

RESOLUTION NO. 4981

A RESOLUTION GRANTING THE FOLLOWING ELECTRIC POWER EASEMENT:

Grantor: **CITY OF ALBANY**

Purpose

Grantee: **PacifiCorp**

A 15-foot by 20-foot Electric Power Easement


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

DATED AND EFFECTIVE THIS 9^h DAY OF JUNE 2004.



Mayor

ATTEST:



City Recorder

Return to: PacifiCorp
825 N.E. Multnomah St., Suite 1000
Portland, OR 97232
Attn: Scott Mease

CC#:11256 WO#:02371539 RW#:20040172

RIGHT OF WAY EASEMENT

For value received, **City of Albany, a municipal corporation of the State of Oregon**, (“Grantor”), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, (“Grantee”), an easement for a right of way 15 feet in width and 20 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults and cabinets, along the general course now located by Grantee on, over or under the surface of the real property of Grantor in Linn County, State of Oregon, more particularly described as follows and as more particularly shown on Exhibits A & B attached hereto and by this reference made a part hereof:

That certain strip or parcel of land situated in the City of Albany, County of Linn, State of Oregon, described as follows:

That portion of land (60 feet wide) of Southern Pacific Transportation Company, as described in deed dated September 21, 1886 in Book 31 of Deeds, at Page 179, Records of said County, extending from the center line of Hill Street (66 feet wide) easterly to a line drawn radially from the southerly line of land described in said deed and passing through a point in the northerly line of last said land that is distant thereon westerly 131.61 feet from the center line of Oak Street.

Assessor’s Map No. 11S 03W 07AD

Tax Parcel No. 6601

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way and adjacent lands clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee’s facilities or impede Grantee’s activities.

At no time shall Grantor place, light any fires, place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

DATED this 11 day of June 2004.

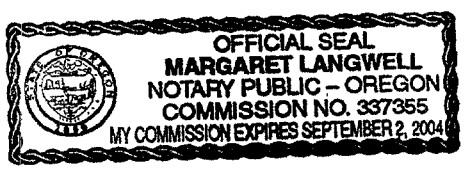
Susan Busbice

City of Albany, a municipal corporation of the State of Oregon
Susan Busbice, Assistant City Manager / Chief Financial Officer

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Oregon)
County of Linn) ss.

This instrument was acknowledged before me on this 11 day of June, 2004, by Susan Busbice, as Assist. City Manager/CFO of City of Albany.



Margaret Langwell
Notary Public
My commission expires: Sept. 2, 2004

Steve Bryant

City of Albany, a municipal corporation of the State of Oregon
Steve Bryant, City Manager

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF Oregon)
County of Linn) ss.

This instrument was acknowledged before me on this 11 day of June, 2004, by Steve Bryant, as City Manager of City of Albany.



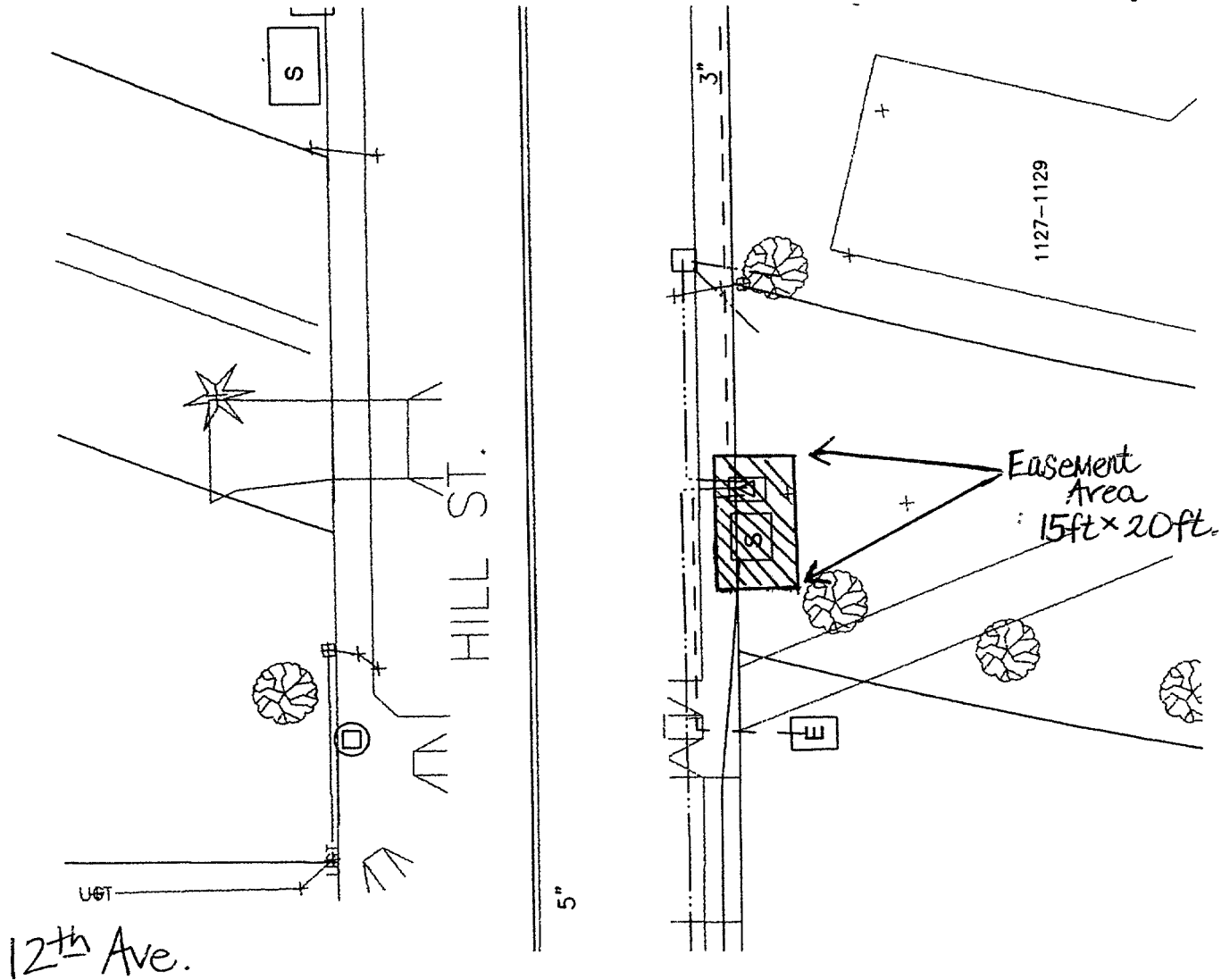
Margaret Langwell
Notary Public
My commission expires: Sept 2, 2004

Property Description

S:07AD (SE NE) T:11S R:03W

Tax Lot 6601

Linn County, OR



CC#: 11256 WO#: 02371539

Name: City of Albany

Drawn by: M. Blair

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

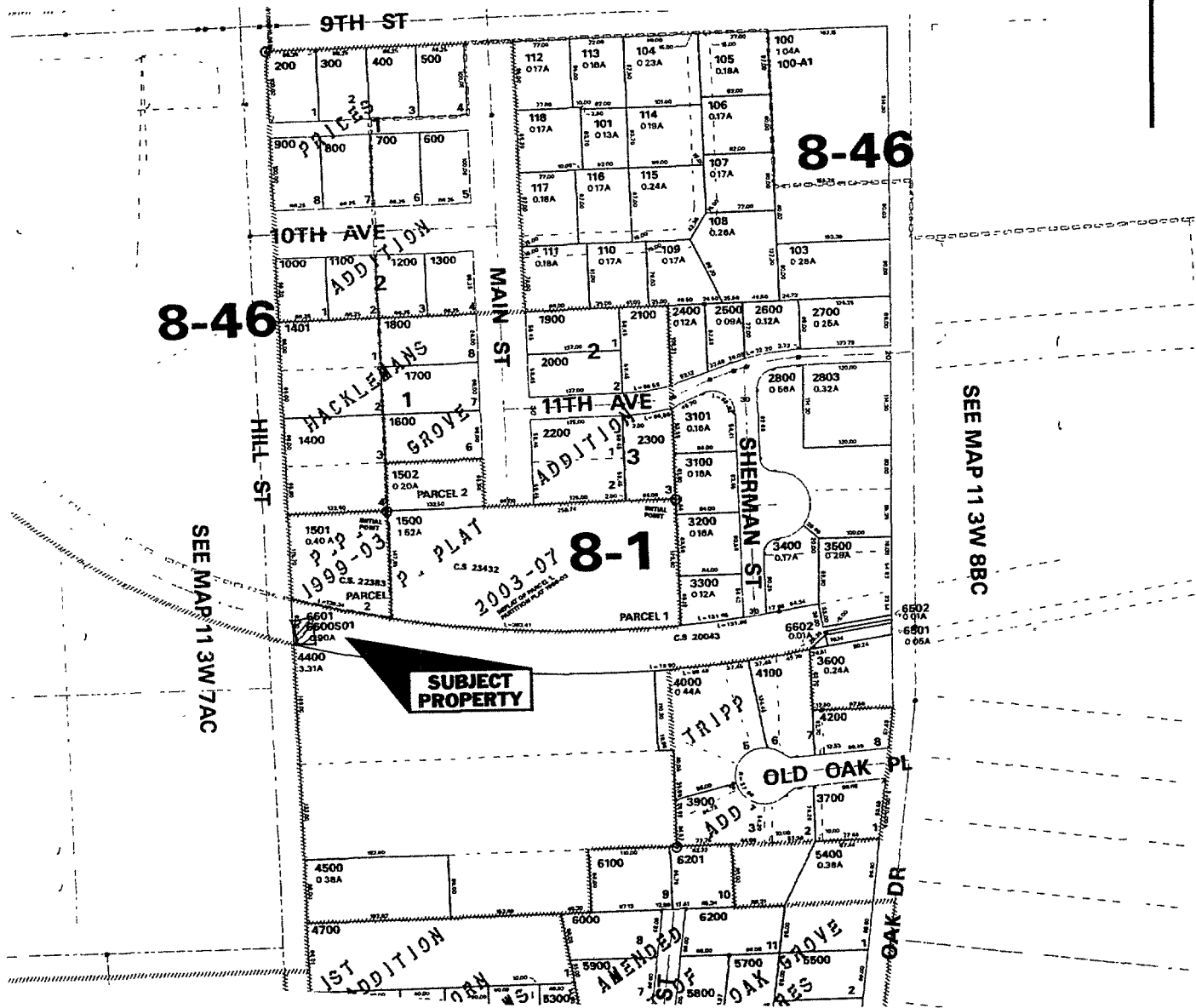
EXHIBIT A

PacifiCorp

SCALE: N/S SHEET 1 OF 1
ROW #: 20040172



SE 1/4 NE 1/4 SEC. 07 T. 11S. R. 03W. W.M.
LINN COUNTY, OREGON



CC#: 11256 WO#: 02371539
Name: City of Albany
Drawn by: M Blair

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

EXHIBIT B

PacifiCorp

SCALE: N/S SHEET 1 OF 1
ROW #: 20040172

I hereby certify this copy to be a true, full and correct copy of the original now on record in my office

STEVE DRUCKENMILLER

County Clerk
Deputy

10-23-04

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

M
R 20
S 10
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O

8.30 O'clock a.m. 41

JUN 23 2004

MF 1594

By SW Deputy PAGE 349

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Recorded Document Recorder File 4376