

RESOLUTION NO. 4473

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

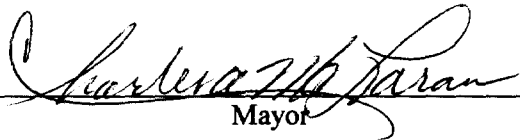
**WILLIAM R. BUHL AND TRINA L. BUHL**

Purpose

A permanent 6-foot-wide permanent public utility easement described in attached EXHIBIT A and as shown in attached EXHIBIT B.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED THIS 8TH DAY OF AUGUST, 2001.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 12th day of July, 2001, by and between **WILLIAM R. BUHL AND TRINA L. BUHL**, herein called Grantor, 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 Grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the City of Albany, 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 6.0 foot wide permanent public utility easement as shown on attached EXHIBIT B and described in attached 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, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits Grantor may obtain therefrom.
4. The Grantor does 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 by Grantor on this easement.

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

IN WITNESS WHEREOF, the Grantor has hereunto fixed his hand and seal the day and year above written.

GRANTOR:

William R. Buhl  
WILLIAM R. BUHL

CITY OF ALBANY:

STATE OF OREGON )  
County of Linn ) ss.  
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 4473, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this

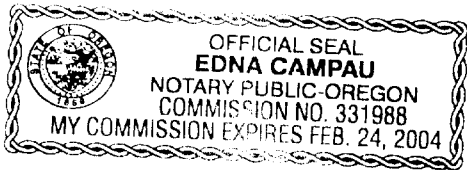
The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2001 by WILLIAM R. BUHL as his voluntary act and deed.

8 day of August 2001.

Steve Bryant  
City Manager

Edna Campau  
Notary Public for Oregon  
My Commission Expires Feb. 24, 2004

ATTEST:



Ken Thompson  
City Recorder

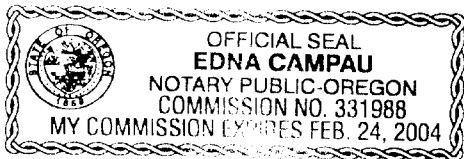


Trina L. Buhl  
TRINA L. BUHL

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

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2001 by TRINA L. BUHL as her voluntary act and deed.

Edna Campau  
Notary Public for Oregon  
My Commission Expires Feb. 24, 2004



**EXHIBIT A**

A 6.0 foot wide permanent public utility easement across that property conveyed WILLIAM R. BUHL AND TRINA L. BUHL, described in Volume 886, Page 652, Linn County Microfilm Deed Records, said easement being parallel, adjacent and south of the line described below and as shown on the attached map labeled "EXHIBIT B".

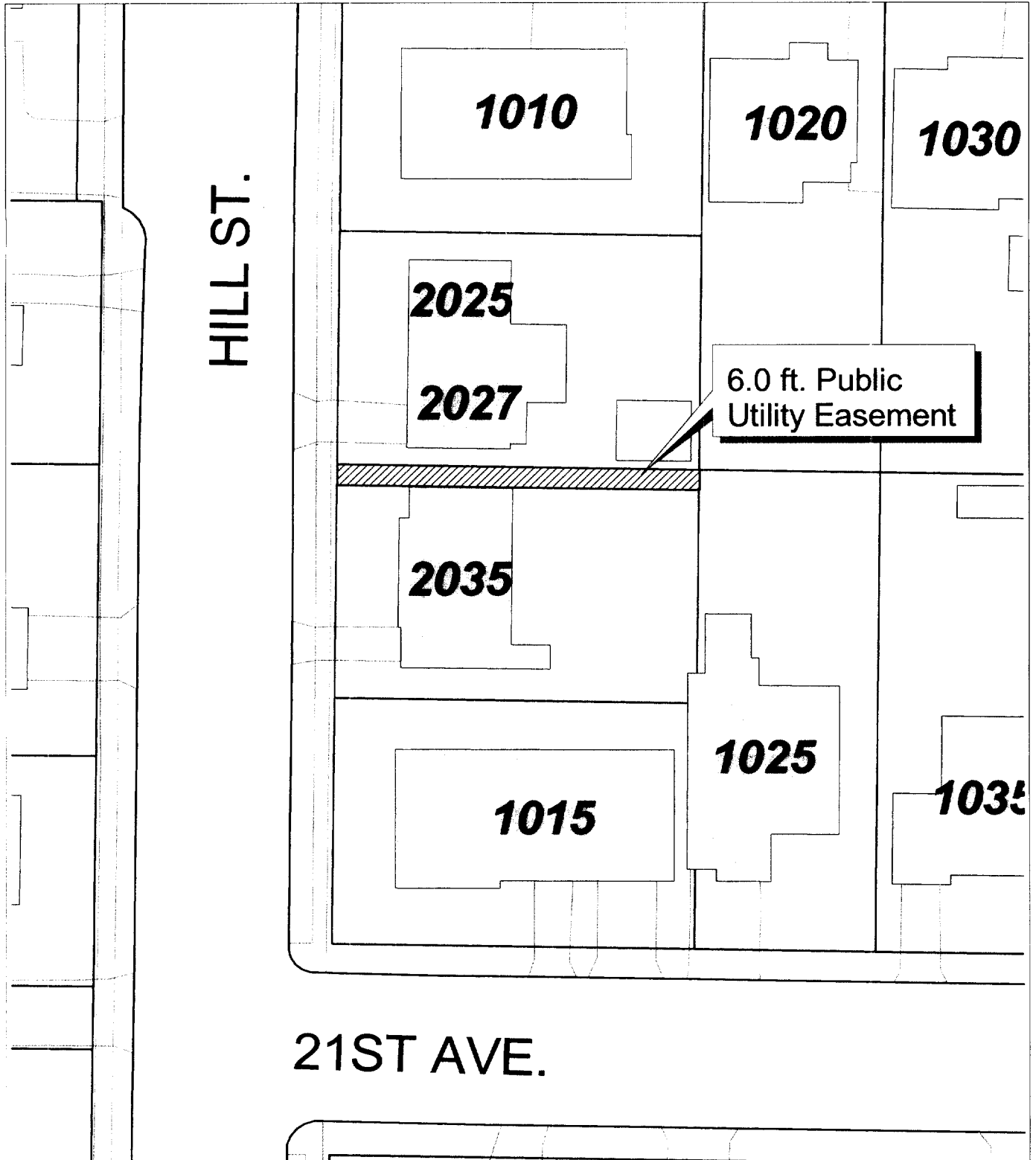
Beginning at the northwest corner of Tax Lot 09900, Block 3 of Supplemental Plat Block 19 & 20 to Hollywood Acres, City of Albany, Section 07, T.11S., R.3W., Willamette Meridian, Linn County, Oregon; thence easterly, parallel with the northern boundary line of said block, a distance of 100.0 feet, and there terminating.

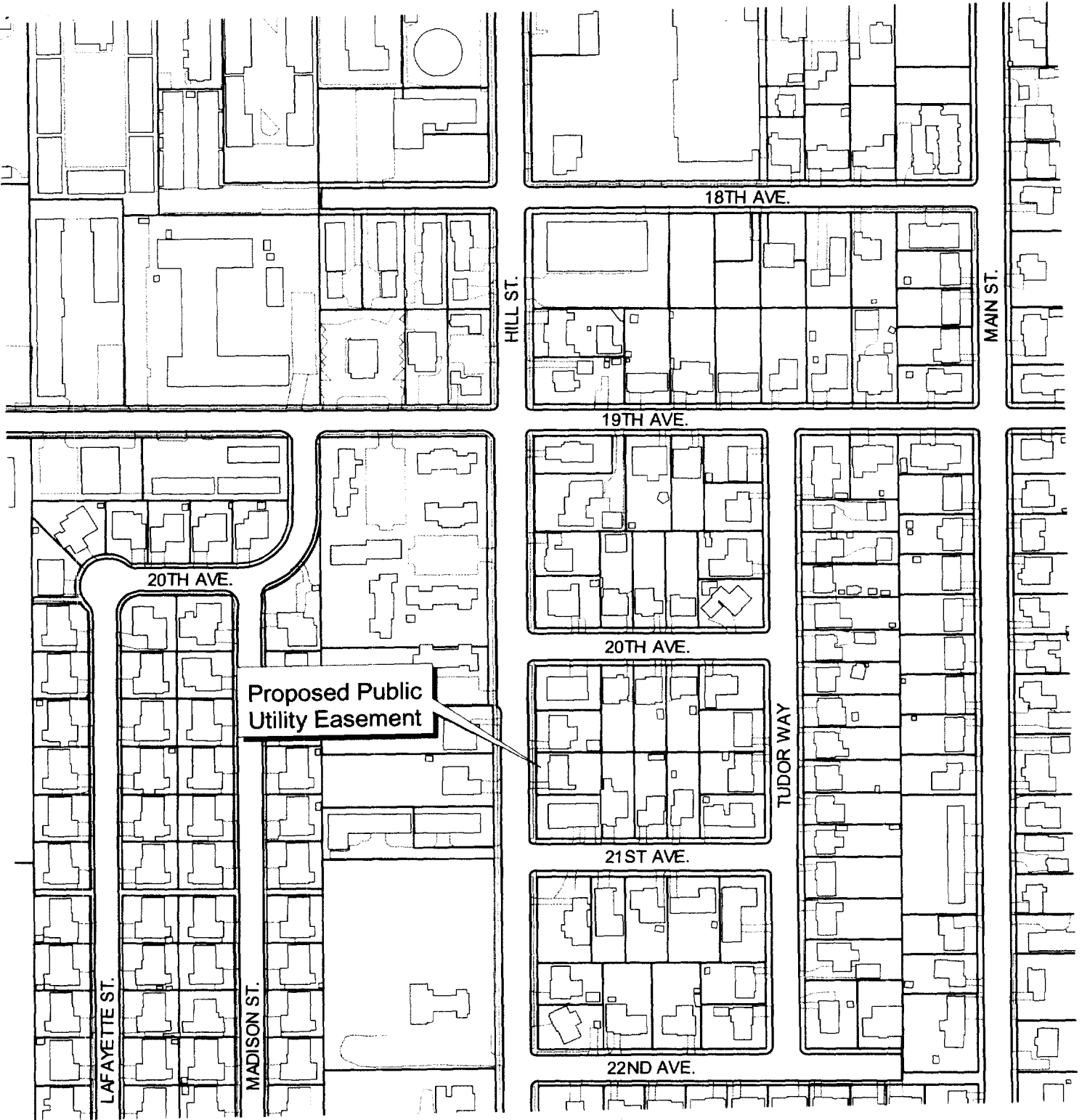
Containing 0.013 acres of land, more or less.

# EXHIBIT B

BUHL PUBLIC  
UTILITY EASEMENT

LOT 03, BLOCK 19 & 20 OF HOLLYWOOD ACRES  
SECTION 07, T. 11S., R. 3W., WILLAMETTE MERIDIAN, LINN COUNTY, OREGON





# VICINITY MAP

**2035 Hill St. SE**

Engineering

John Downing

john1 J:\AV\_PROJSITE\_MAP.APR

Jul 12, 2001

The City of Albany's Infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, occasionally this information proves to be incorrect, and thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the information provided, it is specifically advised that you independently field verify the information contained within our records.



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 SR, Deputy

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PAGE 358

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Resolution No. 4473

Recorded Document Recorder File No. 3849