

RESOLUTION NO. 3706

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

Grantor

Rodney W. Tripp and Russell W. Tripp

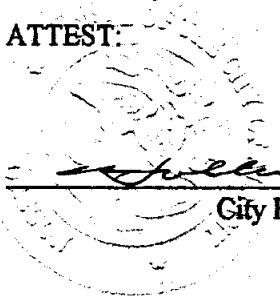

Purpose

A 14.0-foot-wide easement for public utility purposes across that property conveyed to Rodney W. Tripp and Russell W. Tripp

DATED THIS 23RD DAY OF OCTOBER 1996.


Mayor

ATTEST:

City Recorder

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EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 30th day of May, 1996, by and between Rodney W. Tripp and Russell W. Tripp, 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 land 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 Northerly 14 feet of Lots 22 through 24, in Block 18 of Rogersdale Addition to the City of Albany.
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.

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

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

GRANTOR:

Rodney W. Tripp
Rodney W. Tripp

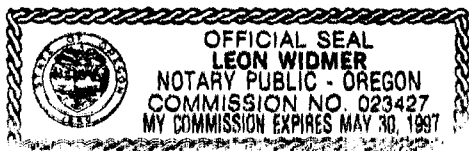
Russell W. Tripp
Russell W. Tripp

TAX LOT #s 500 & 600
Linn County Assessor's Map 11-3W-1800
STATE OF OREGON
County of Linn) ss.
City of Albany)

The foregoing instrument was acknowledged before me this 20th day of May, 1996 by Rodney W. Tripp & Russell W. Tripp as their voluntary act and deed.

Leon Widmer
Notary Public for Oregon

My Commission Expires: 5-30-97



CITY OF ALBANY:

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

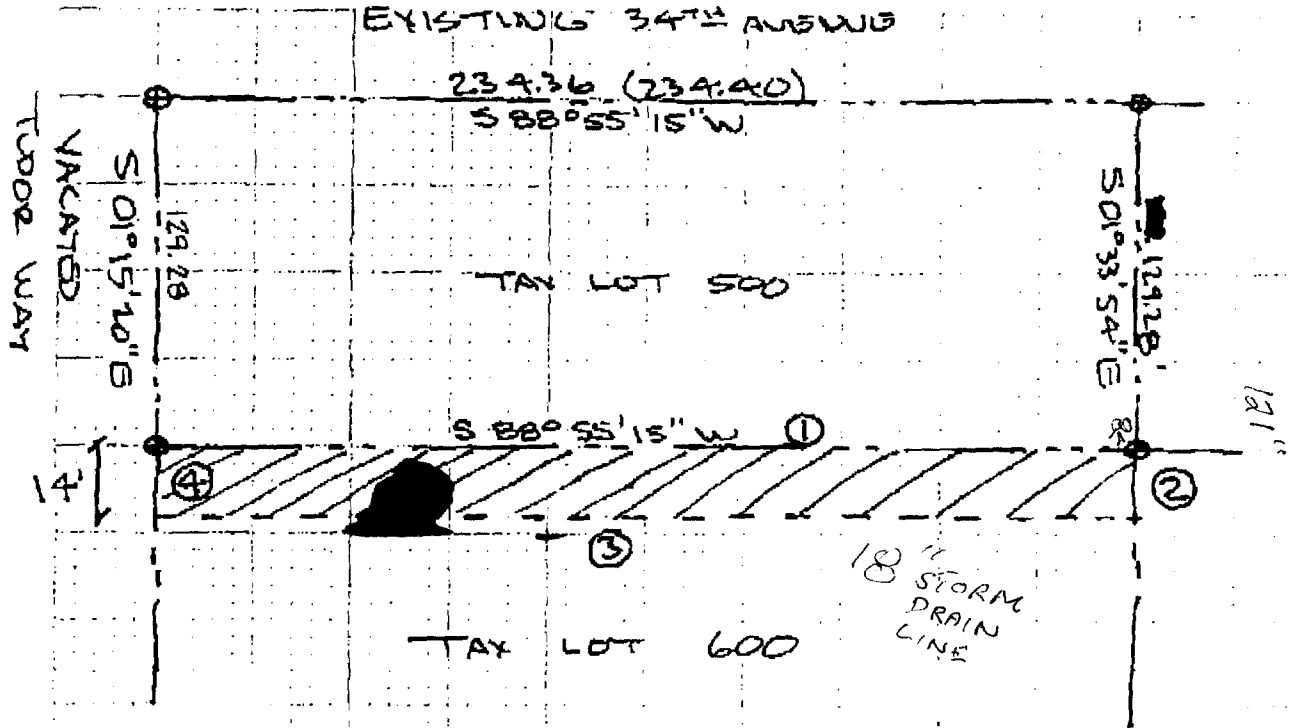
I, Steve, Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3706, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 24 day of October, 1996.

Steve Bryant
City Manager

ATTEST:

as follows
City Recorder

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①	235.06	S 88° 55' 15" W
②	14.00'	S 01° 33' 54" E
③	235.13'	S 88° 55' 15" W
④	14.00'	S 01° 15' 20" E

● EXISTING PROPERTY CORNERS

EXHIBIT A:
 14' Public Utility Easement
 FROM TRIPP & TRIPP ~~AND~~
~~ALBANY RETIREMENT PROPERTIES LLC~~
 TO THE CITY OF ALBANY, OREGON

STATE OF OREGON
County of Linn

M 20
R 15
S 10
A
O

45

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

OCT 28 3 24 PM '96

STEVE DRUCKENMILLER
Linn County Clerk

MF 833

By Sm, Deputy

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Recorded Document Recorder File No. 2837