

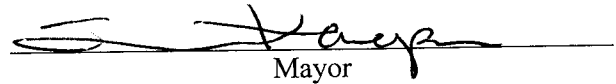
RESOLUTION NO. 6523

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:


| <u>Grantor</u> | <u>Purpose</u> |
|---|--|
| Linnie and Earline Townlin Revocable Living Trust | A 5-foot wide sanitary sewer easement as part of the SS-15-02 2015 Pipe Bursting Projects. 11S03W07DD 00800 |

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

DATED AND EFFECTIVE THIS 13TH DAY OF JULY 2016.


Mayor

ATTEST:



City Clerk

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 27 day of June, 2016, by and between the Linnie and Earline Townlin Revocable Living Trust, 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, 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 easement hereby granted consists of:

A 5-foot wide utility easement for City of Albany utilities as part of SS-16-01 2016 Pipe Bursting Projects. See legal description on attached Exhibit A and easement 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:

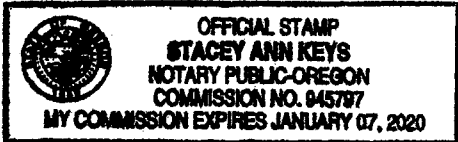
Linnie and Earline Townlin Revocable Living Trust

Earline M. Townlin, Trustee
Earline Townlin, Trustee

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

The foregoing instrument was acknowledged before me this 27 day of June, 2016, by Earline Townlin, trustee of the Linnie and Earline Townlin Revocable Living Trust as her voluntary act and deed.

[Signature]
Notary Public for Oregon
My Commission Expires: January 07, 2020



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 _____, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this _____ day of _____ 2016.

City Manager

ATTEST:

City Clerk

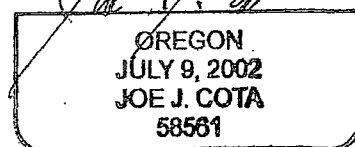
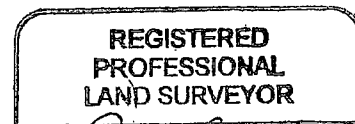
Exhibit "A"

Legal Description

5.00' wide City of Albany Sanitary Sewer Easement
over
Tax Lot 800 of Assessor Map 11S-3W-7DD

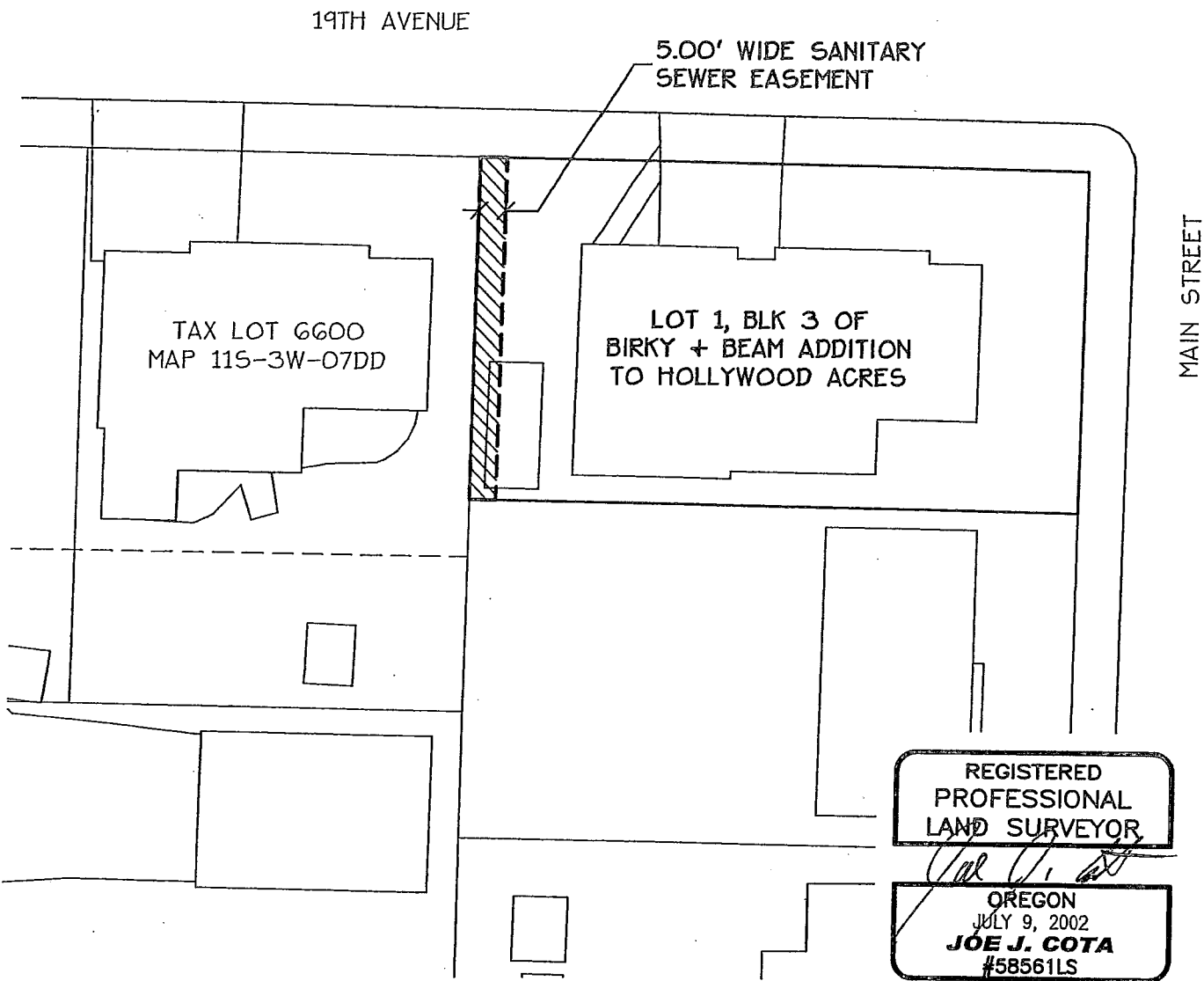
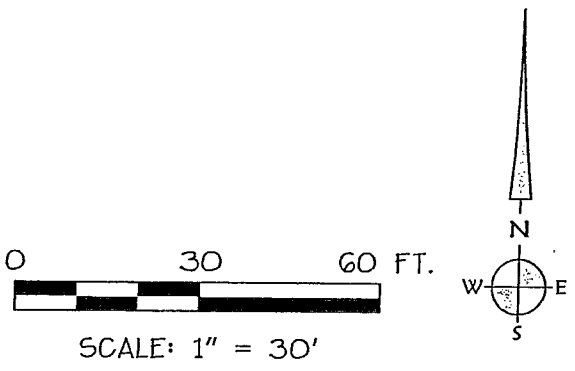
The most westerly 5.00 feet of Lot 1, Block 3 of "Birky & Beam Addition to Hollywood Acres", a subdivision recorded in Linn County, Oregon.

May 11, 2016
COA SANITARY SEWER EASEMENT
OVER TAX LOT 800 – MAP 11S-3W-7DD
(16-75) JJC:ls
File Ref: z:/projects/2016/16-75/surveying/documents/legal 1.doc



RENEWS: 12/31/17

EXHIBIT "B"
CITY OF ALBANY
SANITARY SEWER EASEMENT
 LOCATED AT
1080 19th AVENUE SE
ALBANY, OR 97322
TAX LOT 00800 MAP 115-3W-07DD
 IN THE
SE 1/4 SEC. 7, T. 11 S., R. 3 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON
 MAY 6, 2016



**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

Joe J. Cota

**OREGON
 JULY 9, 2002
 JOE J. COTA
 #58561LS**

Renewal: 12/31/17

THIS EXHIBIT BASED ON C.S. 4618, C.S. 3517A
 BIRKY AND BEAM ADDITION TO HOLLYWOOD ACRES, AND
 CITY OF ALBANY GIS DATA.

Date: 5/11/2016 Time: 8:29
 Scale: 1=1(P5)
 File: dwg\2016\16-75\16-75-EX.dwg (George)



K & D ENGINEERING, Inc.
 278 N.W. Hickory Street P.O. Box 725
 Albany, Oregon 97321
 (541) 928-2583

EXHIBIT C

11S03W07DD-00800

A 5 foot wide Sewer Easement,
as part of SS-16-01
2016 Sewer Pipe Bursting Project



Geographic Information Services

