau

Purpose

to maintain and repair a sanitary sewer within the east 10 feet of Lots 7 and 8, Block 6, Burkhart Addition, City of Albany, Oregon.

DATED this 11th day of September, 1985.



Mayor

ATTEST:



City Recorder

EASEMENT FOR A SANITARY SEWER

THIS AGREEMENT, made and entered into this 26th day of August 1985, by and between Robert S. Rondeau, herein called grantors, 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 grantors have this day bargained and sold and by these presents do bargain, sell, convey and transfer unto the City of Albany, an easement and right-of-way, including the right to enter upon the real property hereinafter described, and to 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, under-growth and other obstructions interfering with the location and maintenance of the said sewer.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consist of:
 - a. a permanent easement which covers a strip of land 10 feet in width for the purpose of maintenance over the property described herein.
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 maintenance and repair purposes.
3. The land affected by this agreement is located in the County of Linn, State of Oregon; and is a portion of the tract as shown on the attached drawing, marked "Exhibit A," which is herewith made a part of this agreement.
4. The true, actual, and total compensation to be paid by the City to the Grantors, in exchange for the easement rights herein described and granted is:
 - a. The approval of Site Plan SP-89-84
5. 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.
6. No permanent structure shall be constructed on this easement.

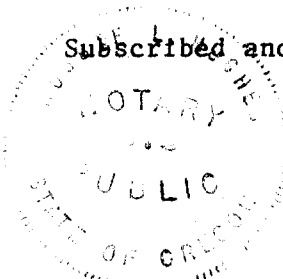
IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year below written.

Robert S. Rondeau, DMD
of Albany Dental Group

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

On this 26th day of August, 1985 personally appeared the above named Robert S. Rondeau and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 26th day of August, 1985.



Robbie L. Hughes
Notary Public for Oregon

My Commission Expires: 2-5-88

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

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2572, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

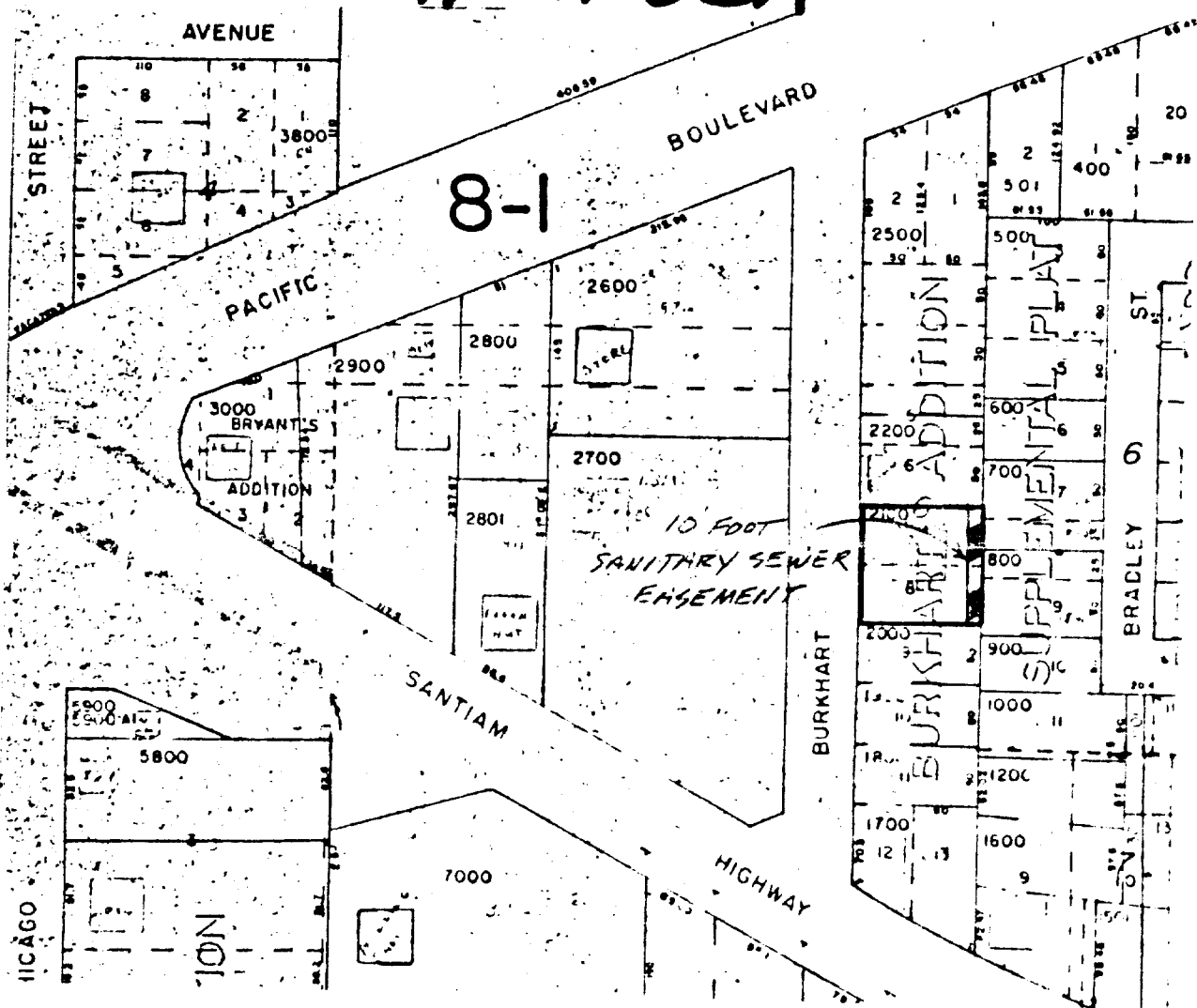
Dated: September 13, 1985.

CITY OF ALBANY, OREGON

William B. Barrons
City Manager

[Signature]
City Recorder

11-3W-8BA



DESCRIPTION

A 10 foot wide sanitary sewer easement more fully described as:

The east 10 feet of Lots 7 and 8, Block 6, Burkhardt Addition, Linn County, Oregon.

OCT 1 1985

At 8:30 O'clock a.m.

DEL W. RILEY
Linn County Clerk

STATE OF OREGON
County of Linn

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

By _____, Deputy

[Handwritten signature]

Resolution No. 2572

Recorded Document Recorder File No. 1740