

RESOLUTION NO. 5221

A RESOLUTION ACCEPTING THE FOLLOWING STORM DRAINAGE EASEMENT:

Grantor

Linn County, Oregon

Purpose

A 30-foot wide by 660 foot long storm drainage easement over Perfect Lane. The storm drainage line serves River Bend Estates subdivision and Broadway Street.

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

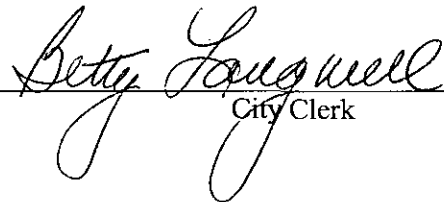
BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 19TH DAY OF DECEMBER 2005.



Mayor

ATTEST:



City Clerk

Easement for Public Utilities

LINN COUNTY, a political subdivision of the State of Oregon, (hereinafter referred to as Grantor), hereby grants to CITY OF ALBANY, a municipal corporation, its successors & assigns a perpetual non-exclusive easement and right to construct, operate and maintain an underground storm drain line under and upon the following described property.

Account # 778904 Map: 11-04W-13BA-6000

As recorded in Book 309, Page 417 and Volume 215, Page 449 of the Linn County Deed Records and being more particularly described as follows:

Beginning at a point which bears South 54° 55' 00" West 567.60 feet and South 51° 15' 00" West 1320.00 feet from the Southwest corner of the Walter Monteith Donation Land Claim No. 55 located in Section 12, of Township 11 South, Range 4 West, of the Willamette Meridian, in Linn County, Oregon; thence South 38° 45' 00" East 660.00 feet; thence South 16° 15' 00" East 33.00 feet; thence South 51° 45' 00" West 16.50 feet; thence North 16° 15' 00" West 33.00 feet; thence South 51° 15' 00" West 13.50 feet; thence North 38° 45' 00" West 660.00 feet; thence North 51° 15' 00" East 30.00 feet to the point of beginning. Excepting all that portion lying within the right-of-way of CR 1 (Queen Avenue).

This Easement is subject to the following terms and conditions:

- 1. The permanent easement described herein grants to City of Albany 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.
2. The easement granted is in consideration of \$100.00, the receipt of which is hereby acknowledged, and in further consideration of the public improvements to be placed upon said property and the benefits Grantors may obtain therefrom. Nothing herein shall reduce or limit grantor's obligation to pay any costs or assessments which may result from the improvements.
3. The Grantor does hereby covenant with City of Albany that Grantor is lawfully seized and possessed of the real property above described, has a good and lawful right to convey it or any part thereof.
4. Upon performing any maintenance, City of Albany will make reasonable efforts to return the site to its original condition.
5. No permanent structure shall be constructed on this easement.
6. Unless an emergency repairs or maintenance is deemed to exist by City of Albany, during exercise of any rights conveyed by this easement City of Albany shall not unreasonably impede the ingress and egress of others.

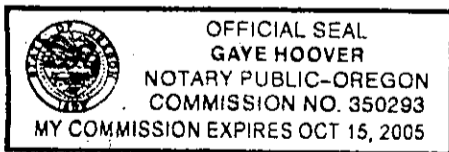
IN WITNESS WHEREOF, we have set our hands hereto this 3rd day of August, 2005.

BOARD OF COUNTY COMMISSIONERS FOR LINN COUNTY:

Signatures of Roger Nyquist, Cliff Wooten, and John K. Lindsey with their respective titles: Roger Nyquist, Chairperson; Cliff Wooten, Commissioner; John K. Lindsey, Commissioner.

STATE OF OREGON)
) ss.
County of Linn)

This instrument was acknowledged before me on this 3 day of August, 2005 by Roger Nyquist, John K. Lindsey, and Cliff Wooten as the Board of Commissioners for Linn County, Oregon.



Signature of Notary Public Gaye Hoover, Notary Public for Oregon, My Commission expires: 10-15-05

AFTER RECORDING RETURN TO:

City of Albany
Attn: Gordon Steffensmeier
PO Box 490
Albany, OR 97321

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 [Signature] Deputy

Handwritten notes: MF 1758, 2005 SEP -7 P 1:40, Return to Linn County Clerk, MF 920

ORDER# 2005-419 DATE August 3 2005 VOLUME 328 PAGE 604

4642

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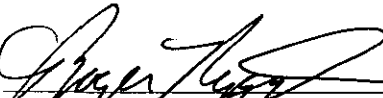
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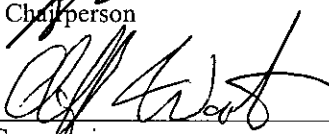
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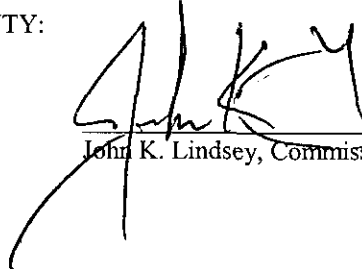
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BOARD OF COUNTY COMMISSIONERS FOR LINN COUNTY:

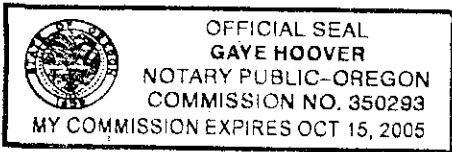

 Roger Nyquist, Chairperson

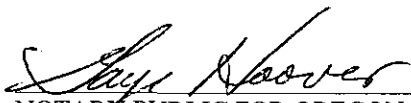

 Cliff Wooten, Commissioner


 John K. Lindsey, Commissioner

STATE OF OREGON)
) ss.
County of Linn)

This instrument was acknowledged before me on this 3 day of August, 2005 by Roger Nyquist, John K. Lindsey, and Cliff Wooten as the Board of Commissioners for Linn County, Oregon.




 NOTARY PUBLIC FOR OREGON
 My Commission expires: 10-15-05

AFTER RECORDING RETURN TO:


City of Albany
Attn: Gordon Steffensmeier
PO Box 490
Albany, OR 97321

STATE OF OREGON
County of Linn

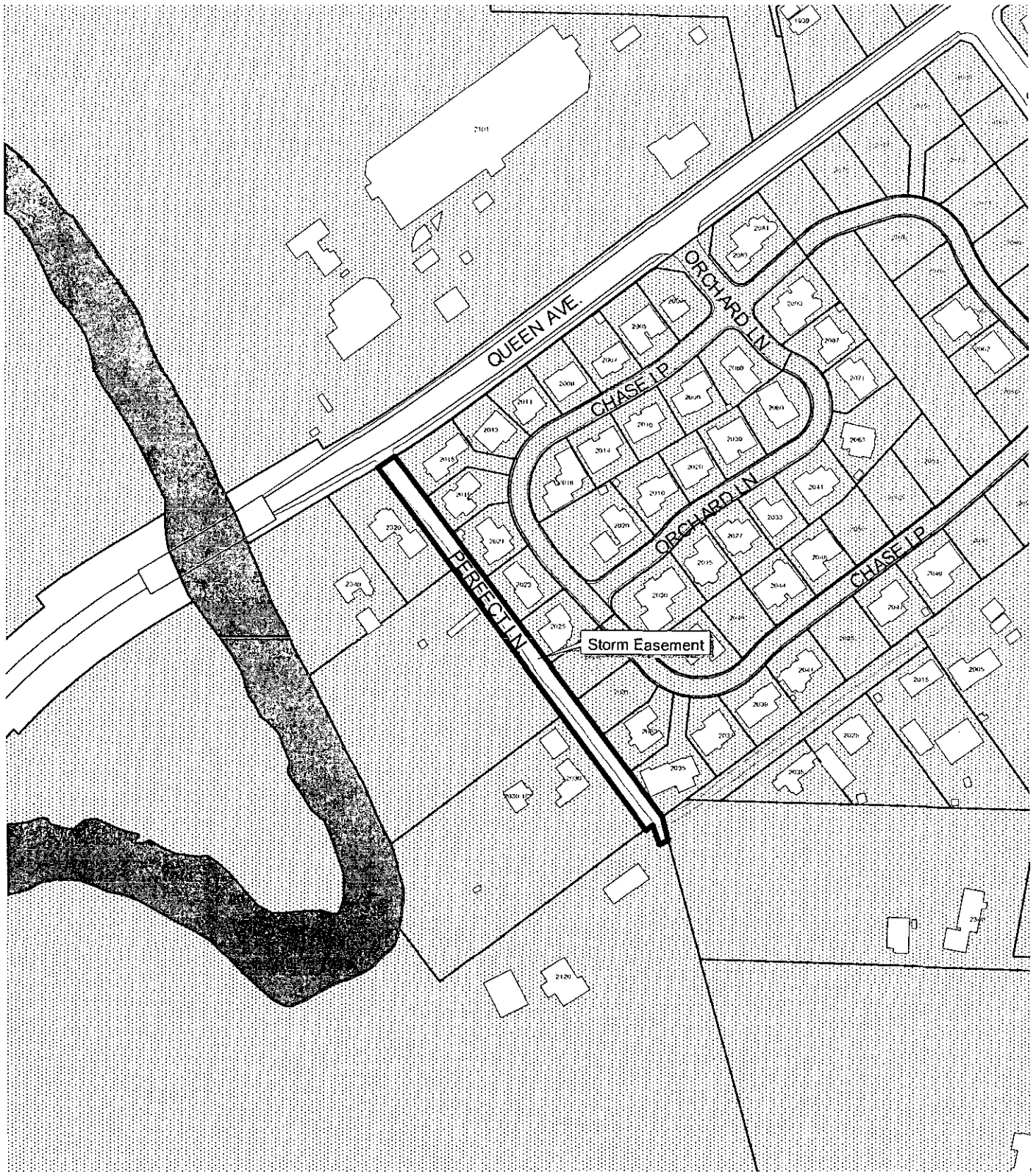
I hereby certify that the attached was received and duly recorded by me in Linn County records.
 STEVE DRUCKENMILLER
 Linn County Clerk



2005 SEP 14 A 10:17

By  Deputy PAGE 24

ORDER# 2005-419 DATE August 3, 2005 VOLUME 328 PAGE 604



Storm Drain Easement - Volume 1761, Page 24



Public Works

gordons nil

Gordon Steffensmeier

Nov 9, 2005

0 200 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 the information proves to be incorrect, and that 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.



Resolution No. 5221

Recorded Document Recorder File 4642