

RESOLUTION NO. 3543

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


Grantor

Jack Keller and Agnes C. Keller

Purpose

Three permanent easements for public utilities (storm drain and sanitary sewer) across the property known as Tax Lot 100, Map No. 11S-4W-13DB.

DATED this 24th day of August 1995.



Mayor

ATTEST:



Deputy City Recorder



EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 30 day of May, 1995, by and between JACK KELLER and AGNES C. KELLER, 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:

Section 13, T.11S.,R.4W. W.B.&M.

an easement for the purpose of installing and maintaining a storm drain line, being that portion of that parcel conveyed to Jack Keller and Agnes C. Keller, husband and wife, by deed recorded in MF Volume 503, Page 618, Linn County Microfilm Records lying within a strip of land, being 15.00 feet in width, and 7.50 feet on each side of the following described center line: Beginning at a point on the west line of that parcel conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division, by deed recorded in MF Volume 420, Page 746, Linn County Microfilm Records, which point is 66.84 feet North 40°34'00" West of the northwest corner of the Truett Davis Donation Land Claim Number 38, Township 11 South, Range 4 West of the Willamette Base and Meridian, Linn County, Oregon; thence West 19.32 feet; thence South 78°18'29" West 231.79 feet to the east line of Fir Oaks Third Addition 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.

GRANTOR:

Jack Keller
Jack Keller

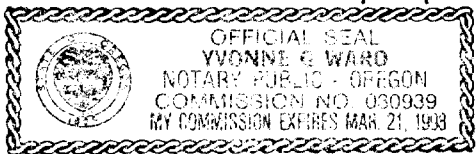
Agnes C. Keller
Agnes C. Keller

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

The foregoing instrument was acknowledged before me this 30 day of May, 1995, by Jack Keller and Agnes C. Keller as their voluntary act and deed.

Yvonne G. Ward
Notary Public for Oregon

My Commission Expires: 3/21/98



CITY OF ALBANY:

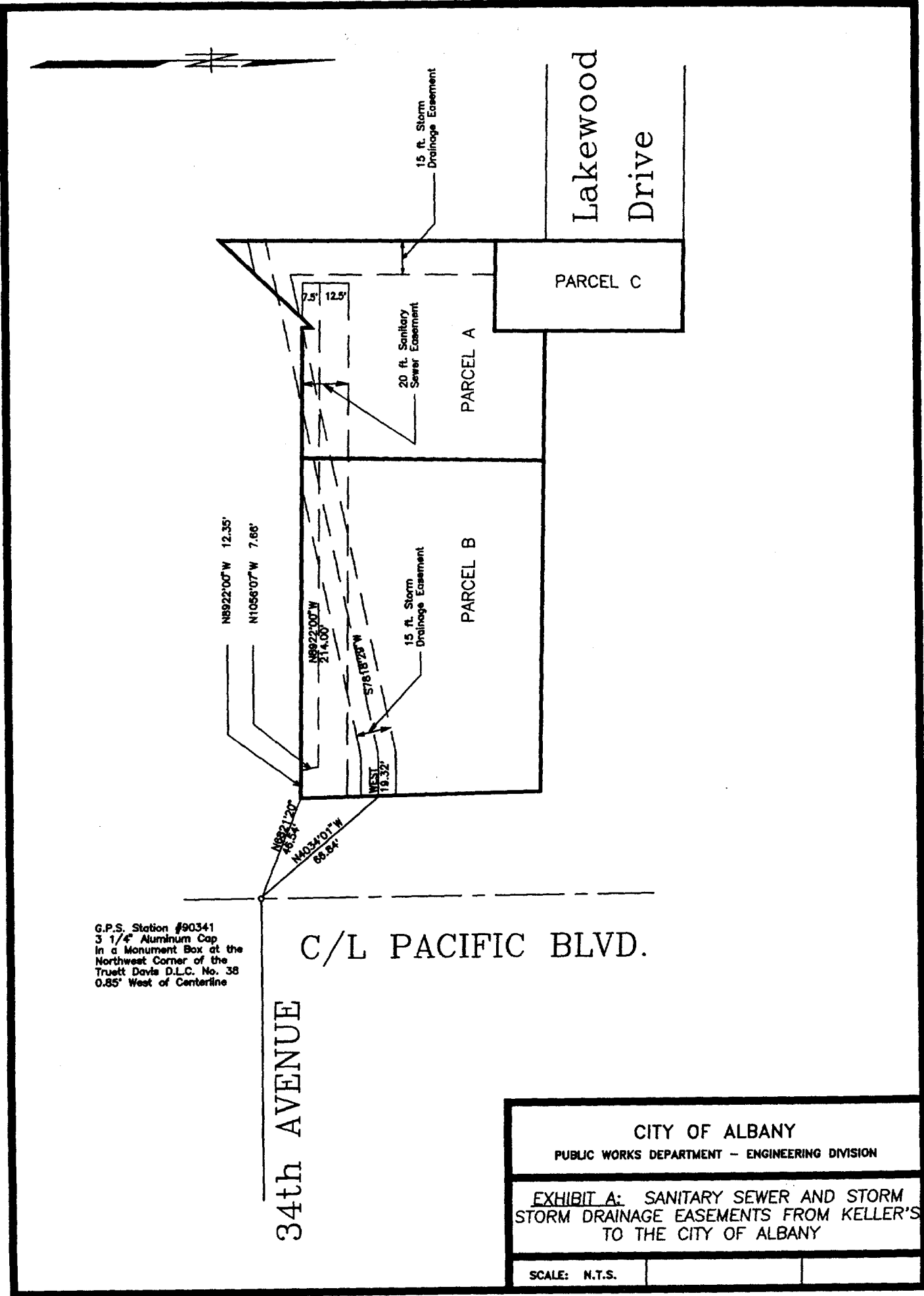
STATE OF OREGON)
County of Linn:) ss.
City of Albany)

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3542, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 24th day of August, 1995.

Steve Bryant
City Manager

ATTEST:

Norm C. Withrow
City Recorder (Deputy)



G.P.S. Station #90341
 3 1/4" Aluminum Cap
 in a Monument Box at the
 Northwest Corner of the
 Truett Davis D.L.C. No. 38
 0.85' West of Centerline

C/L PACIFIC BLVD.

34th AVENUE

Lakewood Drive

CITY OF ALBANY PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION	
EXHIBIT A: SANITARY SEWER AND STORM STORM DRAINAGE EASEMENTS FROM KELLER'S TO THE CITY OF ALBANY	
SCALE: N.T.S.	

STATE OF OREGON
County of Linn

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

STEVE DRUCKENMILLER
Linn County Clerk

By Con, Deputy

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AUG 31 12 13 PM '95

MF 763
PAGE 327

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 30 day of May, 1995, by and between JACK KELLER and AGNES C. KELLER, 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:

Section 13, T.11S.,R.4W. W.B.&M.

an easement for the purpose of installing and maintaining a sanitary sewer line, being a portion of that parcel conveyed to Jack Keller and Agnes C. Keller, Husband and Wife, by deed recorded in MF Volume 503, Page 618, Linn County Microfilm Records, lying within the following described parcel: a 20.00 foot strip of land being 7.50 feet southerly and 12.50 feet northerly of the following described line: Beginning at a point which is 46.54 feet North 68°21'20" West, and 12.35 feet North 89°22'00" West of the northwest corner of the Truett Davis Donation Land Claim Number 38, Township 11 South, Range 4 West of the Willamette Base and Meridian, Linn County, Oregon; which point is on the north line of that parcel conveyer to Orval L. Bontrager and Veralee Bontrager, Trustees under the Orval L. Bontrager revocable Living Trust, in MF Volume 631, Page 411, said microfilm records; thence North 10°56'07" West 7.66 feet; thence North 89°22'00" West parallel with and 7.50 feet northerly of the north line of said Bontrager parcel 214.00 feet 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.

GRANTOR:

Jack Keller

Jack Keller

Agnes C. Keller

Agnes C. Keller

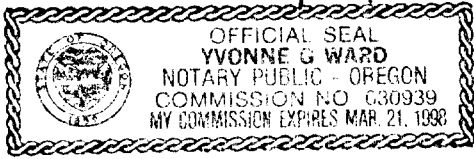
STATE OF OREGON)
County of Linn:) ss.
City of Albany)

The foregoing instrument was acknowledged before me this 3 day of May, 1995, by Jack Keller and Agnes C. Keller as their voluntary act and deed.

Yvonne G Ward

Notary Public for Oregon

My Commission Expires: 3/21/98



CITY OF ALBANY:

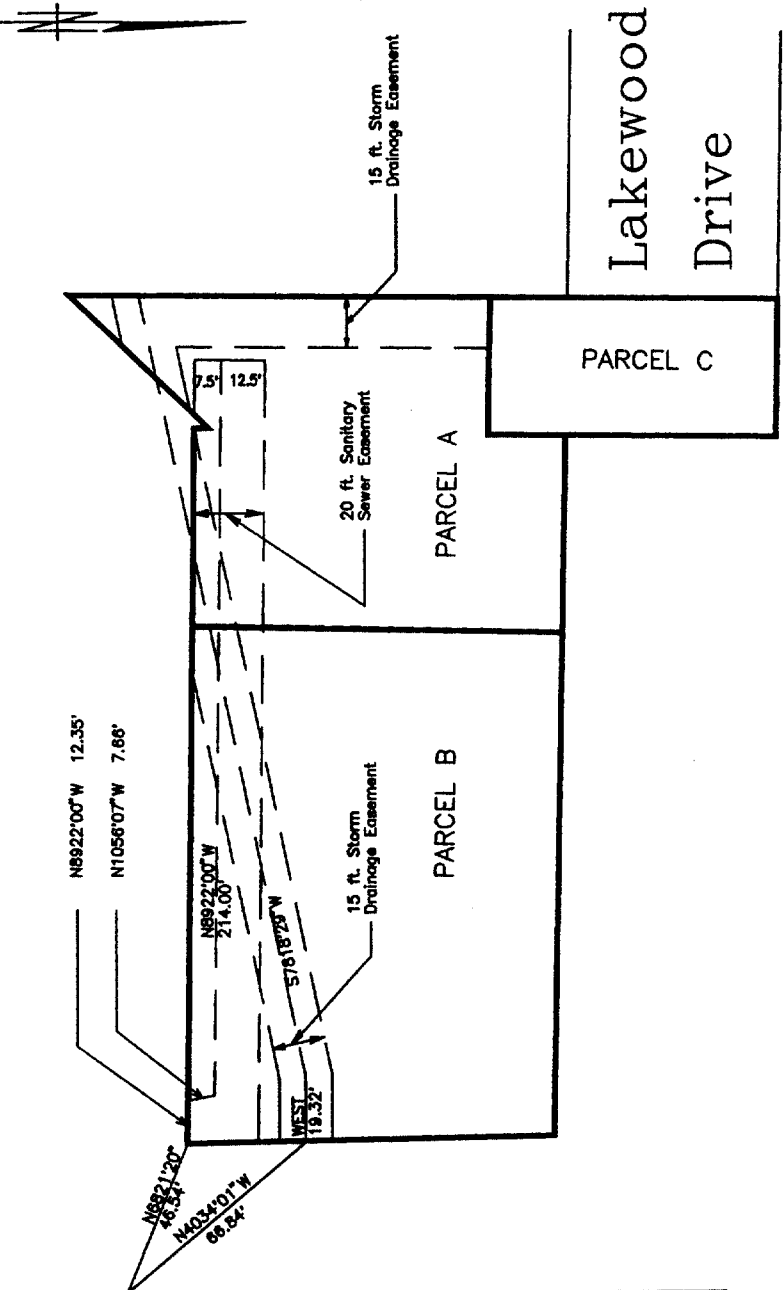
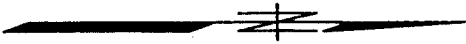
STATE OF OREGON)
County of Linn:) ss.
City of Albany)

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3542, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 24th day of August, 1995.

Steve Bryant
City Manager

ATTEST:

Norm E Withrow
City Recorder (Deputy)



Lakewood Drive

34th AVENUE

C/L PACIFIC BLVD.

G.P.S. Station #90341
 3 1/4" Aluminum Cap
 In a Monument Box at the
 Northwest Corner of the
 Truett Davis D.L.C. No. 38
 0.85' West of Centerline

<p>CITY OF ALBANY PUBLIC WORKS DEPARTMENT - ENGINEERING DIVISION</p>	
<p>EXHIBIT A: SANITARY SEWER AND STORM STORM DRAINAGE EASEMENTS FROM KELLER'S TO THE CITY OF ALBANY</p>	
SCALE: N.T.S.	

STATE OF OREGON
County of Linn

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

STEVE DRUCKENMILLER
Linn County Clerk

By SM, Deputy

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PAGE 331

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This agreement is subject to the following terms and conditions:

- 1. The right-of-way hereby granted consists of:

Section 13, T.11S.,R.4W. W.B.&M.

an easement for the purpose of installing and maintaining a storm drain line, being 15.00 feet in width, the west line of which is described as follows: Beginning at a point on the east line of Lot 3, Block 2 of Fir Oaks 3rd Addition to the City of Albany, Linn County, Oregon, which is 22 feet South 0°01'45" West along the east line of said Lot 3 a distance of 92.32 feet 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.
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IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year above written.

Return to: City of Albany - Recorder
P.O. Box 490, Albany, OR 97321

GRANTOR:

Jack Keller
Jack Keller

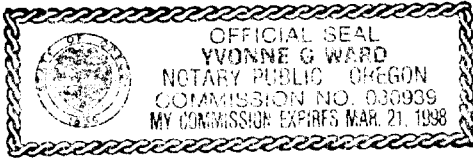
Agnes C. Keller
Agnes C. Keller

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

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Yvonne G. Ward
Notary Public for Oregon

My Commission Expires: 3/21/98



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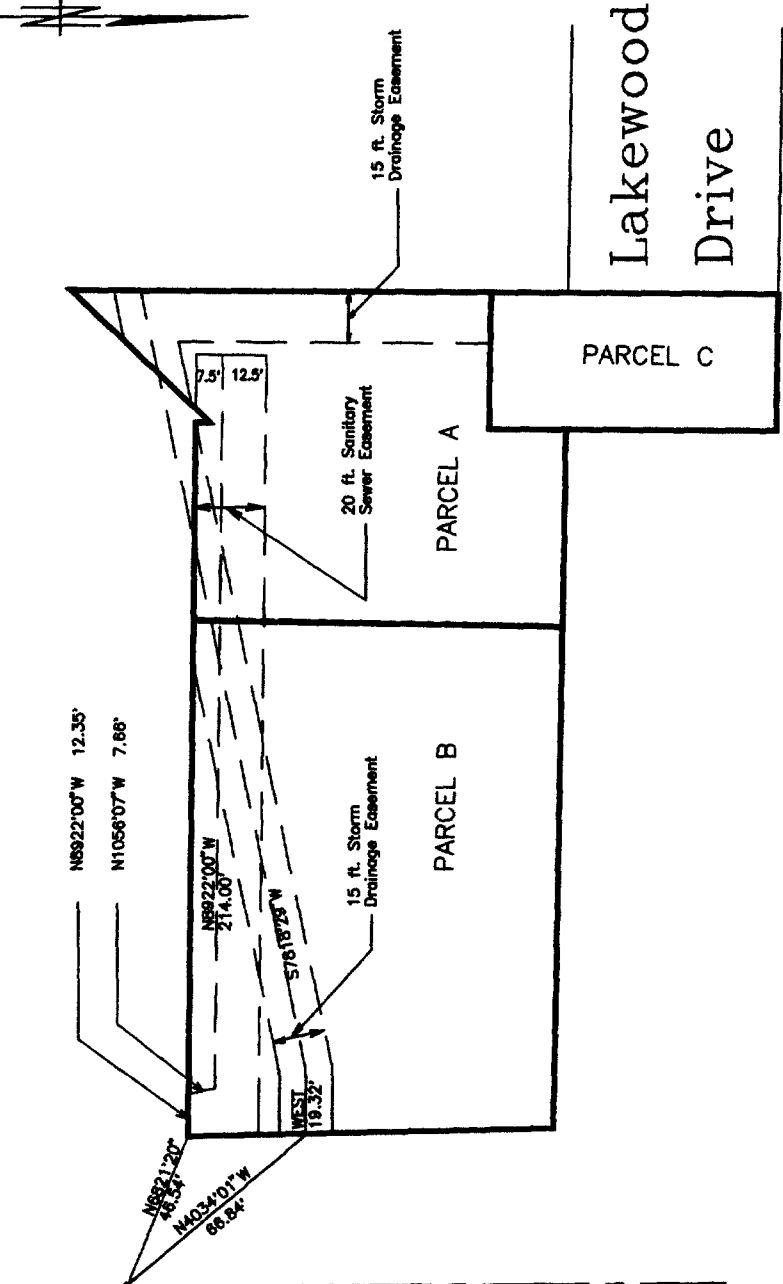
STATE OF OREGON)
County of Linn:) ss.
City of Albany)

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3542, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 24th day of August, 1995.

Steve Bryant
City Manager

ATTEST:

Norm C. Withrow
City Recorder (Deputy)



Lakewood Drive

PARCEL C

PARCEL A

PARCEL B

34th AVENUE

C/L PACIFIC BLVD.

G.P.S. Station #90341
 3 1/4" Aluminum Cap
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SCALE: N.T.S.	

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County of Linn

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STEVE DRUCKENMILLER
Linn County Clerk

By CM, Deputy

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MF 763

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Aug 31 12 13 PM '95

Resolution No. 3543

Recorded Document Recorder File No. 2648