

RESOLUTION NO. 3004

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

Grantor

Teledyne Wah Chang Albany,
a Division of Teledyne Industries

Purpose

One 15-foot wide easement for an existing waterline and another 15-foot wide easement for an existing storm drain. These easements are in conjunction with a street vacation (VC-03-90) as requested by Wah Chang in the northeast quarter of Section 5, Township 11 South, Range 5 West, W.M. in the City of Albany, Linn County, Oregon.

DATED this 14th day of November, 1990.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 22nd day of October, 1990, by and between Teledyne Wah Chang Albany, a Division of Teledyne Industries, Inc., 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:

The purpose of this easement is to preserve a 15-foot wide easement, being 7.50-feet on each side, and centered over the existing, as built, 6-inch waterline, which is located across properties currently owned by the City of Albany, in Deed Book 267, Page 719, Linn County Deed Records and soon to be vacated, as per VC-03-90, and Teledyne Wah Chang Albany, a Division of Teledyne Industries, Inc. in Volume MF 456, Page 506 Linn County Microfilm Deed Records.

A 15.00-foot wide permanent utility easement centered over the existing 6-inch waterline across that parcel of land conveyed to Teledyne Wah Chang Albany, a Division of Teledyne Industries, in Volume MF 456, Page 506, Linn County Microfilm Deed Records, and across that parcel of land conveyed to the City of Albany as described in Book 267, Page 719, Linn County Deed Records, said parcel of land being vacated by Ordinance, more particularly described as follows and as shown on the attached map labeled EXHIBIT A:

Beginning at the northwest corner of the Anderson Cox Donation Land Claim Number 49, in the Northeast Quarter of Section 5, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence on the west line of said Donation Land Claim, South 01° 39' 00" East 638.99 feet to the north line of that parcel of land conveyed to the City of Albany in Book 267, Page 719, Linn County Deed Records; thence North 01° 39' 00" West 2.75 feet to the TRUE POINT OF BEGINNING; thence parallel to and 7.50 feet northerly from the existing 6-inch waterline as actually constructed, North 62° 27' 29" East 200.35 feet; thence South 27° 32' 31" East 20.00 feet; thence parallel to said waterline, South 62° 27' 29" West 15.00 feet; thence North 27° 32' 31" West 5.00 feet to a point that is 7.50 feet southerly of said waterline; thence parallel to and 7.50 feet southerly of said waterline, the following courses and distances:
South 62° 27' 29" West 192.63 feet, more or less, to the west line of said

Anderson Cox Donation Land Claim Number 49; South 64° 01' 31" West 82.07 feet; South 11° 54' 01" West 47.31 feet, more or less, to the south line of said City of Albany parcel described in Book 267, Page 719, Linn County Deed Records; thence on the south line of said parcel, South 64° 01' 31" West 32.17 feet, more or less, to the west line of said parcel; thence on the west line of said parcel, North 01° 32' 53" West 16.47 feet, more or less, to a point which is not less than 7.50 feet North 25° 58' 29" West, from the existing 6-inch waterline; thence parallel to and 7.50 feet northerly to the said existing 6-inch waterline the following courses and distances: North 64° 01' 31" East 18.02 feet, more or less; North 11° 54' 01" East 47.55 feet, more or less; North 64° 01' 31" East 96.12 feet, more or less to the True Point of Beginning.

Containing 0.1280 acres, more or less.

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.

Teledyne Wah Chang Albany, a Division of Teledyne Industries, Inc.

By: A. E. Riesen
A. E. Riesen, President

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 22nd day of October, 1990, by , A. E. Riesen, president, of Teledyne Wah Chang Albany, a Division of Teledyne Industries, Inc., an Oregon corporation, on behalf of the corporation.

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3004 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 14th day of November, 1990

Patricia M. Sheahan
Notary Public for Oregon
My Commission Expires: 5/23/98

CITY OF ALBANY, OREGON
Steve Bryant
City Manager

[Signature]
City Recorder



Notes:

The purpose of this easement is to provide access to the existing 6-inch waterline. The intent of this description is to be centered over the existing 6-inch waterline, and being 15-feet wide.

The easement description is part of the requirements for street vacation VC-03-90.

Bearing and Distance Information Taken From CS 16150

Teledyne Wah Chang Albany, a Division of Teledyne Industries Inc.
Volume MF 456, Page 506
11S-03W-05DA
Tax Lot 5700

NW Corner of the Anderson Cox Donation Land Claim Number 49, in the NE 1/4 of Section 5, Township 11 South, Range 3 West, W.M. City of Albany, Linn County, OR.

Teledyne Wah Chang Albany, A Division of Teledyne Industries, Inc.
Volume MF 456, Page 506
11S-03W-05DA
Tax Lot 300

Scale 1" = 50'

N 28° 49' 45" W
50.00'

Easement Bearing Table

⑥	S 64° 01' 31" W 82.07'
⑦	S 11° 54' 01" W 47.31'
①	N 62° 27' 29" E 200.35'
②	S 27° 32' 31" E 20.00'
③	S 62° 27' 29" W 15.00'
④	N 27° 32' 31" W 5.00'
⑤	S 62° 27' 29" W 192.63'
⑧	S 64° 01' 31" W 32.17'
⑨	N 01° 32' 53" W 16.47'
⑩	N 64° 01' 31" E 18.02'
⑪	N 11° 54' 01" E 47.55'
⑫	N 64° 01' 31" E 96.12'

True Point of Beginning is S 01° 39' E 638.99' and N 01° 39' W 2.75' From the NW Cor. of DLC #49.

City of Albany Deed Book 267, Page 719

15' Wide Easement

Waverly Drive

Front Avenue

EXHIBIT A
EASEMENT LOCATION MAP

CITY OF ALBANY, OREGON
PUBLIC WORKS DEPARTMENT
ENGINEERING/UTILITIES DIVISION

15-Foot Wide Utility Easement From Teledyne Wah Chang Albany To The City of Albany

30

DEC 5 10 22 AM '90

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 549 Page: 132

STEVE DRUCKENMILLER
Linn County Clerk

By MJ, Deputy
City of Albany
Box 490
Albany

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 22nd day of October, 1990, by and between Teledyne Wah Chang Albany, a Division of Teledyne Industries, Inc., 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 15-foot wide permanent utility easement across that property conveyed to Teledyne Wah Chang Albany, a Division of Teledyne Industries Inc., through vacation Ordinance, file number VC-03-90, said parcel of land being described in Deed Book 267, Page 719, Linn County Deed Records, being 7.50-feet on either side of a centerline more particularly described as follows and as shown on the attached map labeled EXHIBIT A:

Beginning at the northwest corner of the Anderson Cox Donation Land Claim Number 49, in the Northeast Quarter of Section 5, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence on the west line of said Donation Land Claim, South 01° 39' 00" East 638.99 feet to the north line of that parcel of land conveyed to the City of Albany in Deed Book 267, Page 719, Linn County Deed Records; thence on the north line of said parcel of land South 64° 01' 31" West 121.29 feet, to the TRUE POINT OF BEGINNING; thence on the centerline and northerly extension of the existing storm drain line, South 25° 58' 29" East 50.00 feet to the south line of said parcel of land and there terminating.

Containing 0.017 acres, more or less.

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.

Teledyne Wah Chang Albany, a Division of Teledyne Teledyne Industries Inc.

By: *A. E. Riesen*
A. E. Riesen, President

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 22nd day of October, 1990, by , A. E. Riesen, president, of Teledyne Wah Chang Albany, a Division of Teledyne Industries Inc., an Oregon corporation, on behalf of the corporation.

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3004 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 14th day of November, 1990

Patricia M. Sheahan
Notary Public for Oregon
My Commission Expires: 5/29/91

CITY OF ALBANY, OREGON
Steve Bryant
City Manager

W. J. Kelly
City Recorder



Notes:

The purpose of this easement is to provide access to the existing storm drain line. The intent of this description is to provide a 15-foot wide easement centered over the existing storm drain line.

The easement description is part of the requirements for street vacation VC-03-90.

Bearing and Distance Information Taken From CS 16150

NW Corner of the Anderson Cox Donation Land Claim Number 49, in the NE 1/4 of Section 5, Township 11 South, Range 3 West, W.M. City of Albany, Linn County, OR.

Teledyne Wah Chang Albany, a Division of Teledyne Industries Inc. Volume MF 456, Page 506 11S-03W-05DA Tax Lot 5700

Teledyne Wah Chang Albany, A Division of Teledyne Industries, Inc. Volume MF 456, Page 506 11S-03W-05DA Tax Lot 300

Scale 1" = 50'

N 28° 49' 45" W 50.00'

True Point of Beginning is S 01° 39' E 638.99' and S 64° 01' 31" W 121.29' From the NW Cor. of DLC #49.

City of Albany Deed Book 267, Page 719

Centerline Bearing and Distance S 25° 58' 29" E 50.00'

15' Wide Easement

Waverly Drive

60'

Front Avenue

VOL 549 PAGE 130

CITY OF ALBANY, OREGON PUBLIC WORKS DEPARTMENT ENGINEERING/UTILITIES DIVISION

15-Foot Wide Utility Easement From Teledyne Wah Chang Albany To The City of Albany

EXHIBIT A EASEMENT LOCATION MAP

DEC 5 10 22 AM '90

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 549 Page: 128

STEVE DRUCKENMILLER
Linn County Clerk

By D. J., Deputy

City of Albany
Box 490
Albany

25

Resolution No. 3004

Recorded Document Recorder File No. 1996