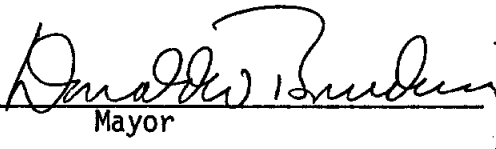


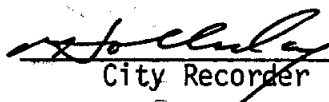
RESOLUTION NO. 2372

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does accept the following easement:

<u>Grantor</u>	<u>Purpose</u>
<u>Grand Properties Holding, Inc.</u>	Sidewalk easement (see attached legal)
<u>Liberty Associates 1982-1, Inc.</u>	Sidewalk easement (see attached legal)

DATED this 8th day of December, 1982.

  
\_\_\_\_\_  
Mayor

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

EASEMENT  
FOR  
MAINTENANCE OF SIDEWALK

THIS AGREEMENT, made and entered into this 1<sup>st</sup> day of October, 1982, by and between GRAND PROPERTIES HOLDING, INC., a Delaware corporation, and LIBERTY ASSOCIATES 1982-1, INC., a Delaware corporation, collectively referred to as "Grantors", and the CITY OF ALBANY, a Municipal Corporation, herein called "City".

WITNESSETH, that for and in consideration of the sum of no dollars which do 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 sidewalk for the purpose of constructing a sidewalk 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 sidewalk and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of the said sidewalk.

The easement and right-of-way hereby granted covers a strip of land of variable width for the purpose of maintenance over the following described property:

SEE ATTACHED

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 sidewalk, 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 above written.

GRAND PROPERTIES HOLDING, INC.

LIBERTY ASSOCIATES 1982-1, INC.

By [Signature]  
Vice President

By [Signature]  
President

CONSENT

ALBERTSON'S, INC., a Delaware corporation, as the holder of a leasehold interest in the within described property, hereby consents to the foregoing Easement.

ALBERTSON'S, INC.

By [Signature]  
Vice President & General Counsel

By [Signature]  
Asst. Secretary

CONSENT

NEW ENGLAND MUTUAL LIFE INSURANCE COMPANY, a Massachusetts corporation, being the holder of a secured interest in the within described property, hereby consents to the foregoing Easement.

NEW ENGLAND MUTUAL LIFE INSURANCE COMPANY

ADD.

By [Signature]  
Title Second Vice President

By [Signature]  
Title Asst Secretary



STATE OF New York )  
 )  
 ) : ss.  
County of New York )

On this 12 day of October, 1982, before me, the under-  
signed Notary Public in and for said State, personally appeared  
Edward C. Whiting, known to me to be the Vice President of Grand  
Properties Holding, Inc., the corporation that executed the fore-  
going Easement, and acknowledged that the said Easement is the free  
and voluntary act and deed of such corporation, for the uses and  
purposes therein mentioned, and on oath stated that he is authorized  
to execute said Easement on behalf of the corporation.

WITNESS MY HAND and official seal hereto affixed, the day and  
year in this certificate first above written.

Maria A. Brizuela.  
Notary Public for New York  
Residing at 309 53 St, W.N.Y., N.J. 07093  
My commission expires: \_\_\_\_\_  
MARIA A. BRIZUELA  
Notary Public, State of New York  
No. 31-4720786  
Qualified in New York County of  
Commission Expires March 30, 1984

STATE OF NEW YORK )  
 )  
 ) : ss.  
County of NEW YORK )

On this 12<sup>th</sup> day of OCTOBER, 1982, before me, the under-  
signed Notary Public in and for said State, personally appeared  
PAUL F. BALSER, known to me to be the ~~Vice~~ President of Liberty  
Associates 1982-1, Inc., the corporation that executed the foregoing  
Easement, and acknowledged to me that the said Easement is the free  
and voluntary act and deed of such corporation, for the uses and  
purposes therein mentioned, and on oath stated that he is authorized  
to execute the said Easement on behalf of such corporation.

WITNESS MY HAND and official seal hereto affixed, the day and  
year in this certificate first above written.

Irene Weston  
Notary Public for \_\_\_\_\_  
Residing at ONE STATE ST., N.Y., N.Y. 10004  
My commission expires: \_\_\_\_\_  
IRENE WESTON  
Notary Public, State of New York  
No. 31-468278  
Qualified in New York County  
Commission Expires March 30, 1988

STATE OF IDAHO )  
 : ss.  
County of Ada )

On this 1st day of ~~September~~ <sup>(October)</sup>, 1982, before me, the undersigned Notary Public in and for said State, personally appeared Thomas R. Saldin and ~~Minnie O. Armstrong~~ <sup>Carol A. Wood</sup>, known to me to be the Vice President and General Counsel and the ~~Secretary~~ <sup>Assistant</sup>, respectively, of Albertson's, Inc., the corporation that executed the foregoing Easement, and acknowledged to me that the said Easement is the free and voluntary act and deed of such corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said Easement on behalf of such corporation, and that the seal affixed is the corporate seal of such corporation.

WITNESS MY HAND and official seal hereto affixed, the day and year in this certificate first above written.

Claudia C. Medina  
Notary Public for Idaho  
Residing at Boise, Idaho  
My commission expires: 10/30/84

COMMONWEALTH  
STATE OF MASSACHUSETTS )  
 : ss.  
County of Suffolk )

On this 28th day of October, 1982, before me, the undersigned Notary Public in and for said State, personally appeared George E. Palfrey and Arthur D. Stern, known to me to be the Second Vice President and Assistant Secretary of New England Mutual Life Insurance Company, the Corporation that executed the foregoing Easement, and acknowledged to me that the said Easement is the free and voluntary act and deed of such Corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said Easement on behalf of such Corporation.

WITNESS MY HAND and official seal hereto affixed, the day and year in this certificate first above written.

Barbara E. Duncan  
Notary Public for Massachusetts  
Residing at Boston, Massachusetts  
My commission expires: 7-11-86

BARBARA E. DUNCAN  
NOTARY PUBLIC  
Commonwealth of Massachusetts  
My Commission Expires July 11, 1986

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

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2372, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: December 9, 1982.

CITY OF ALBANY, OREGON

William B. Barrons  
City Manager

[Signature]  
Recorder

## EASEMENT "A-1"

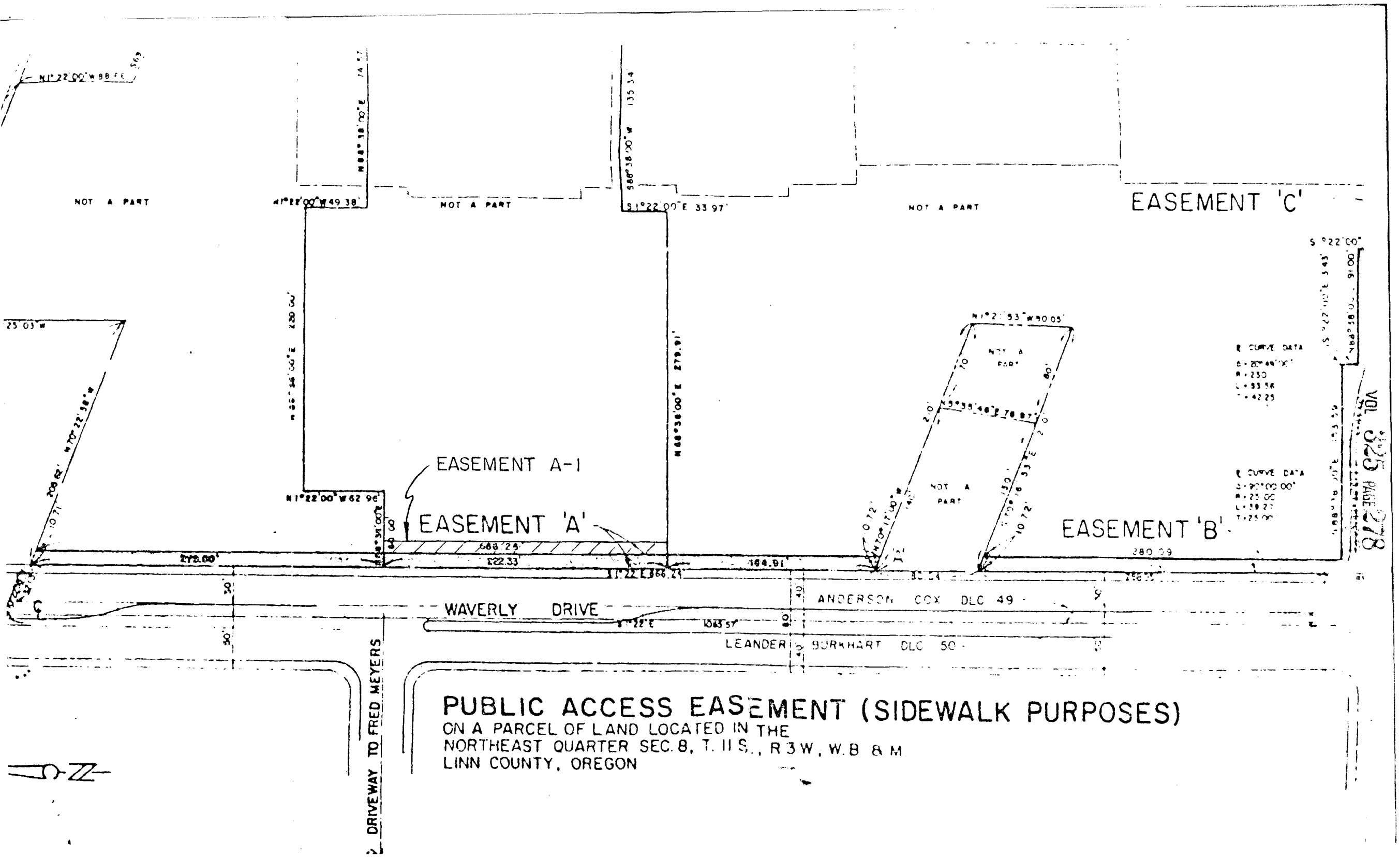
## LEGAL DESCRIPTION FOR ALBANY PLAZA PUBLIC ACCESS EASEMENT

LOCATED IN THE CITY OF ALBANY, OREGON

SIDEWALK ALONG WAVERLY DRIVE &amp; 14TH AVENUE

EASEMENT A-1

Beginning at a point on the west boundary of the Donation Land Claim of Anderson Cox Clain No. 49, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, State of Oregon, said point being South 1°22' East 200.00 feet distant from a point on the west line of said claim, 93.04 chains northerly from the southwest corner of said Claim No. 49, said last point being the point of intersection of the west line of said claim with the center line of the Santiam Highway, from said beginning point running thence South 70°22'58" East 32.13 feet, 32.15 feet per C.S. 17803; thence South 70°22'58" East 10.71 feet; thence South 01°22'00" East 275.07 feet to the TRUE POINT OF BEGINNING; thence North 88°38'00" East 5.00 feet; thence South 01°22'00" East 222.33 feet; thence South 88°38'00" West 5.00 feet; thence North 01°22'00" West 222.33 feet to the TRUE POINT OF BEGINNING.



CURVE DATA  
 Δ = 20° 44' 00"  
 R = 250  
 L = 83.58  
 P = 42.25

CURVE DATA  
 Δ = 20° 00' 00"  
 R = 250  
 L = 83.27  
 P = 42.25

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250

54391

December 14, 1972

STATE OF OREGON  
County of Linn

I hereby certify that the attached was  
received and duly recorded by me in  
Linn County records:

Volume: MF 325 Page: 272

At 8:30 O'clock a.m.  
Witness My Hand and Seal

**DEL W. RILEY**  
Linn County Clerk

By *Grace Helen Hunter*  
Deputy

*City of Linn  
P.O. Box 470  
Linn, Oregon 97351*

VOL 325 PAGE 279

Resolution No. 2372

Recorded Document Recorder File No. 1387