

RESOLUTION NO. 3305

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

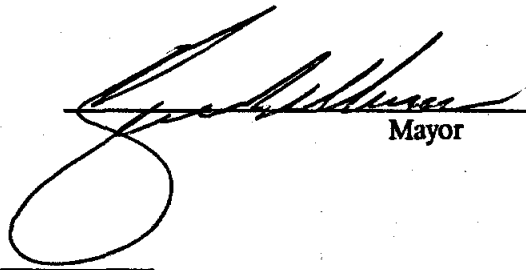
Grantor

Albany Animal Hospital, P.C.

Purpose

A twenty-foot-wide permanent public utility easement centered over an existing sanitary sewer

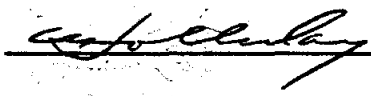
DATED this 17th day of November, 1993.



\_\_\_\_\_

Mayor

ATTEST:



\_\_\_\_\_

City Recorder

## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 10<sup>th</sup> day of August, 1993, by and between Albany Animal Hospital, P. C., 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 twenty-foot wide permanent public utility easement across those tracts of land conveyed to Albany Animal Hospital by deed recorded in Book 345, page 474, Linn County Deed Records more particularly described as follows and as shown on the attached map labeled Exhibit A:

The southerly 10 feet of even width of Lots 1 and 2, Block 45, Hackleman's Second Addition TOGETHER WITH the northerly 10 feet of even width of Lots 7 and 8, Block 45, said Hackleman's Second addition, all lying in the Northeast 1/4 of Section 7, Township 11 South, Range 3 West of the Willamette Base and Meridian, City of Albany, Linn County, Oregon.

Containing 2640 square feet, 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.

## GRANTOR:

Albany Animal Hospital, PC

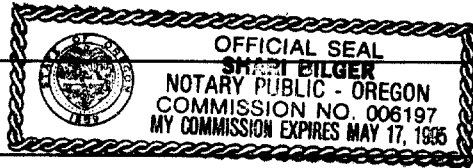
By: 

Francis E. Kaiser

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

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of August, 1993, by Francis E. Kaiser, president and secretary of Albany Animal Hospital, P. C., on behalf of the corporation.

Shari Bilger  
Notary Public for Oregon



My Commission Expires: 5/17/95

**CITY OF ALBANY:**

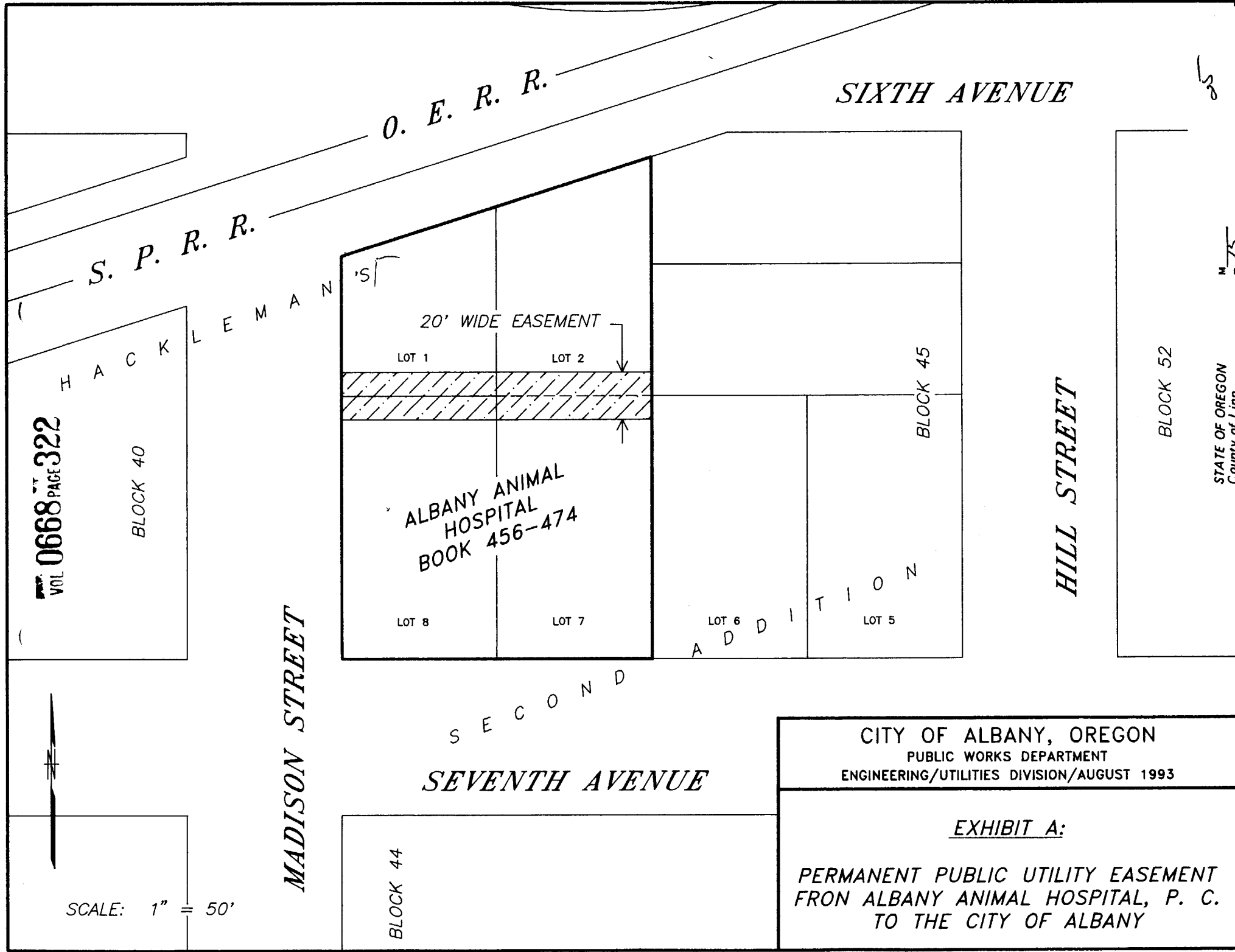
STATE OF OREGON )  
County of Linn ) ss.  
City of Albany )

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3305 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 17<sup>th</sup> day of November, 1993.

SPD Bryant  
City Manager

ATTEST:

Spencer  
City Recorder



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BLOCK 40

HACKLEMAN ST

O. E. R. R.

SIXTH AVENUE

MADISON STREET

ALBANY ANIMAL HOSPITAL  
BOOK 456-474

20' WIDE EASEMENT

LOT 1

LOT 2

LOT 8

LOT 7

ADDITION

LOT 6

LOT 5

BLOCK 45

HILL STREET

BLOCK 52

SECOND ST

SEVENTH AVENUE

BLOCK 44

SCALE: 1" = 50'

CITY OF ALBANY, OREGON  
PUBLIC WORKS DEPARTMENT  
ENGINEERING/UTILITIES DIVISION/AUGUST 1993

EXHIBIT A:  
PERMANENT PUBLIC UTILITY EASEMENT  
FRON ALBANY ANIMAL HOSPITAL, P. C.  
TO THE CITY OF ALBANY

25

STATE OF OREGON  
County of Linn

M 75  
R 70  
S 70  
A 0  
I hereby certify that the attached  
was received and duly recorded  
by me in Linn County records.  
STEVE DRUCKENMILLER 668  
Linn County Clerk MF 320  
By PA, Deputy PAGE

Nov 22 | 59 PM '93

Resolution No. 3305

Recorded Document Recorder File No. 2378