

RESOLUTION NO. 2172

NOW, THEREFOR, BE IT RESOLVED by the Mayor and Members of the City Council of Albany, Oregon, that the following construction and maintenance easement be accepted on behalf of the City:

Grantor

Robert Hoag, Land West Development

Purpose

Construction and Maintenance Easement for Sanitary Sewer located in Block 6, Woodle's Riverside Addition

DATED this 11th day of June, 1980.

Richard S. Olsen  
Mayor

ATTEST:

[Signature]  
City Recorder

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF

SANITARY SEWER

THIS AGREEMENT, made and entered into this 30<sup>th</sup> day of May, 1980, by and between Robert Hoag, Land West Development

herein called grantors, and the CITY OF ALBANY, a Municipal corporation, herein called "City"

WITNESSETH:

That for and in consideration of the sum of \$0.00-----  
-----DOLLARS  
( \$0.00-----) cash in hand paid, the receipt of which is hereby acknowledged, the grantors have this day bargained and sold and by these presents do bargain, sell, convey and transfer unto the City of Albany, a permanent easement and right-of-way, including the perpetual right to enter upon the real property hereinafter described at any time that it may see fit, and to construct, maintain and repair sanitary sewer lines for the purpose of conveying sewer 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 sewer and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of the said sewer.

The easement and right-of-way hereby granted covers a strip of land 0 feet in width for the purpose of construction and 30 feet in width for the purpose of maintenance over the following described property:

Easement being 15 feet on either side of the following described centerline:

Beginning at a point which bears N 1°35'W, 110.0 feet from the southwest corner of Block 2 Woodle's Riverside Addition running thence;

N 54° 21'E, 450.5 feet; thence

N 80° 32'E, 213.0 feet, said ending point bearing

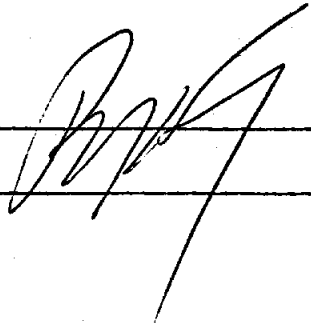
S 1° 42'E, 165.0 feet from the northeast corner of Block 6, Woodle's Riverside Addition

TO HAVE AND TO HOLD the said easement and right-of-way unto the City of Albany and unto its successors and assigns forever.

The City covenants that should it become necessary subsequent to the original construction of the said sewer, to enter in and upon the property for the purpose of maintenance, that the property will be restored to that condition that it was prior to the undertaking of the maintenance.

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.

IN WITNESS WHEREOF, the grantors have hereunto fixed their hands and seals the day and year first hereinabove written.

  
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STATE OF OREGON )  
County of ) ss  
City of )

On this 30<sup>th</sup> day of May, 1980  
personally appeared the above named Robert G. Hoag  
President of Land West Development, Inc.

and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 30 day of May, 1980.

  
Notary Public for Oregon

My Commission Expires:

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

I, Richard S. Olsen, as Mayor of the City of Albany, Oregon, pursuant to Resolution Number 2172, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: June 12, 1980.

CITY OF ALBANY, OREGON

Richard S. Olsen  
Mayor

  
Recorder

