

RESOLUTION NO. 2705

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

Grantor

CCMW Company

Purpose

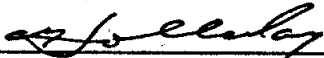
three permanent easements for public utilities located on properties in the east half of the block between 6th and 7th Avenues on Elm Street within a portion of Block 60, City of Albany, Linn County, Oregon.

DATED this 22nd day of July, 1987.



Mayor

ATTEST:



City Recorder



EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 10th day of July, 1987, by and between **CCMW Company**, 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 public utilities for the purpose of conveying public utilities services 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 public utilities and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consist of:

A 4.0 foot wide permanent easement, parallel, adjacent and South of the line described below and further shown on the attached Linn County Survey (C.S.12684) labeled EXHIBIT A.

Beginning at the Northeast corner of Parcel V, recorded in Vol.381, Pages 461 to 463, Linn County Deed Records, a portion of Block 60, City of Albany, Linn County, Oregon; thence Westerly parallel with the Northern boundary line of said block, a distance of 66.0 feet, and there terminating.

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 construction, maintenance, evaluation and/or repair purposes.
3. 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:

the sum of zero dollars (\$0.00) for the permanent easement.
4. 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.

- 5. Upon performing any maintenance, the City shall return the site to original or better condition.
- 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.

Bernard Miller
Partner, CCMW Company

[Signature]
Partner, CCMW Company

[Signature]
Partner, CCMW Company

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

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

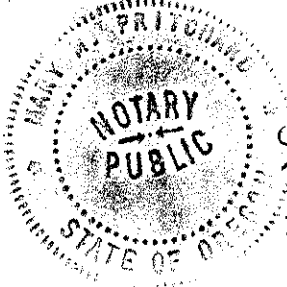
The foregoing instrument was acknowledged before me this 10th day of July, 1987

By, ~~Vene~~ Casey, Larry Wabs, Bernard Miller partners of C.C.M.W. Company.

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2705 do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this 23rd day of July, 1987.

CITY OF ALBANY, OREGON

William B. Barrons
City Manager



Mary M. Pritchard
Notary Public for Oregon
My Commission Expires: 7-5-90

[Signature]
City Recorder

MARVIN WINES

PORTION OF BL. 60, ALBANY
LINN COUNTY, OREGON

Scale : 1" = 30'

October 31, 1972

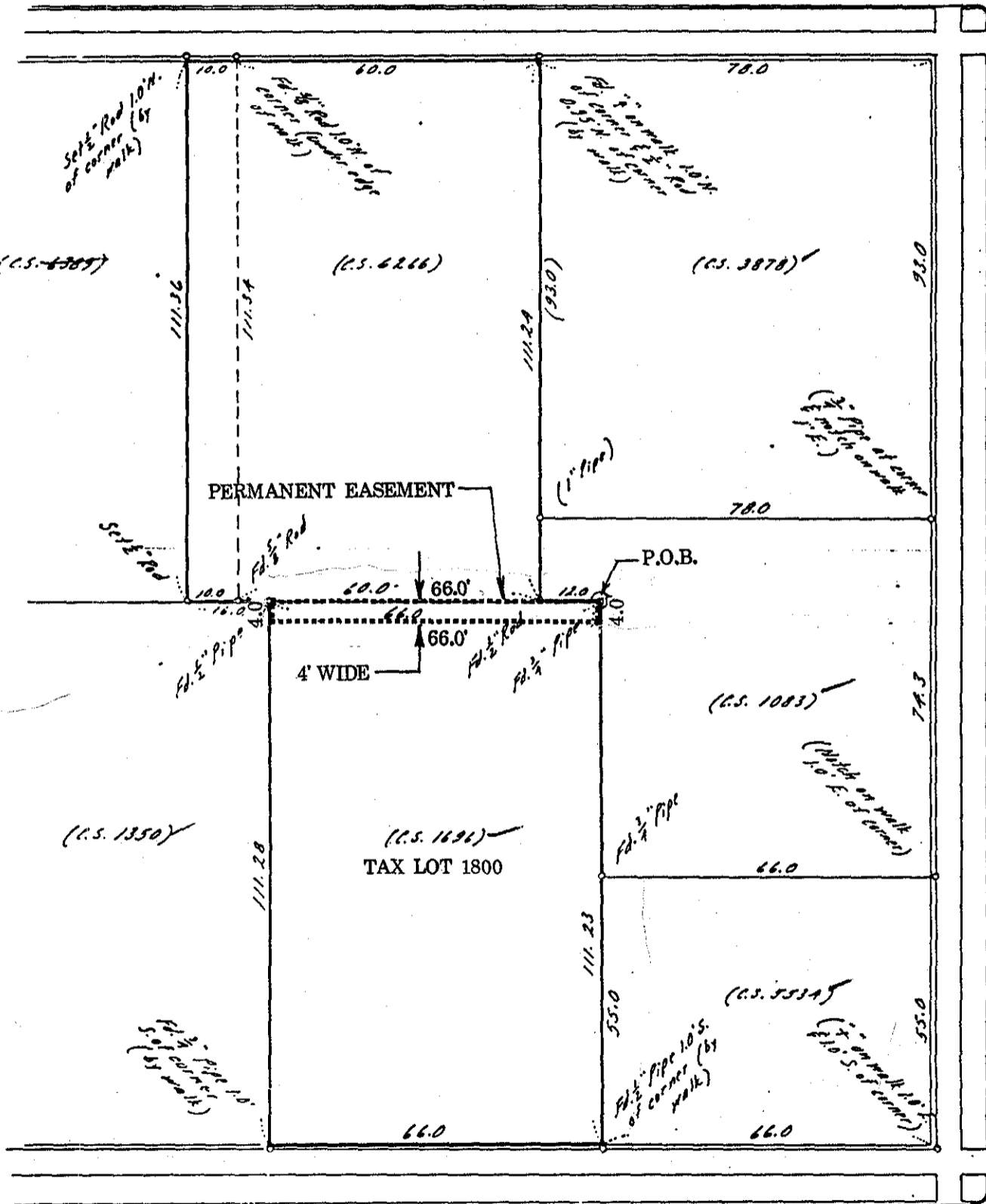
Orris A. Carnegie

County Surveyor

By: Frank Howe

EXHIBIT A

WEST 7TH AVENUE



SOUTH ELM STREET

WEST 8TH AVENUE

AUG 3 4 32 PM '87

STATE OF OREGON
County of Linn

STEVE DRUCKENMILLER
Linn County Clerk

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

By G. L. C. Deputy
City of Albany

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Orris A. Carnegie

OREGON
MAY 9, 1947
ORRIS A. CARNEGIE
213

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114W12AC

- 5. Upon performing any maintenance, the City shall return the site to original or better condition.
- 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.

Bernard Miller
Partner, CCMW Company

[Signature]
Partner, GCMW Company

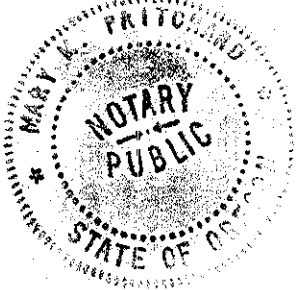
[Signature]
Partner, CCMW Company

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

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

The foregoing instrument was acknowledged before me this 16th day of July, 1987.
By Verne Casey, Larry Wabs, Bernard Miller partners of C.C.M.W. Co.

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2705 do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this 23rd day of July, 1987.



Mary M. Pritchard
Notary Public for Oregon
My Commission Expires: 7-5-90

CITY OF ALBANY, OREGON

William B. Barrons
City Manager

[Signature]
City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 10th day of July, 1987, by and between **CCMW Company**, 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 public utilities for the purpose of conveying public utilities services 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 public utilities and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consist of:

An 11.0 foot wide permanent easement, parallel, adjacent and North of the line described below and further shown on the attached Linn County Survey (C.S.12684) labeled EXHIBIT A.

Beginning at the Southeast corner of Parcel IV, recorded in Vol.381, Pages 461 to 463, Linn County Deed Records, a portion of Block 60, City of Albany, Linn County, Oregon; thence Westerly parallel with the Northern boundary line of said block, a distance of 70.0 feet, and there terminating.

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 construction, maintenance, evaluation and/or repair purposes.
3. 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:

the sum of zero dollars (\$0.00) for the permanent easement.
4. 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.

MARVIN WINES
PORTION OF BL. 60, ALBANY
LINN COUNTY, OREGON

Scale: 1" = 30'

October 31, 1972

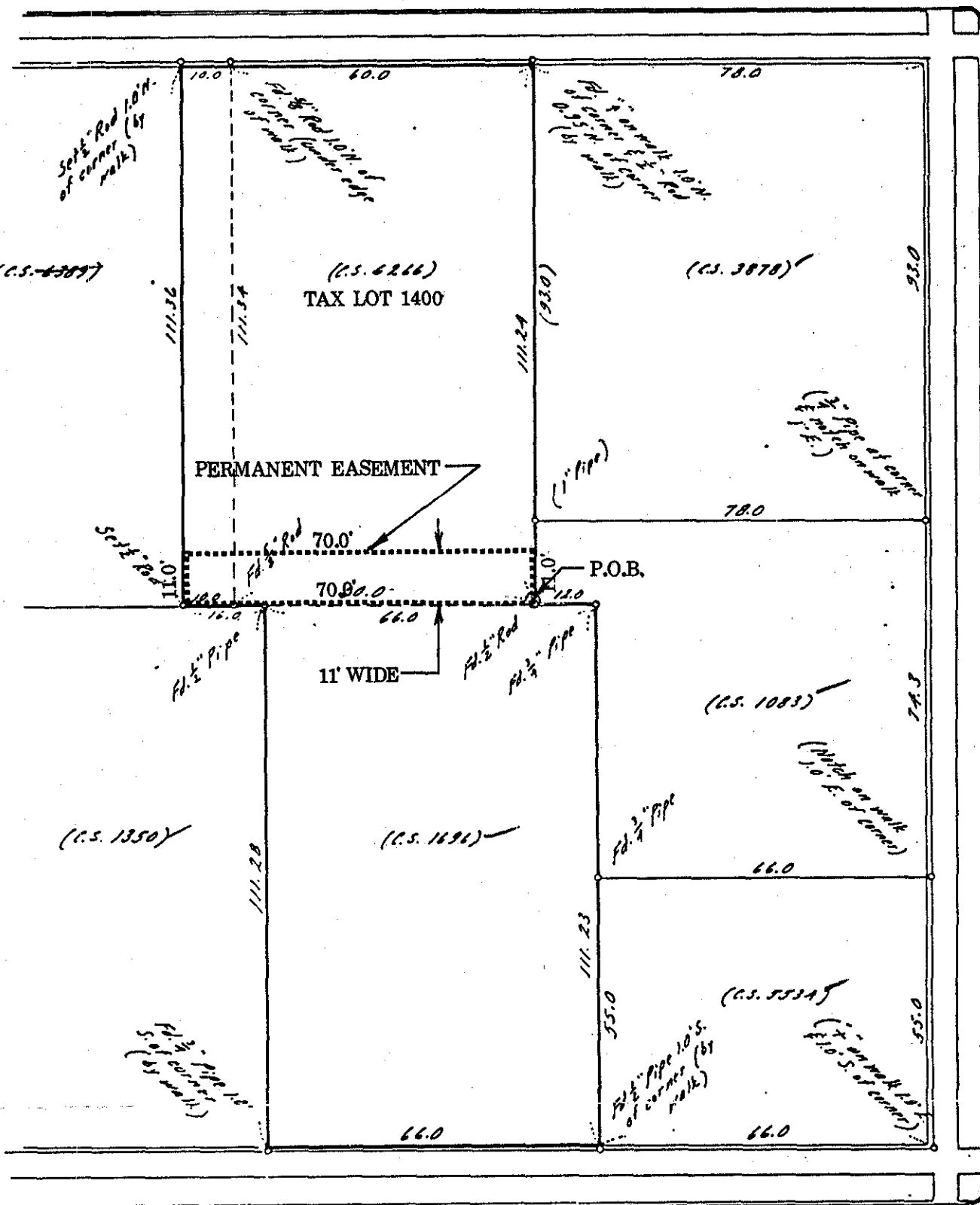
Orris A. Carnegie

County Surveyor

By: Frank Howe

EXHIBIT A

WEST 7TH AVENUE



WEST 8TH AVENUE

AUG 3 4 32 PM '87

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Orris A. Carnegie

OREGON
MAY 8, 1947
ORRIS A. CARNEGIE
213

STATE OF OREGON
County of Linn

STEVE DRUCKENMILLER
Linn County Clerk

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

By C. F. C. Deputy

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

Volume: MF 450 Page: 66

Printed at P. 11-8-72

C.S. 12684
114W12AC

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 10th day of JULY, 1987, by and between **CCMW Company**, 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 public utilities for the purpose of conveying public utilities services 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 public utilities and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consist of:

A 15-foot wide permanent easement described below and further shown on the attached Linn County Survey (C.S.12684) labeled EXHIBIT A.

Beginning at the Southeast corner of that parcel recorded in Vol. 413, Page 537 & 538, Linn County Deed Records, a portion of Block 60, City of Albany, Linn County, Oregon; thence Northerly along the Eastern boundary line of said block, a distance of 51.60 feet to the true point of beginning; thence Northerly along the Eastern boundary line of said block, a distance of 15.0 feet; thence Westerly parallel with the Southern boundary line of said block, a distance of 78.0 feet; thence Southerly parallel with the Eastern boundary line of said block, a distance of 11.0 feet; thence Easterly parallel with the Southern boundary line of said block, a distance of 12.0 feet; thence Southerly parallel to the Eastern boundary line of said block, a distance of 4.0 feet; thence Easterly parallel to the Southern boundary line, a distance of 66.0 feet, to the true point of beginning containing 0.03 acres more or less.

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 construction, maintenance, evaluation and/or repair purposes.
3. 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:

the sum of zero dollars (\$0.00) for the permanent easement.

- 4. 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.
- 5. Upon performing any maintenance, the City shall return the site to original or better condition.
- 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.

Bernard Miller
Partner, CCMW Company

[Signature]
Partner, CCMW Company

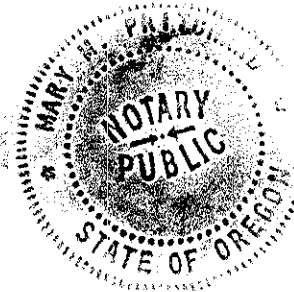
[Signature]
Partner, CCMW Company

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

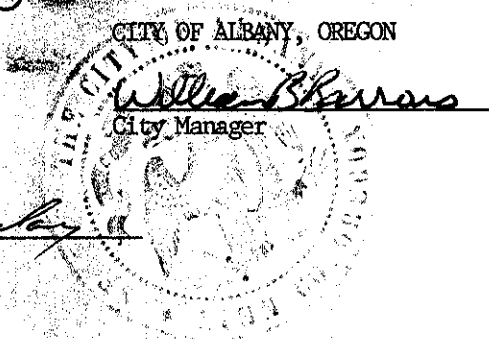
STATE OF OREGON)
County of Linn) ss.
City of Albany)

The foregoing instrument was acknowledged before me this 10th day of July, 1987, by Vernie Casey, Larry Wabs, Bernard Miller, partners of CCMW Company.

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2705 do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this 23rd day of July, 1987.



Mary M. Pritchard
Notary Public for Oregon
My Commission Expires: 7-5-90



[Signature]
City Recorder

PORTION OF BL. 60, ALBANY
LINN COUNTY, OREGON

Scale : 1" = 30'

October 31, 1972

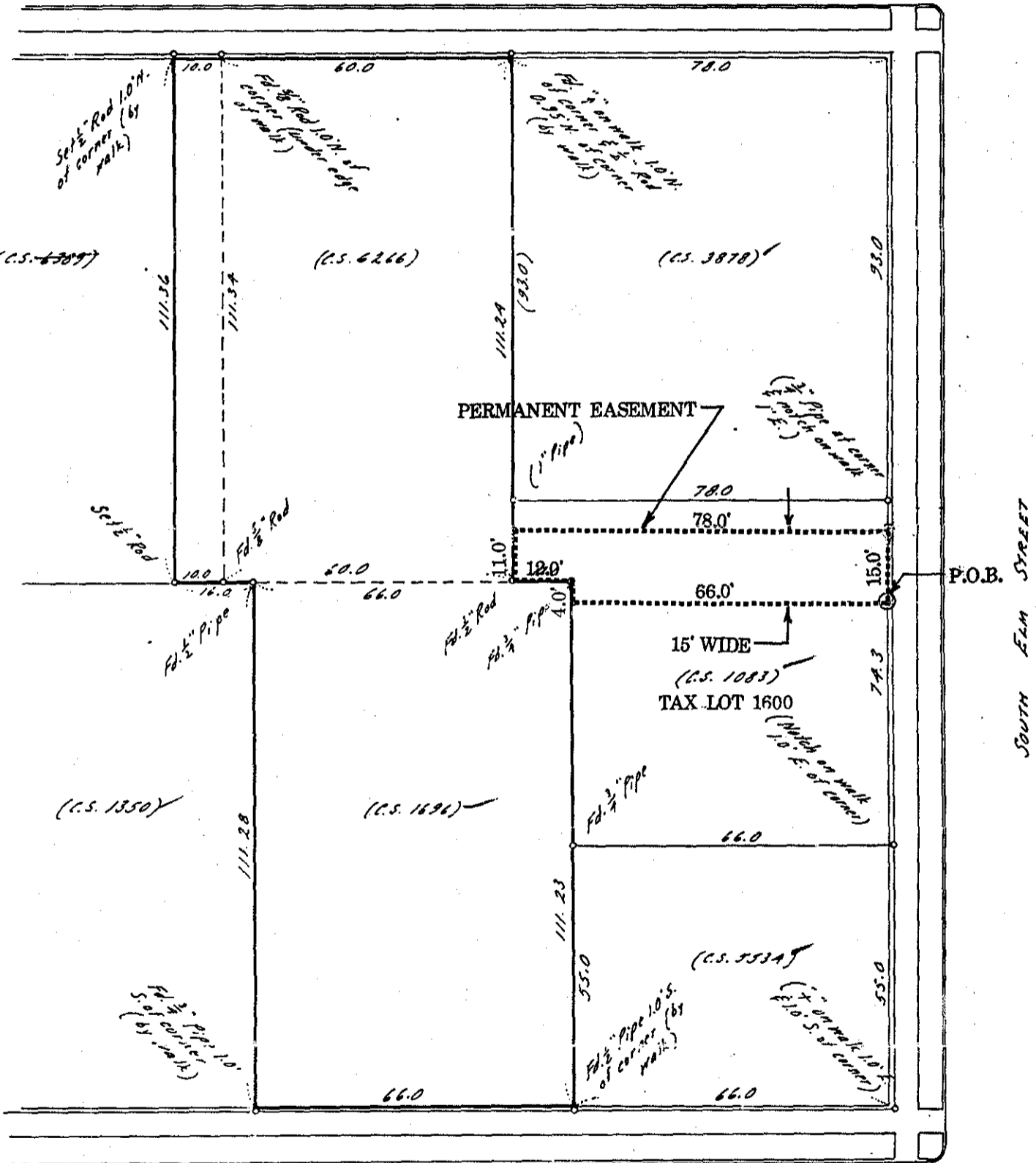
Orris A. Carnegie

County Surveyor

By: Frank Howe

EXHIBIT A

WEST 7TH AVENUE



WEST 8TH AVENUE

AUG 3 4 32 PM '87 12 00

STATE OF OREGON
County of Linn

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

STEVE DRUCKENMILLER
Linn County Clerk

By ATC Deputy
City of Albany
P.O. Box 490
Albany, Or 97321

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Orris A. Carnegie

OREGON
MAY 9, 1947
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Volume: MF 450 Page: 60

Printed at P.O. Box 11-8-72

114W12AC

Resolution No. 2705

Recorded Documents Recorder File No.
0560