

RESOLUTION NO. 6164

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Boys and Girls Club of Albany

Purpose

A 10-foot wide easement over an existing public sanitary sewer line as part of the Boys and Girls Club construction project.

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

DATED AND EFFECTIVE THIS 26TH DAY OF SEPTEMBER 2012.



Mayor

ATTEST:




City Clerk

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2012-14850**
E-SEW
Cnt=1 Stn=1 COUNTER **09/28/2012 10:42:14 AM**
\$30.00 \$11.00 \$15.00 \$19.00 \$10.00 **\$85.00**



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



After Recording Return To:

City of Albany City Clerk

PO Box 490

Albany, OR 97321

All Tax Statements Should Be Sent To:

Exempt

1. Name/Title of Transaction - by ORS 205.234 (a)

Easement for public sewer

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

Albany Boys and Girls Club

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

City of Albany

4. True and Actual Consideration (if there is one), ORS 93.030

\$1.00

EASEMENT FOR PUBLIC SEWER

THIS AGREEMENT, made and entered into this 011 day of SEPTEMBER 2012, by and between Albany Boys and Girls Club, hereinafter 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, an easement and right-of-way, including the right to enter upon the real property hereinafter described, and to maintain and repair public sewer lines for the purpose of conveying public sewer 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 10-foot wide easement over a public sanitary sewer line as part of the Boys and Girls Club expansion project. See legal description on attached Exhibit A and maps on attached Exhibits B and C.
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 grantors 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 on this easement.

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

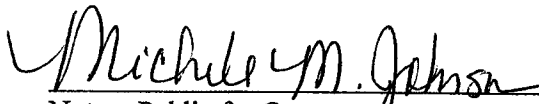
GRANTOR: Albany Boys and Girls Club:



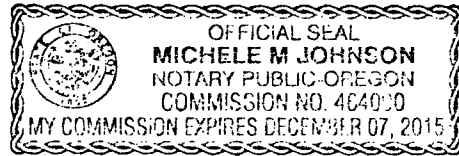
Ryan Graves, Executive Director

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

The foregoing instrument was acknowledged before me this 11 day of September, 2012, by Ryan Graves, Executive Director of the Albany Boys and Girls Club, on behalf of the Albany boys and Girls Club, as his voluntary act and deed.



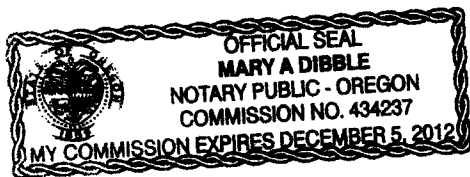
Notary Public for Oregon
My Commission Expires: Dec. 07, 2015

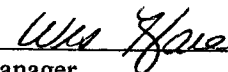


CITY OF ALBANY:

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

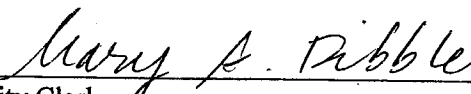
I, Wes Hare, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 6164, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 27 day of September 2012.





City Manager

ATTEST:



City Clerk

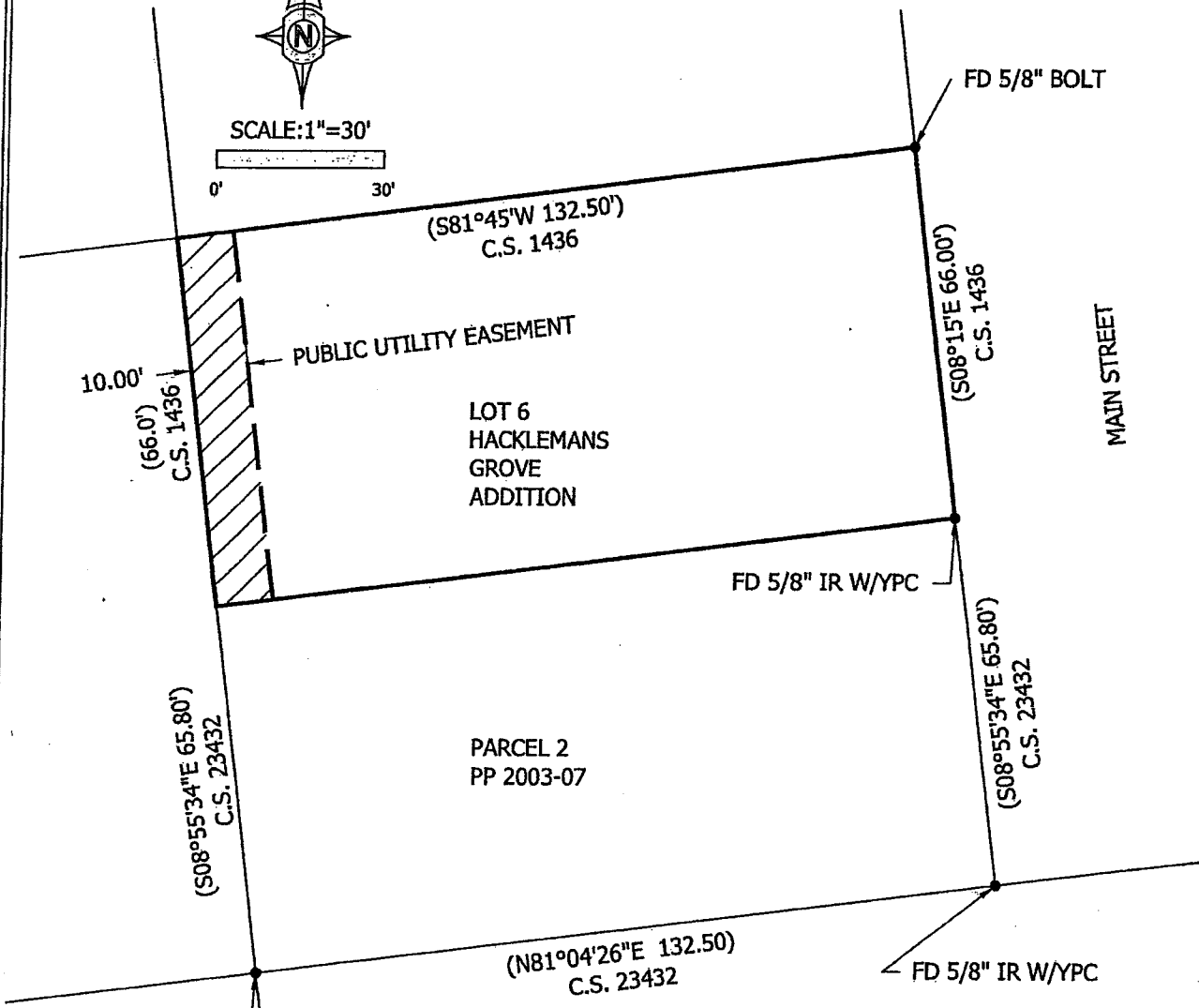
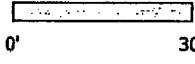
EXHIBIT A
10.00' PUBLIC UTILITY EASEMENT

The West 10.00 feet of Lot 6, Block 1 of Hackleman's Grove Addition to the City of Albany in the Southeast 1/4 of the Northeast 1/4 of Section 7, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon.





SCALE: 1"=30'



PROPERTY INFORMATION

OWNER: ALBANY BOYS AND GIRLS CLUB
SITE LOCATION: PARCEL 2 OF PP 2003-07,
LOT 6 BLOCK 1 OF
HACKLEMANS GROVE ADDITION
REFERENCE SURVEY: C.S. 23432

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Brian Vanetta
OREGON
JULY 13, 1999
BRIAN VANETTA
51041-LS
EXPIRES 06-30-2014

Date: 08-29-12
Project: B&G CLUB PLAT
11-043
Drawn by:
AAP
Checked by:
BSV

EXHIBIT B
ALBANY BOYS AND
GIRLS CLUB
ALBANY, OREGON

UDELL ENGINEERING
AND
LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

SHEET 01
of 01
SCALE: AS NOTED

EXHIBIT C

11S03W07AD01600

A 10-foot wide easement over an existing public sanitary sewer line as part of the Boys and Girls Club construction project.



Geographic Information Services

