

RESOLUTION NO. 4717

A RESOLUTION RELEASING THE FOLLOWING EASEMENT:

Grantor

THE CITY OF ALBANY

Purpose

Quitclaim Deed for sewer easement granted to the City of Albany by James D. and Gayle Haring on April 8, 1982.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby release this easement; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED THIS 26TH DAY OF JUNE 2002.



Mayor

ATTEST:



City Recorder

CITY OF ALBANY
Grantor

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After Recording Return to:

City of Albany
PO Box 490
Albany, OR 97321

James D. and Gayle M. Haring
Grantees

Until requested otherwise send
All tax statements to:

James and Gayle Haring
P.O. Box 38
Albany, OR 97321

QUITCLAIM DEED

KNOW ALL PEOPLE BY THESE PRESENTS, that THE CITY OF ALBANY, a municipal corporation, hereinafter called Grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto **James D. and Gayle M. Haring**, hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenance thereunto belonging or in anywise appertaining, situated in the County of Linn, State of Oregon, described as follows, to wit:

Legal Description

The sewer easement granted to the City of Albany by James D. and Gayle Haring on April 8, 1982 and recorded in the Linn County Microfilm Deed Records Volume 312, Page 76, (Attached).

To Have and to Hold the same unto said Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollar, is \$1.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 12 day of June, 2002.

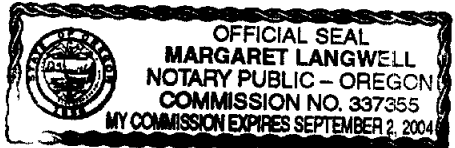
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES MAY NOT AUTHORIZE CONSTRUCTION OR SITTING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30 930 IN ALL ZONES BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES

Steve Bryant
Steve Bryant, City Manager

Ken Thompson
Ken Thompson, Assistant City Manager
Administrative Services Director

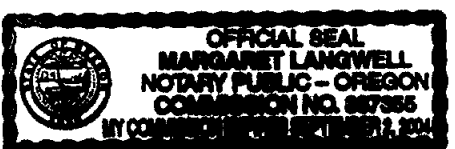
STATE OF OREGON, County of Linn) ss.

This instrument was acknowledged before me on July 26, 2002, by Steve Bryant, City Manager for the City of Albany.



Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires September 2, 2004

This instrument was acknowledged before me on July 29, 2002, by Ken Thompson, Assistant City Manager/Administrative Services Director for the City of Albany.



Margaret Langwell
NOTARY PUBLIC FOR OREGON
My Commission Expires September 2, 2004

#1240

EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF

STORM SEWER

THIS AGREEMENT, made and entered into this 8th day of April, 19 82, by and between James D. and Gayle Haring

herein called grantors, and the CITY OF ALBANY, a Municipal corporation, herein called "City"

WITNESSETH:

That for and in consideration of the sum of \$0.00 -----
-----DOLLARS
(\$0.00-----) cash in hand paid, the receipt of which is hereby acknowledged, the grantors have this day bargained and sold and by these presents do bargain, sell, convey and transfer unto the City of Albany, a permanent easement and right-of-way, including the perpetual right to enter upon the real property hereinafter described at any time that it may see fit, and to construct, maintain and repair sanitary sewer lines for the purpose of conveying sewer 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 sewer and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of the said sewer.

The easement and right-of-way hereby granted covers a strip of land 125 feet in width for the purpose of construction and 70 feet in width for the purpose of maintenance over the following described property:

Commencing at the Southwest Corner of the Hugh Nickerson D. L. C. No. 39; and running thence N 89°58'30"E 25.00 feet to the true point of beginning.

- thence N 89°58'30" E 212.60 feet;
 - thence South 70.00 feet (or 125.00 feet for construction);
 - thence S 89°58'30" W 212.60 feet;
 - thence North 70.00 feet (or 125.00 feet for construction)
- to the true point of beginning.

TO HAVE AND TO HOLD the said easement and right-of-way unto the City of Albany and unto its successors and assigns forever.

EASEMENT FOR CONSTRUCTION OF A STORM SEWER
Page 2

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.

IN WITNESS WHEREOF, the grantors have hereunto fixed their hands and seals the day and year first hereinabove written.

James D. Haring
Gayle M. Haring

STATE OF OREGON)
County of)ss
City of)

On this 8th day of APRIL, 19 82
personally appeared the above named
James D. Haring AND Gayle M. Haring

and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 8th day of APRIL, 19 82.

Walter C. Cook
Notary Public for Oregon
My Commission Expires: August 25, 1983

STATE OF OREGON

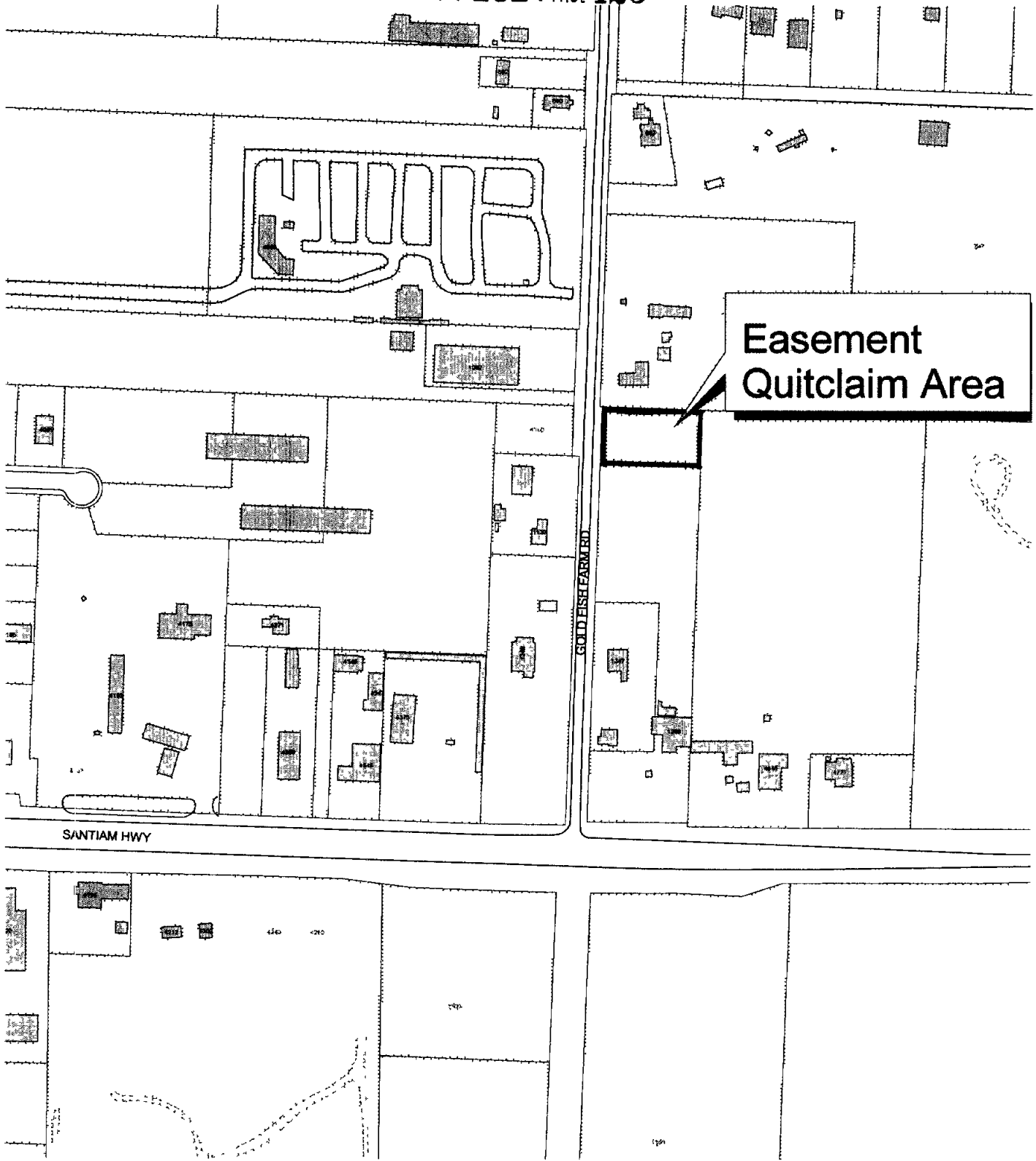
STATE OF OREGON)
County of Linn)ss
City of Albany)

I, Donald W. Brudvig, as Mayor of the City of Albany, Oregon, pursuant to Resolution Number 2323, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: April 16, 19 82.

CITY OF ALBANY, OREGON
Donald W. Brudvig
Mayor

[Signature]
Recorder



Easement Quitclaim



Public Works

gordons nil

Gordon Steffensmeier

Jun 7, 2002

0 300 Feet



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.



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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 g/n, Deputy

M. 20
R. 20
S. 20
A. 20
O. 20

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Recorded Document Recorder File No. 4106