RESOLUTION NO. 3959

A RESOLUTION GRANTING THE FOLLOWING EASEMENT:

Grantor:

Purpose:

City of Albany, Oregon

A perpetual easement 12 feet in width to PacifiCorp.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council grants this easement to PacifiCorp, an Oregon corporation.

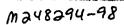
DATED THIS 10th DAY OF JUNE 1998.

Justes OTA Mayor

ATTEST:

City Recorder

F.\DATA\WPDATA\FINANCE\PACIFICR.RES



Return to: BILL BUCKLEY PacifiCorp P.O. Box 248 Albany, OR 97321

RC 48080 WO 01335330

UNDERGROUND EASEMENT

CITY OF ALBANY, Grantor(s), for value received, hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, Grantee, a perpetual easement 12 feet in width for the erection, operation, maintenance, repair, alteration, enlargement, inspection, relocation and replacement of underground transmission lines, distribution lines, communication lines and fiber-optics, of one or more wires or fibers, and all necessary or desirable appurtenances, including but not limited to the installation of vaults, condults, surface or subsurface-mounted transformers with pads, surface-mounted connection boxes, equipment cabinets, and other supports, along the general course located or constructed by Grantse over, under, across the following described real property located in BENTON County, State of OREGON, to wit:

A PORTION OF LAND LOCATED IN THE SOUTHWEST ½ OF THE NORTHEAST ½ OF THE NORTHEAST ½ OF SECTION 35, TOWNSHIP 10 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN.

The location and course of said easement and right-of-way are approximately as shown on the sketch attached as Exhibit(s) "A" and by this reference made a part hereof.

The within easement shall include: Necessary and reasonable right to excavate and refill ditches and trenches for the location, installation, and repair, and removal of said facilities.

Together with all right of ingress and egress over lands of the Grantor necessary or convenient for the full and complete use, occupation and enjoyment of the easement hereby granted and all rights and privileges incident thereto, including the present and future right to clear and cut timber, trees, brush, overhanging branches, fire hazards, structures and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement. The title to trees and merchantable timber cut and cleared by the Grantee hereafter growing within said easement shall become the property of the Grantee.

At no time shall any fires be permitted, nor flammable material be placed or stored within the right of way, provided, however, that vegetative fire hazards shall not include agricultural crops.

At no time shall any permanent buildings or structures of any kind be placed or erected within the boundaries of said easement.

Return to: City of Albany - Recorder P.0. Box 490, Albany, OR 97321

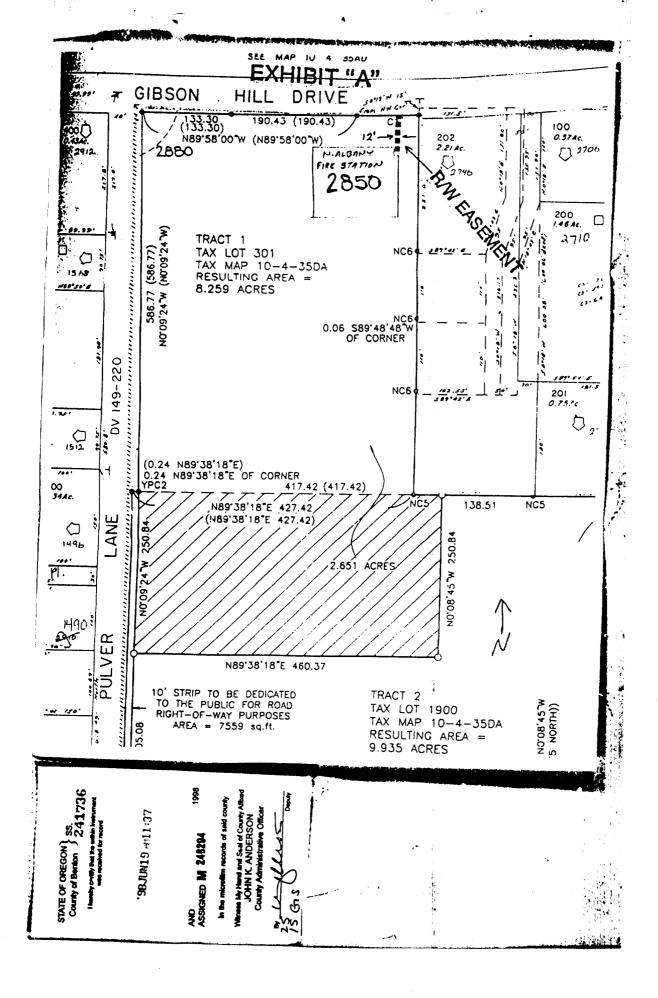
BWIAAaa d

WITNESS the hand(s) of the Grantor(s) this 11	day of <u>lune</u>
19 <u>98</u> .	•
	De 12
/	/ /
ACKNOWLEDGMENT	
STATE OF OREGON	
:85	
County of LINN	
On this 11 day of June personally appeared Steve Bryant	, in the year of 19 <u>98,</u> before me
personally appeared Steve Bryant	who being personally
known to me or proved to me on the basis of satisfactory evidence and being first duly sworn, declared	
that (s)he is [A],	
of [B] The City of Albany	.,
and that (s)he executed the within and foregoing instrument an	d that the statements therein, contained are
true, and acknowledged said instrument to be the free and voluntary act and deed of [C]	
the City of Albany	
for the uses and purposes therein mentioned and that (s)he was authorized to execute said instrument for	
and on behalf of [D] the City of Albany	
WITNESS my hand and official seal as of the date first written above.	
Morania Taxawell	
Margaret Tarquel	
My commission Expires /	0
September 22000	
Residing at	
resouring at	
Notes:	
[A] For corporate officers, pertners, members, attorneys-in-	
other persons acting in representative capacities insert the title or capacity of capacity, insert the name of the individual.	the individual. For individuals acting in an individual
· ,	
[B] For corporations, partnerships, trusts, limited liability companies, proprietorships or other entities, insert the official name of the entity, including the state wherein registered, i.e., "PacifiCorp, an Oregon corporation"; "Smith Homes of Utah,	
L.P., a Utah limited partnership". For individuals insert the address of the individual.	

[C] For corporations, partnerships, trushs, limited flability companies, proprietorships or other entities, insert the official name of the entity, including the state where registered. For individuals insert the name of the individual.

[D] For corporations, partnerships, trusts, limited liability companies, proprietorships or other entitles, insert the official name of the entity, including the state where registered. For individuals insert the word "herself", "himself, or "themselves".

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Resolution No. 3959

Recorded Document Recorder File No. 3152