

RESOLUTION NO. 3892

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Robert E. Reynolds, Sr., Trustee under the  
Robert E. Reynolds, Sr., Living Trust

Purpose

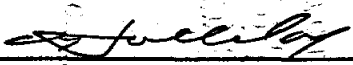
A permanent public utility easement 15 feet in even  
width.


NOW, THEREFORE, BE IT RESOLVED that the Albany City Council hereby accepts this easement.

DATED THIS 14TH DAY OF JANUARY 1998.

  
Mayor

ATTEST:

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



EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 20<sup>th</sup> day of November, 1997, by and between Robert E. Reynolds, Sr., Trustee under the Robert E. Reynolds, Sr. Living Trust, 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:

The southerly 7.5 feet of even width of Lot 2, Block 1, Hackleman's Woodland Addition, a subdivision of record in Linn County, Oregon, and the northerly 7.5 feet of even width of Lot 9, Block 1, of said Hackleman's Woodland Addition, as shown on attached Exhibit "A".

Containing 990 square feet, 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, receipt of which is acknowledged by the Grantor, 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:

*Robert E. Reynolds, Sr.*  
Robert E. Reynolds, Sr., Trustee

CITY OF ALBANY:

STATE OF OREGON )  
County of Linn ) ss.  
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 3892, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 14 day of January, 19 98.

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of November, 19 97, by Robert E. Reynolds, Sr. Trustee under the Robert E. Reynolds, Sr. Living Trust, as his voluntary act and deed.

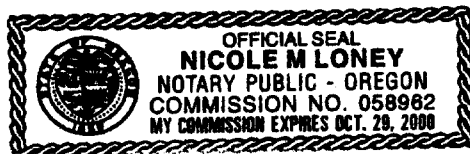
*Steve Bryant*  
City Manager

ATTEST:

*Nicole M. Loney*  
Notary Public for Oregon  
My Commission Expires: 10-29-00

*[Signature]*  
City Recorder

SP-78-97  
REYNOLDS.EAS



# EXHIBIT "A"

6TH AVE.

7TH AVE.

SHERMAN ST.

PINE ST.

11S03W08BB01801

15' WIDE PUBLIC  
UTILITY EASEMENT

11S03W08BB01800

66'

STATE HIGHWAY 99E



919  
610

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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25

Resolution No. 3892

Recorded Document Recorder File No. 3094