

RESOLUTION NO. 3247

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

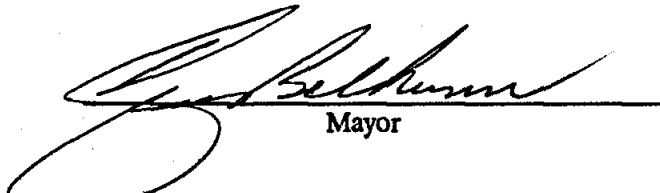
Grantor

City of Albany

Purpose

a 5'x 5' easement to U.S. WEST Communications, Inc. for the installation and maintenance of communication facilities on City-owned property at Periwinkle Creek, north of 21st Avenue (Map 11-3W-8CD, tax lot 201).

DATED this 31st day of March, 1993.

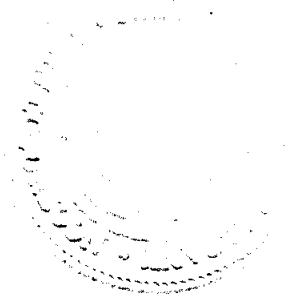


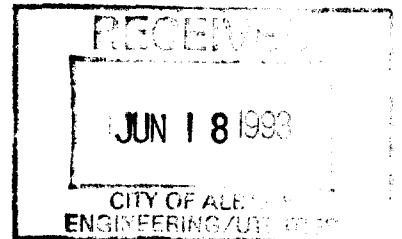
Mayor

ATTEST:



Deputy City Recorder





Seattle

Dear Property Owner:

Enclosed for your files is a copy of the recorded easement you granted to U S WEST Communications for placement of telephone facilities on your property.

If there are any questions, please call Patty San Diego in Seattle at (206) 345-5046.

Thank you for your cooperation in granting this easement.

Sincerely,

A handwritten signature in cursive script that reads "D. L. Dauphiny".

D. L. Dauphiny
Manager - Right of Way Operations
1600 7th Avenue
Room 1703
Seattle, WA 98191

88 TLL RW

2 1390 (1-91)

EASEMENT

R/W. Reference 9311907\$

The Undersigned Grantor(s) for and in consideration of Two Hundred Fifty and 00/100

----- Dollars (\$ 250.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to U S WEST Communications, Inc., a Colorado Corporation, (Grantee) whose address is 1600 7th Ave., Seattle, Washington 98191 its successors, assigns, lessees, licensees and agents a perpetual easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit:

Beginning at a point that is North 88°36' West 2243.5 feet and North 0°25' East 60.0 feet from the Southeast corner of L.C. Burkhart DLC #50; thence North 0°25' East 1146.31 feet; thence along the arc of a 16° curve to the left, 99.90 feet (long chord bears North 7°34'30" West 99.57 feet); thence North 15°34' West 117.83 feet; thence along the arc of a 1° curve to the right, 381.67 feet (long chord bears North 13°39'30" West 381.59 feet); thence North 11°45' West 93.81 feet; thence along the arc of a 36° curve to the left, 178.06 feet (long chord bears North 43°48' West 168.91 feet); thence North 75°51' West 148.58 feet to the East side of Geary Street right of way. Above described line is center line of an 80 foot strip of land to be dedicated as Periwinkle Creek park land. Property contains approximately 3.66 acres.

Said easement being the South five (5) feet of the West five (5) feet of the above described property lying Northerly of 21st Avenue right of way to be used for the installation of underground communication facilities, conduit and above ground cabinet.

situated in County of Linn, State of Oregon

Grantee shall have the right of ingress and egress over and across the Land of the Grantor to and from the above-described property and the right to clear and keep cleared all trees and other obstructions. Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

The Grantor reserves the right to occupy, use and cultivate said Easement for all purposes not inconsistent with, nor interfering with the rights herein granted.

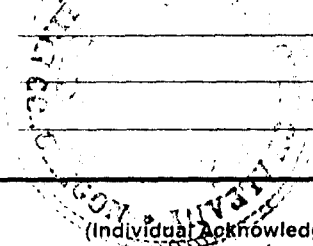
The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

In witness whereof the undersigned has executed this instrument this 1st day of April, 1993

Witness: Norm C. Withrow
(Deputy) City Recorder

By: [Signature]
Steve Bryant, City Manager

RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS, INC.
RIGHT-OF-WAY DEPT.
1600 7th AVENUE, ROOM 1703
SEATTLE, WA 98191



(Individual Acknowledgement)
State of _____ }
County of _____ } ss

(Corporate Acknowledgement)
State of Oregon }
County of LINN } ss

On this day personally appeared before me _____
known to me to be the individual _____ who executed the foregoing instrument, and acknowledged that signed the same as _____ free and voluntary act and deed, for the uses and purposes herein mentioned.

On this day personally appeared before me Steve Bryant
who did say he/she is the City Manager
municipal
of the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that Steve Bryant municipal was/were authorized to execute said instrument on behalf of the corporation.

Given under my hand and official seal this _____

Given under my hand and official seal this 1st day of April, 1993

STATE OF OREGON
County of Linn
I hereby certify that the attached was received and duly recorded by me in Linn County records.
STEVE DRUGENMILLER
Linn County Clerk MF 642
By [Signature], Deputy PAGE 603

8:30 O'clock a.m. 15
JUN 01 1993

[Signature]
Notary Public in and for the State of Oregon
residing at 354450 Sunset Ridge Dr NW, Albany OR 97321
My commission expires: 7-20-93

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Recorded Document Recorder File No. 2296