

RESOLUTION NO. 3499

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

Grantor

Supra Corporation

Purpose

a permanent public utility easement (for a fire hydrant)  
across property located at 7101 Supra Drive

DATED this 12th day of April, 1995.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Deputy City Recorder



## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 3<sup>rd</sup> day of April, 1995, by and between Supra Corporation, 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, 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:

A permanent public utility easement across that property conveyed to Supra Corporation by deed recorded in Volume 549, Page 141, Linn County Microfilm Deed Records, said easement being more particularly described as follows and as shown on the attached map labeled Exhibit A:

Beginning at the southwest corner of that parcel conveyed to Jesse E. and Frieda M. Barnes per Deed Volume 160, Page 213, Deed records of Linn County, lying South 0° 31' 30" West 129.12 feet, North 89° 15' 40" West 1315.37 feet, and South 0° 51' 49" West 474.72 feet from the East 1/4 Corner of Section 25, Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon, said point also being the southwest corner of said Volume 549, Page 141 Supra tract, said point also being the southwest corner of that tract conveyed to the City of Albany by deed recorded in Volume 561, Page 752, said deed records; thence along the south line of said City of Albany tract South 89° 15' 59" East 30.00 feet to the TRUE POINT OF BEGINNING of this easement description; and running thence South 89° 15' 59" East 11.50 feet; thence North 0° 44' 01" East 15.00 feet; thence North 89° 15' 59" West 11.90 feet; thence along the arc of a 280.00 foot radius curve right (long chord: South 0° 48' 05" East 15.01 feet) 15.01 feet to the True Point of Beginning.

Containing 174 square feet of land, 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 Grantors have hereunto fixed their hands and seals the day and year above written.

GRANTOR:

Supra Corporation

By: [Signature]  
President

By: [Signature]  
Secretary

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 3499 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 12th day of April, 1995.

[Signature]  
City Manager

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

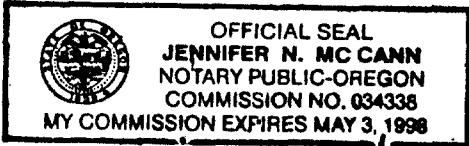
The foregoing instrument was acknowledged before me this 3rd day of April, 1995, by John L. Wiley, president, and by Frank Hausmann, Jr., secretary, of Supra Corporation, an Oregon corporation, on behalf of the corporation.

ATTEST:

[Signature]  
City Recorder - Deputy

[Signature]  
Notary Public for Oregon

My Commission Expires: May 3, 1998



ALLEN LANE / CO. RD. #110

(TO U. S. HWY. 99E →)

11S-04W-25, #1300

ENTER  
LECC

11S-04W-25, #1200

N 89° 15' 40" W 1315.37'

EAST 1/4 COR.  
SECTION 25  
T11S, R4W, W.M.

S0°31'30"W 129.12'

SUPRA DRIVE

SUPRA CORPORATION  
MF 561-750

SUPRA CORPORATION  
MF 549-141

CITY OF ALBANY  
MF 561-574

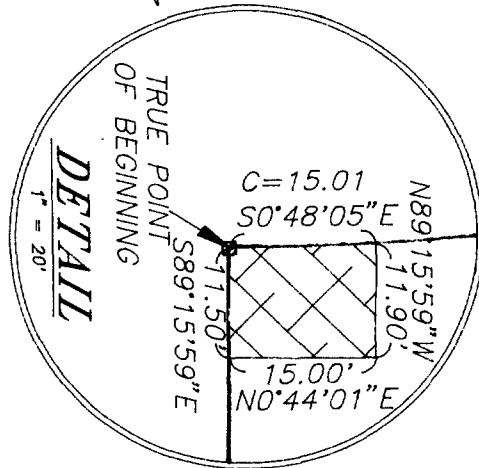
CITY OF ALBANY  
MF 561-572

S 0° 51' 49" W 474.72'

DELTA = 33° 31' 49"  
R = 220.00'

DELTA = 33° 24' 01"  
R = 280.00'

S89°15'59"E



11S-04W-25, #1400

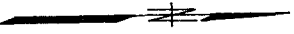
11S-04W-25, #1500

11S-04W-25, #1900

11S-04W-25, #2000

11S-04W-25, #2100

SCALE: 1" = 100'



Point of Beginning  
TRUE POINT OF BEGINNING  
(SEE DETAIL)

11S-04W-25, #2102

CITY OF ALBANY, OREGON  
PUBLIC WORKS DEPARTMENT  
ENGINEERING/UTILITIES DIVISION/MARCH 1995

EXHIBIT A:  
PUBLIC UTILITY EASEMENT FROM  
SUPRA CORPORATION TO THE  
CITY OF ALBANY, OREGON

STATE OF OREGON  
County of Linn

M  
R 75  
S 70  
A  
O

8:30 O'clock a.m.

25

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

MAY 02 1995

STEVE DRUCKENMILLER  
Linn County Clerk

MF 745

By PA, Deputy

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Recorded Document Recorder File No. 2593