

RESOLUTION NO. 2819

BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following easement:

Grantor

Ruth Edens

Purpose

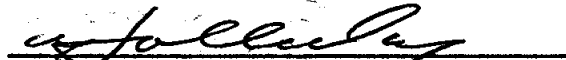
a 9.5-foot public utility easement located on the back lot line of 840 South Bradley Street, in Albany, Linn County, Oregon.

DATED this 28th day of September, 1988.



Mayor

ATTEST:



City Recorder

RECEIVED

SEP 12 1988

EASEMENT FOR PUBLIC UTILITIES

CITY OF ALBANY

THIS AGREEMENT, made and entered into this 9th day of ~~August~~ ^{September}, 1988, by and between **Elmer and Ruth Edens**, 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:

A 9.5 foot wide permanent utility easement that is parallel, adjacent and east of the following described line and further shown on the attached County Survey (C.S. 6414) labeled EXHIBIT A.

Beginning at the southwest corner of that parcel conveyed to Elmer and Ruth Edens, MF 458-957, Linn County Deed Records, which includes all of Lot 9 and the south 25 feet of Lot 8, Block 6, Supplemental Plat of Burkhardt's Addition to the City of Albany, Section 8, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon; thence N 1°03'W on the west property line of said parcel a distance of 75.0 feet, to the intersection of the north property line with the west property line of said parcel, and there terminating.

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.

IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year above written.

Ruth Edens

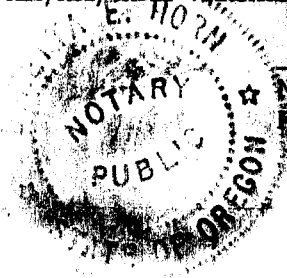
Elmer Edens-Deceased 8-14-88

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

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

The foregoing instrument was acknowledged before me this 9th day of September, 1988, by grantor(s) as his/her/their voluntary act and deed.

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2819, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this 29th day of September, 1988.



Donetta E. Horn
Notary Public for Oregon
My Commission Expires: 5-19-92

CITY OF ALBANY, OREGON

William Barrons
City Manager

[Signature]
City Recorder

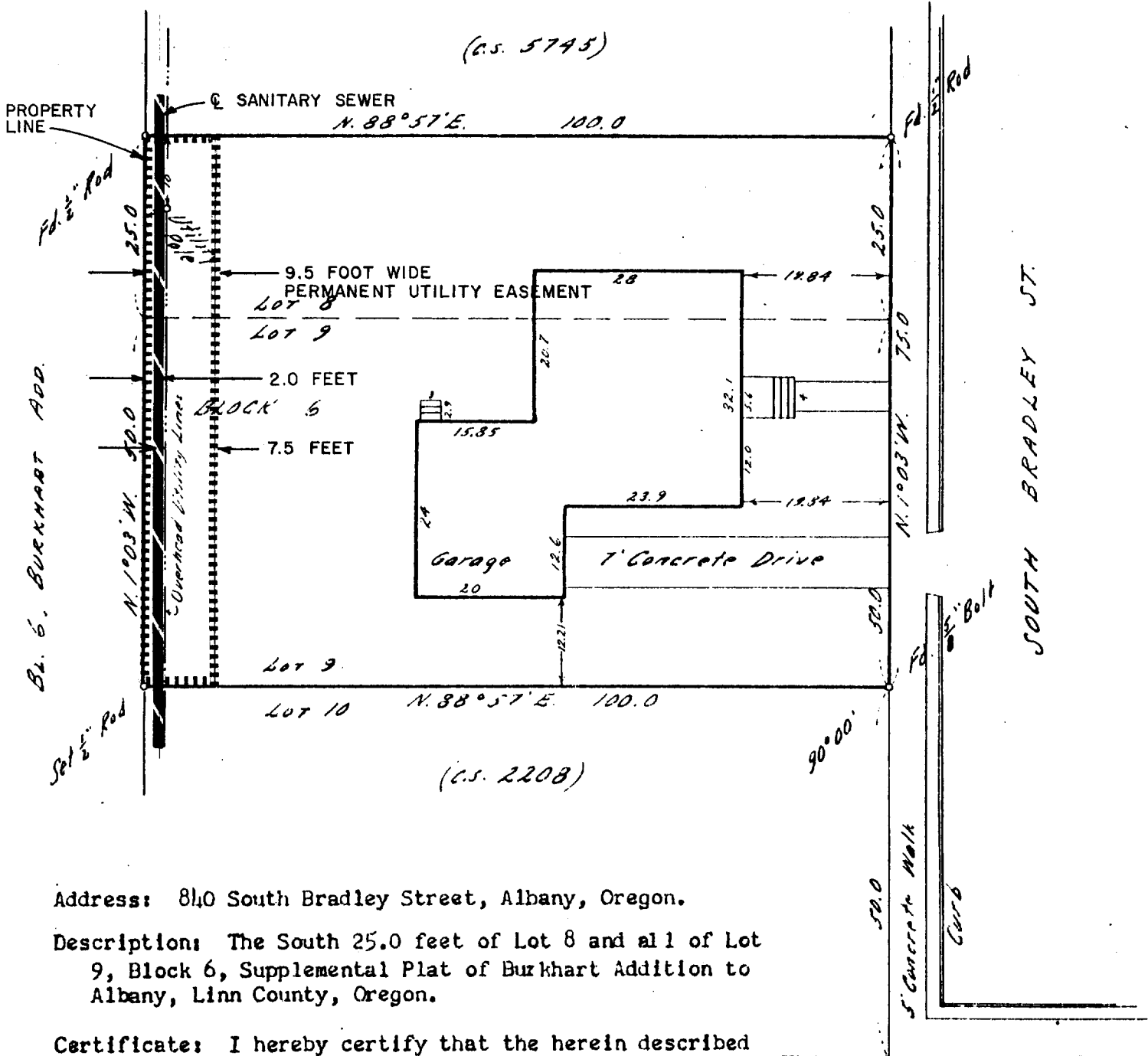
HOLLIS E. & CARMELITE BLEVINS
In Bl. 6, Supplemental Plat of
Burkhart Addition to Albany, Oregon

Scale: 1" = 20'

March 16, 1960

ORRIS A. CARNEGIE
Dep. Co. Surveyor
By: G. W. Strandt

EXHIBIT A



Address: 840 South Bradley Street, Albany, Oregon.

Description: The South 25.0 feet of Lot 8 and all of Lot 9, Block 6, Supplemental Plat of Burkhart Addition to Albany, Linn County, Oregon.

Certificate: I hereby certify that the herein described property was surveyed under my immediate supervision and that the improvements set thereon were found to be on the premises in question and do not overlap or encroach on the property adjacent thereto.

ENTERED OCT 12 1960

At 8:30 O'clock a.m.
STEVE DRUCKENMILLER
Linn County Clerk

STATE OF OREGON
County Of Linn

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

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By *[Signature]*, Deputy

City of Albany
P.O. 490
Albany 97321

25°

Resolution No. 2819

Recorded Document Recorder File No. 1765