

RESOLUTION NO. 1281

(Resolution accepting easements from Linn-Benton
Community College for construction of sanitary sewer)

WHEREAS, on the 22nd day of July, 1970, LINN-BENTON COMMUNITY COLLEGE did convey to the City of Albany two permanent easements for constructing and maintaining a sewer line as per the attached documents, and, now, therefore,


BE IT RESOLVED by the Council of the City of Albany that the Mayor of the City of Albany accept the above described easements (2) two on behalf of the City of Albany.

DATED this 12th day of August, 1970.

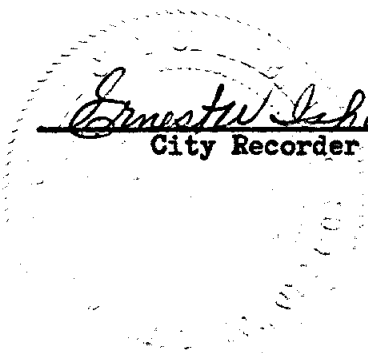


Mayor

ATTEST:



City Recorder



SANITARY SEWER EASEMENT

IN CONSIDERATION of One Dollar (\$1.00), receipt of which is hereby acknowledged, LINN-BENTON COMMUNITY COLLEGE, Grantors, bargain, sell and convey unto the CITY OF ALBANY, OREGON, hereafter designated the City, a permanent easement for the purpose of constructing and maintaining a sewer line on the property described as follows:

TRACT I: Beginning on the North line of and West 490.64 feet from the Northeast corner of the Francis Simpson Donation Land Claim No. 76 in Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; and running thence West, along the North line of said Donation Land Claim No. 76, a distance of 1,845.76 feet; thence North, parallel to the West line of the Pacific Highway, 435.19 feet; thence East parallel to the North line of said Donation Land Claim No. 76, a distance of 1,845.76 feet; thence South 435.19 feet to the point of beginning. ALSO, beginning at the Northeast corner of the Francis Simpson Donation Land Claim No. 76 in Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; and running thence West along the North line of said Donation Land Claim No. 76, a distance of 490.64 feet; thence North, parallel to the West line of the Pacific Highway, 435.19 feet; thence East, parallel to the North line of said Donation Land Claim No. 76, a distance of 784.74 feet to the West right of way line of said Pacific Highway; thence South along said right of way, 435.19 feet; thence West 294.1 feet to the place of beginning.

TRACT II: Beginning on the North line of and West 520.57 feet from the Northeast corner of the Francis Simpson Donation Land Claim No. 76 in Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; and running thence South, parallel to the West right of way line of the Pacific Highway, 1,287.0 feet; thence West, parallel to the North line of said Donation Land Claim No. 76, a distance of 1,815.83 feet; thence North 1,287.0 feet to a point on the North line of said Donation Land Claim No. 76 that is 1,815.83 feet West of the point of beginning; thence East 1,815.83 feet to the point of beginning. ALSO: Beginning at the Northeast corner of the Francis Simpson Donation Land Claim No. 76 in Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; and running thence East 57.18 feet along the Easterly extension of the North line of said Donation Land Claim No. 76; thence South, parallel to the West right of way line of the Pacific Highway, 1,287.0 feet; thence West, parallel to the North line of said Donation Land Claim No. 76, a distance of 577.75 feet; thence North, parallel to the West line of Pacific Highway, 1,287.0 feet to the North line of said Donation Land Claim No. 76; thence East along said North line, 520.57 feet to the point of beginning.

TRACT III: Beginning 57.18 feet East of the Northeast corner of the Francis Simpson Donation Land Claim No. 76, Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; said beginning point being on the North line of said Donation Land Claim No. 76 if the North line were extended Easterly; and running thence South, parallel to the West line of the Pacific Highway, 1,287.0 feet; thence East parallel to the North line of said Claim 76, a distance of 236.92 feet to the West right of way line of said Pacific Highway; thence North along said right of way, 1,287.0 feet; thence West 236.92 feet to the point of beginning.

SANITARY SEWER EASEMENT

IN CONSIDERATION of One Dollar (\$1.00), receipt of which is hereby acknowledged, LINN-BENTON COMMUNITY COLLEGE, Grantors, bargain, sell and convey unto the CITY OF ALBANY, OREGON, hereafter designated the City, a permanent easement for the purpose of constructing and maintaining a sewer line on the property described as follows:

TRACT I: Beginning on the North line of and West 490.64 feet from the Northeast corner of the Francis Simpson Donation Land Claim No. 76 in Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; and running thence West, along the North line of said Donation Land Claim No. 76, a distance of 1,845.76 feet; thence North, parallel to the West line of the Pacific Highway, 435.19 feet; thence East parallel to the North line of said Donation Land Claim No. 76, a distance of 1,845.76 feet; thence South 435.19 feet to the point of beginning. ALSO, beginning at the Northeast corner of the Francis Simpson Donation Land Claim No. 76 in Township 11 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; and running thence West along the North line of said Donation Land Claim No. 76, a distance of 490.64 feet; thence North, parallel to the West line of the Pacific Highway, 435.19 feet; thence East, parallel to the North line of said Donation Land Claim No. 76, a distance of 784.74 feet to the West right of way line of said Pacific Highway; thence South along said right of way, 435.19 feet; thence West 294.1 feet to the place of beginning.

AN EASEMENT for the construction of a sanitary sewer line and a permanent easement for ingress and egress for the repair, maintenance and replacement of said sewer. No building or structure shall be built over said permanent easement.

CONSTRUCTION EASEMENT: The following described line being the center line of a 60 foot construction easement. Beginning at a point which is 45 feet, more or less, West of the Southeast corner of Donation Land Claim No. 77, Township 11 South, Range 4 West, Linn County, Oregon; said point being on the South line of Tract I as described above and also being the true point of beginning; thence N 3°30' W 435 feet, more or less, thence N 21°20' E 12 feet, more or less, to the North line of Tract I as described above.

PERMANENT EASEMENT: The following described line being the center line of a 30 foot permanent easement. Beginning at a point which is 45 feet, more or less, West of the Southeast corner of Donation Land Claim No. 77, Township 11 South, Range 4 West, Linn County, Oregon; said point being on the South line of Tract I as described above and also being the true point of beginning; thence N 3°30' W 435 feet, more or less, thence N 21°20' E 12 feet, more or less, to the North line of Tract I as described above.

THE CITY SHALL have the right to enter upon the property described as the easement, to excavate, to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said sewer.

AN EASEMENT for the construction of a sanitary sewer line and a permanent easement for ingress and egress for the repair, maintenance and replacement of said sewer. No. building or structure shall be built over said permanent easement.

CONSTRUCTION EASEMENT: The following described line being the center line of a 60 foot construction easement. Beginning at the Southeast corner of Tract III of the above described property (said point also being the intersection of the Westerly line (S 0°32' W) of U. S. Highway 99E and the Northerly line of Allen Lane (County Road 110), thence Westerly 30 feet along the Northerly line of said Allen Lane, this being the true point of beginning; thence Northerly along a line parallel with the Westerly line of U. S. Highway 99E also known as Pacific Boulevard (N 0°32' E) a distance of 1,168 feet, more or less; thence N 81°00'30" W, a distance of 420 feet, more or less; thence N 3°30' W to the Northerly property line of Tract II of the above described property.

PERMANENT EASEMENT: The following described line being the center line of a 30 foot permanent easement. Beginning at the Southeast corner of Tract III of the above described property (said point also being the intersection of the Westerly line (S 0°32' W) of U. S. Highway 99E and the Northerly line of Allen Lane (County Road 110), thence Westerly 15 feet along the Northerly line of said Allen Lane, this being the true point of beginning; thence along a line parallel with Pacific Boulevard, N 0°32' E 1,185 feet, more or less; thence N 81°00'30" W 435 feet, more or less; thence N 3°30'00" W to the intersection of the Northerly line of Tract II of the above described property.

THE CITY SHALL have the right to enter upon the property described as the easement, to excavate, to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of said sewer.

THE GRANTORS covenant they are lawfully seized and possessed of the property and have the right to convey any part thereof.

As part of the construction, the City agrees to restore the property, as near as practicable, to its prior condition before construction or maintenance.

As part of the consideration, the grantors hereby release all claims for damages whatsoever incidental to the exercise of the rights herein granted.

IN WITNESS WHEREOF, said grantors have hereunto subscribed their signatures and seals this 22nd day of July, 1970.

_____(SEAL) /s/ Russell W. Tripp _____(SEAL)

_____(SEAL) /s/ Eldon G. Schafer _____(SEAL)

THE GRANTORS covenant they are lawfully seized and possessed of the property and have the right to convey any part thereof.

As part of the construction, the City agrees to restore the property, as near as practicable, to its prior condition before construction or maintenance.

As part of the consideration, the grantors hereby release all claims for damages whatsoever incidental to the exercise of the rights herein granted.

IN WITNESS WHEREOF, said grantors have hereunto subscribed their signatures and seals this 22nd day of July, 1970.

_____ (SEAL) /s/ Russell W. Tripp _____ (SEAL)

_____ (SEAL) /s/ Eldon G. Schafer _____ (SEAL)