

RESOLUTION NO. 3245

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

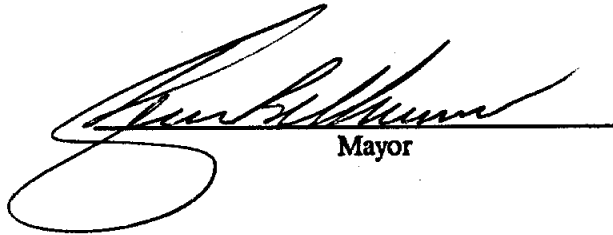
Grantor

Julie Sanford

Purpose

public utility easements for existing sanitary sewer and waterlines located in Rosewood Estates, also known as Block 8, First Addition to Timber Linn Addition, City of Albany, Oregon.

DATED this 31st day of March, 1992.

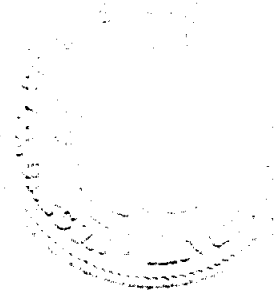


Mayor

ATTEST:



Deputy City Recorder



EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 4 day of Mar., 1993, by and between Julie Sanford, herein called Grantor, 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 grantor has this day bargained and sold and by these presents does 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, under-growth, 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 consists of:

TRACT I: A 15-foot wide permanent public utility easement, centered over an existing waterline, across that parcel conveyed to Julie Sanford by deed recorded as MF Volume 616, Page 679, Linn County Microfilm Deed Records, being 7.5 feet on each side of a centerline more particularly described as follows and as shown on the attached map labeled Exhibit A:

Beginning at a point on the south line of Block 8 of First Addition to Timber Linn Addition, in the Southeast 1/4 of Section 4, Township 11 South, Range 3 West of the Willamette Base and Meridian, City of Albany, Linn County, Oregon, which point is 208 feet North 89° 58' 59" East of the southwest corner of said Block 8; thence North 00° 02' 54" East parallel with the west line of said block 85.02 feet to Point "A"; thence continuing North 00° 02' 54" East parallel with the west line of said block 20.00 feet to Point "B"; thence North 89° 57' 06" West perpendicular to the west line of said block 101 feet; thence North 00° 02' 54" East parallel with the west line of said block 562 feet to Point "C"; thence South 89° 57' 06" East perpendicular to the west line of said block 209.50 feet to Point "D"; thence continuing South 89° 57' 06" East perpendicular to the west line of said block 14.0 feet and there terminating.

ALSO Beginning at Point "A"; thence North 89° 57' 06" West perpendicular to the west line of said block 13.5 feet and there terminating.

ALSO Beginning at Point "B"; thence South 89° 57' 06" East perpendicular to the west line of said block 125.5 feet and there terminating.

ALSO Beginning at Point "C": thence North 89° 57' 06" West perpendicular to the west line of said block 107 feet to the west line of said block and there terminating.

ALSO Beginning at Point "D"; thence North 00° 02' 54" East parallel with the west line of said block 41.5 feet and there terminating.

Containing 0.416 acres, more or less.

TRACT II: A 20-foot wide permanent public utility easement, centered over an existing sanitary sewer line, across that parcel conveyed to Julie Sanford by deed recorded as MF Volume 616, Page 679, Linn County Microfilm Deed Records, being 10 feet on each side of a centerline more particularly described

Return to: City of Albany - Recorder
P.O. Box 490, Albany, Oregon 97317

as follows and as shown on the attached map labeled Exhibit A:

Beginning at a point on the south line of Block 8 of First Addition to Timber Linn Addition, in the Southeast 1/4 of Section 4, Township 11 South, Range 3 West of the Willamette Base and Meridian, City of Albany, Linn County, Oregon, which point is 225 feet North 89° 58' 59" East of the southwest corner of said Block 8; thence North 00° 02' 54" East parallel with the west line of said block 135 feet to Point "AA"; thence North 89° 57' 06" West perpendicular to the west line of said block 94 feet; thence North 00° 02' 54" East parallel with the east line of said block 566 feet and there terminating.

ALSO Beginning at Point "AA"; thence South 89° 57' 06" East perpendicular to the east line of said block 100 feet and there terminating.

Containing 0.393 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 easement granted is in consideration of \$1.00 and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
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 Grantor has hereunto fixed her hand and seal the day and year above written.

GRANTOR:

Julie Sanford

Julie Sanford



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

The foregoing instrument was acknowledged before me this 14th day of March, 1993, by Julie Sanford as her voluntary act and deed.

Dorthea M. Kurtz

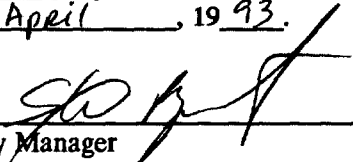
Notary Public for Oregon

My Commission Expires: 6-25-94

CITY OF ALBANY:

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

I, Steve Bryant as City Manager of the City of Albany,
Oregon, pursuant to Resolution Number 3245,
do hereby accept on behalf of the City of Albany, the
above instrument pursuant to the terms thereof this 1st
 day of
April, 19 93.



City Manager

ATTEST:

Norm C. Withrow

City Recorder (Deputy)



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 PA, Deputy

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APR 30
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8:30 O'clock a.m. ³⁰

APR 12 1993

MF 636
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Recorded Document Recorder File No. 2279