

RESOLUTION NO. 3670

BE IT RESOLVED BY THE ALBANY CITY COUNCIL THAT IT DOES HEREBY ACCEPT THE FOLLOWING EASEMENT:

Grantor

Taskin, L.L.C.

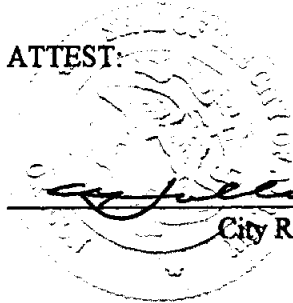

Purpose

A permanent public utility easement 7.0 feet in even width across that property in the Southeast quarter of Section 8, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon.

DATED THIS 10TH DAY OF JULY 1996.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 14 day of June, 1996, by and between Taskin, L.L.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 7 foot wide easement for public utilities, being in the Southeast quarter of Section 8, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, more particularly described as follows: Beginning at a point on the South right-of-way line of East Queen Avenue which bears North 88°41'00" East along the centerline of said Avenue 1410.96 feet and South 01°19'00" East 35.00 feet from the Southeast corner of the Abram Hackleman Donation Land Claim No. 62, said point of beginning being the Northwest corner of that tract of land described in Deed to Taskin, L.L.C., recorded in Linn County Deed Records Volume 772 Page 834 and Page 835; thence along said South right-of-way line North 88°41'00" East 50.00 feet to the true point of beginning; thence continuing along said South right-of-way line North 88°41'00" East 7.00 feet; thence South 01°58'28" East 261.62 feet to an angle point; thence along a 16.00 foot radius curve left 1.53 feet (the long chord of which bears South 72°09'43" East 1.53 feet); thence along a 52.00 foot radius right 141.02 feet (the long chord of which bears South 02°47'23" West 101.61 feet) to an angle point on the East line of a 50 foot easement conveyed to the public in Linn County Deed Records Volume 288 Page 618; thence along said East line North 01°58'28" West 7.07 feet to an angle point; thence along a 45.00 foot radius curve left 121.11 feet (the long chord of which bears North 02°11'55" East 87.73 feet); thence along a 23.00 foot radius curve right 7.13 feet (the long chord of which bears North 66°01'22" West 7.10 feet) to an angle point on said East line of the aforementioned 50 foot easement; thence along said East line North 01°58'28" West 265.80 feet to the true point of beginning, the above described easement containing 2,794 square feet of land, more or less. The bearings for this description are based on Linn County Survey 21297. See attached drawing labeled Exhibit A.

- 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.

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

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.

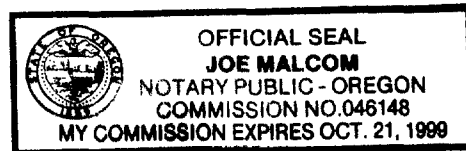
GRANTOR:  
Taskin, L.L.C.

By: M. T. AliNiaze  
M.T. AliNiaze, General Manager

STATE OF OREGON )  
County of BENTON ) ss.  
City of CONVALLIS )

The foregoing instrument was acknowledged before me this 14th day of June, 1996, by M.T. AliNiaze, general manager of Taskin, L.L.C., an Oregon corporation, on behalf of the corporation.

Joe Malcom  
Notary Public for Oregon  
My Commission Expires: 10-21-99



CITY OF ALBANY:

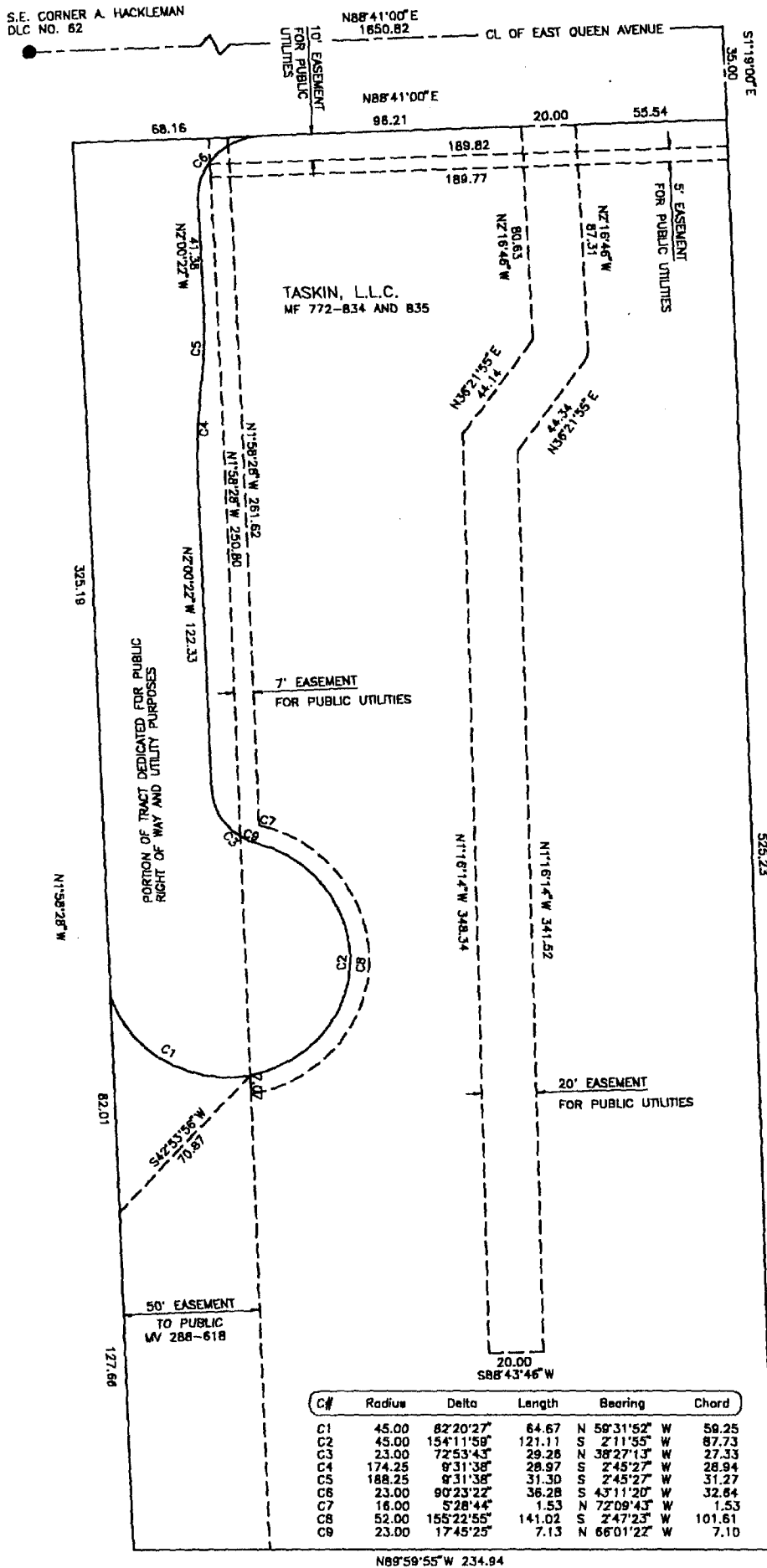
STATE OF OREGON )  
County of Linn ) ss.  
City of Albany )

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3670, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this July day of 12, 1996.

Steve Bryant  
City Manager

ATTEST  
[Signature]  
City Recorder

Exhibit A



SOUTHEAST 1/4 SECTION 8  
TOWNSHIP 11 SOUTH  
RANGE 3 WEST  
WILLAMETTE MERIDIAN  
CITY OF ALBANY  
LINN COUNTY  
OREGON

25  
M 15 JUL 15 2 27 PM '96  
R S  
A O

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 MF 814

By *[Signature]*, Deputy PAGE 569



Resolution No. 3670

Recorded Document Recorder File No. 2793