

RESOLUTION NO. 4402

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT FOR PUBLIC UTILITIES:

Grantor

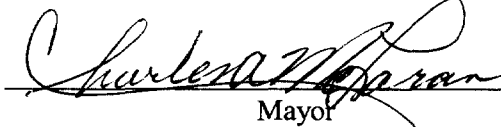
Purpose

Wayne E. Mink and Zouri Lee Mink

A permanent 10-foot wide permanent public utility easement described in attached EXHIBIT A and as shown in attached EXHIBIT B.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this public utility easement.

DATED THIS 28TH DAY OF MARCH 2001.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 5TH day of MARCH, 2001, by and between **WAYNE E. MINK and ZOURI LEE MINK**, husband and wife, 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:

See legal description on attached Exhibit "A" and map on attached Exhibit "B"
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.

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

IN WITNESS WHEREOF the Grantors have officially approved the foregoing and acknowledged the same by the signature set forth below.

GRANTORS:

Wayne E. Mink
WAYNE E. MINK

Zouri Lee Mink
ZOURI LEE MINK

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 4402 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 28 day of March, 2001.

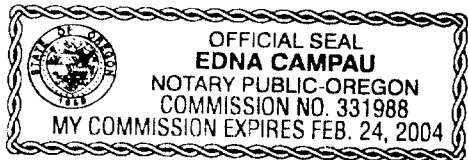
Ken Thompson
ASSISTANT CITY MANAGER

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

The foregoing instrument was acknowledged before me this 5th day of March, 2001, by Wayne E. Mink and Zouri Lee Mink.

ATTEST:
Betty Langwell
CITY CLERK

Edna Campau
Notary Public for Oregon
My Commission Expires Feb. 24, 2004



K & D ENGINEERING, Inc.

Engineers • Planners • Surveyors

EXHIBIT "A"
(P.U.E. over Mink Tract)

A strip of land for public utility easement purposes located in a portion of that Mink Tract described by deed recorded in Volume MF 540, Page 246 of the Linn County Deed Records on August 27, 1990 that is more particularly described as follows:

Beginning at the southwest corner of Lot 2, Block 21 of the "Daly and Kelly Supplemental Plat of Hollywood Acres", a subdivision of record in Linn County, Oregon; thence North 01°14'00" West, along the west line of said Lot 2, a distance of 10.00 feet; thence North 89°04'00" East 15.00 feet; thence South 00°56'00" East 10.00 feet to a point on the south line of said Lot 2; thence South 89°04'00" West, along south line of said Lot 2, a distance of 14.95 feet to the Point of Beginning.

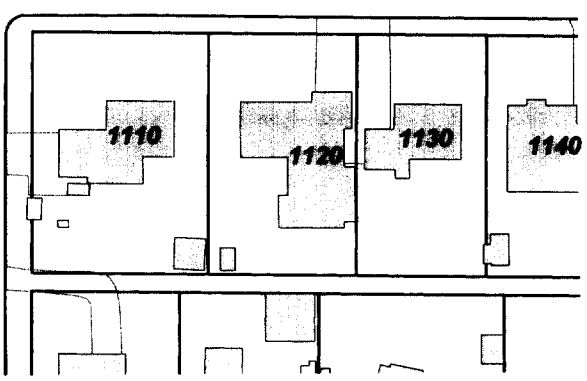
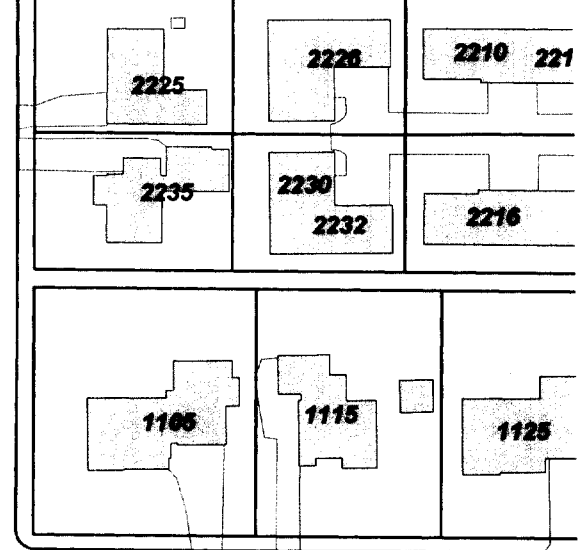
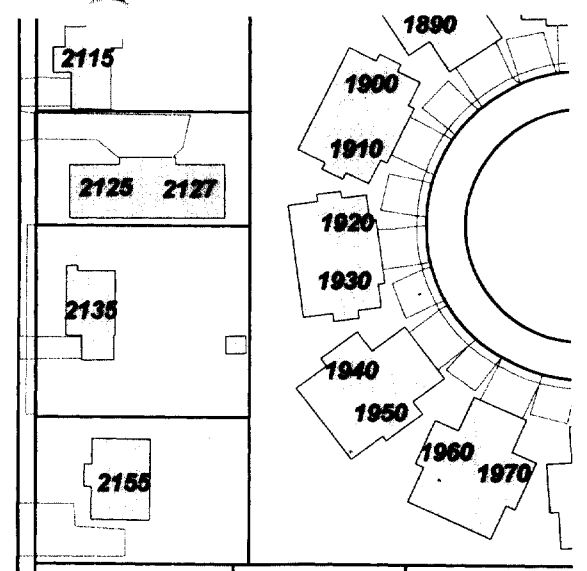
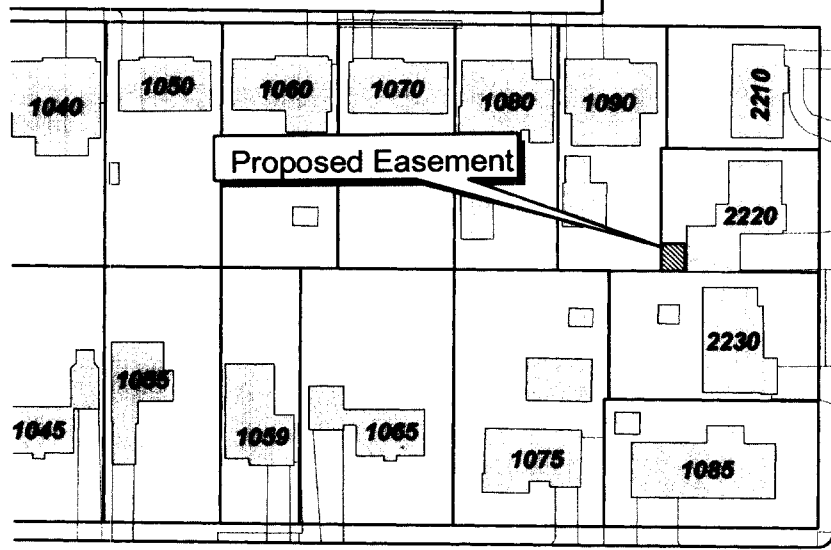
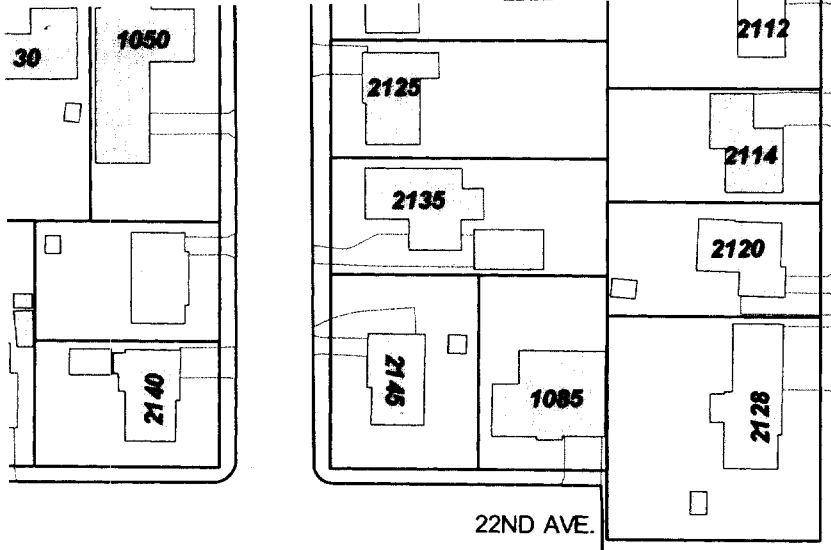
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jack R. Burrell

OREGON
JULY 14, 1978
JACK R. BURRELL
1630

RENEWAL DATE 12/31/01

December 13, 2000
 EXHIBIT "A"
 MINK PUE
 (00-102-A) JRB:nm
 File: nm\city-alb\00-102\mink exh a



VICINITY MAP



Engineering

engrec j:\av_proj\vicinity_maps.apr

John Downing

Mar 5, 2001

0 100 Feet

The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades. Using differing standards for quality control, documentation, and verification. All the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, occasionally the information proves to be incorrect, and thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the information provided, it is specifically advised that you independently field verify the information contained within our records.



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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 SR, Deputy

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S
A
O

MF 1169

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2001 APR 11 P 2:33

Resolution No. 4402

Recorded Document Recorder File No. 3781