

RESOLUTION NO. 6524

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

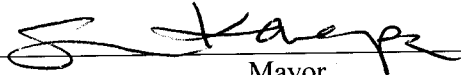
Hickory Station, LLC

Purpose

A 15-foot wide water line easement for a public water line as part of the Hickory Station, LLC development project.

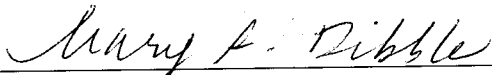
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED AND EFFECTIVE THIS 13TH DAY OF JULY 2016.



Mayor

ATTEST:



City Clerk

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 22ND day of JUNE, 2016, by and between Hickory Station, LLC, 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 15-foot wide waterline easement. 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:

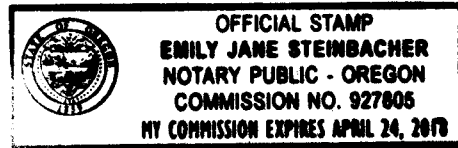
Hickory Station, LLC

Patty Davenport
Patty Davenport, (owner)

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

The foregoing instrument was acknowledged before me this 22nd day of June, 2016, by Patty Davenport, owner of Hickory Station, LLC, as her voluntary act and deed.

Emily Jane Steimbacher
Notary Public for Oregon
My Commission Expires: 4/24/2018



CITY OF ALBANY:

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

Jorge Salinas as Pro Tem City Manager
I, ~~Wes Hare as City Manager~~ of the City of Albany, Oregon, pursuant to Resolution Number 6524, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 25 day of July 2016.
18 m12

Jorge Salinas
City Manager



ATTEST:
Mary A. Dibble
City Clerk

Exhibit A



DAVID LEE SCHLOSSER JR. - REGISTERED SURVEYOR

720 NW 4th Street, Corvallis, Oregon 97330 Phone 541-757-9050; FAX 541-757-7578

PUBLIC WATERLINE EASEMENT

June 20, 2016

A 15 foot wide Waterline Easement to the City of Albany being a portion of Parcels 12 and 13 of Partition Plat 2015-28, conveyed to Hickory Station, LLC per Document M-460779-10, Benton County Records, lying in the Northeast Quarter of the Southeast Quarter of Section 1, Township 11 South, Range 4 West, Willamette Meridian, more particularly described as follows:

Beginning at a 5/8" iron rod at the northeast corner of Parcel 11 of said Partition Plat;
Thence N 82°19'01" E 122.55 feet;
Thence S 07°40'59" E 27.00 feet;
Thence N 82°19'01" E 15.00 feet;
Thence N 07°40'59" W 27.00 feet;
Thence N 82°19'01" E 66.90 feet;
Thence along the arc of a 292.50 foot radius curve to the right (chord bears N 88°09'06" E 59.47 feet) 59.57 feet;
Thence S 86°00'18" E 141.67 feet to the west right-of-way line of a 25 foot Public Utility Easement as dedicated on Partition Plat 98-12;
Thence along said easement line N 04°38'07" E 15.00 feet;
Thence leaving said Easement line N 86°00'18" W 141.81 feet;
Thence along the arc of a 307.50 foot radius curve to the left (chord bears S 88°09'06" W 62.52 feet) 62.63 feet;
Thence S 82°18'23" W 11.59 feet;
Thence N 07°40'59" W 21.00 feet;
Thence N 82°19'01" E 15.00 feet;
Thence N 07°40'59" W 21.00 feet;
Thence S 82°19'01" W 52.36 feet;
Thence S 07°40'59" E 8.19 feet;
Thence N 82°19'01" E 25.86 feet;
Thence N 07°41'37" W 8.19 feet;
Thence S 82°19'01" W 84.69 feet;
Thence N 07°40'59" W 19.00 feet;
Thence N 82°19'01" E 17.50 feet;
Thence N 07°40'59" W 19.00 feet;
Thence S 82°19'01" W 194.17 feet to the east right-of-way line of a 40 foot wide Public Utility Easement as dedicated on Partition Plat No. 98-12;
Thence along said Easement line S13°04'40" E 15.07 feet to the north line of said Parcel 11;
Thence leaving said Easement line and along said north line N 82°19'01" E 195.31 feet to the Point of Beginning.

Containing 10,312 square feet, more or less.

The Basis of Bearings for this description is Partition Plat 2015-28.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Digitally signed by David Lee
Schlosser
Date: 2016.06.20 13:21:16 -0700

OREGON
06/10/2014
DAVID LEE SCHLOSSER JR.
72617

RENEWAL DATE: 06/30/2016

Exhibit B

LEGEND:

-FOUND MONUMENT
- WLWATER LINE
- ESMTEASEMENT
- PPPARTITION PLAT
- PUEPUBLIC UTILITY EASEMENT

EASEMENT CURVE TABLE

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
C1	292.50'	59.57'	59.47'	S 88°09'06" W	11°40'09"
C2	307.50'	62.63'	62.52'	S 88°09'06" W	11°40'09"

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	S 07°40'59" E	27.00'
L2	N 82°19'01" E	15.00'
L3	N 07°40'59" W	27.00'
L4	S 82°18'23" W	11.59'
L5	N 07°40'59" W	21.00'
L6	N 82°19'01" E	15.00'
L7	N 07°40'59" W	21.00'
L8	S 07°40'59" E	8.19'
L9	N 82°19'01" E	25.86'
L10	N 07°41'37" W	8.19'
L11	N 07°40'59" W	19.00'
L12	N 82°19'01" E	17.50'
L13	N 07°40'59" W	19.00'
L14	S 13°04'40" E	15.07'
L15	N 04°38'07" E	15.00'

WATER LINE EASEMENT
for
HICKORY STATION LLC

in
NE 1/4 SE 1/4, SECTION 1,
TOWNSHIP 11 SOUTH, RANGE 4 WEST,
WILLAMETTE MERIDIAN
CITY OF ALBANY
BENTON COUNTY, OREGON

JUNE 20, 2016

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

David Lee Schlosser
Digitally signed by David
Lee Schlosser
Date: 2016.06.20 12:54:12
-0700

OREGON
JUNE 10, 2014
DAVID LEE SCHLOSSER JR.
72617

RENEWS: 06/30/2016



NORTHSTAR SURVEYING, INC.
720 N.W. 4th Street
Corvallis, Oregon 97330
Phone: 541-757-9060

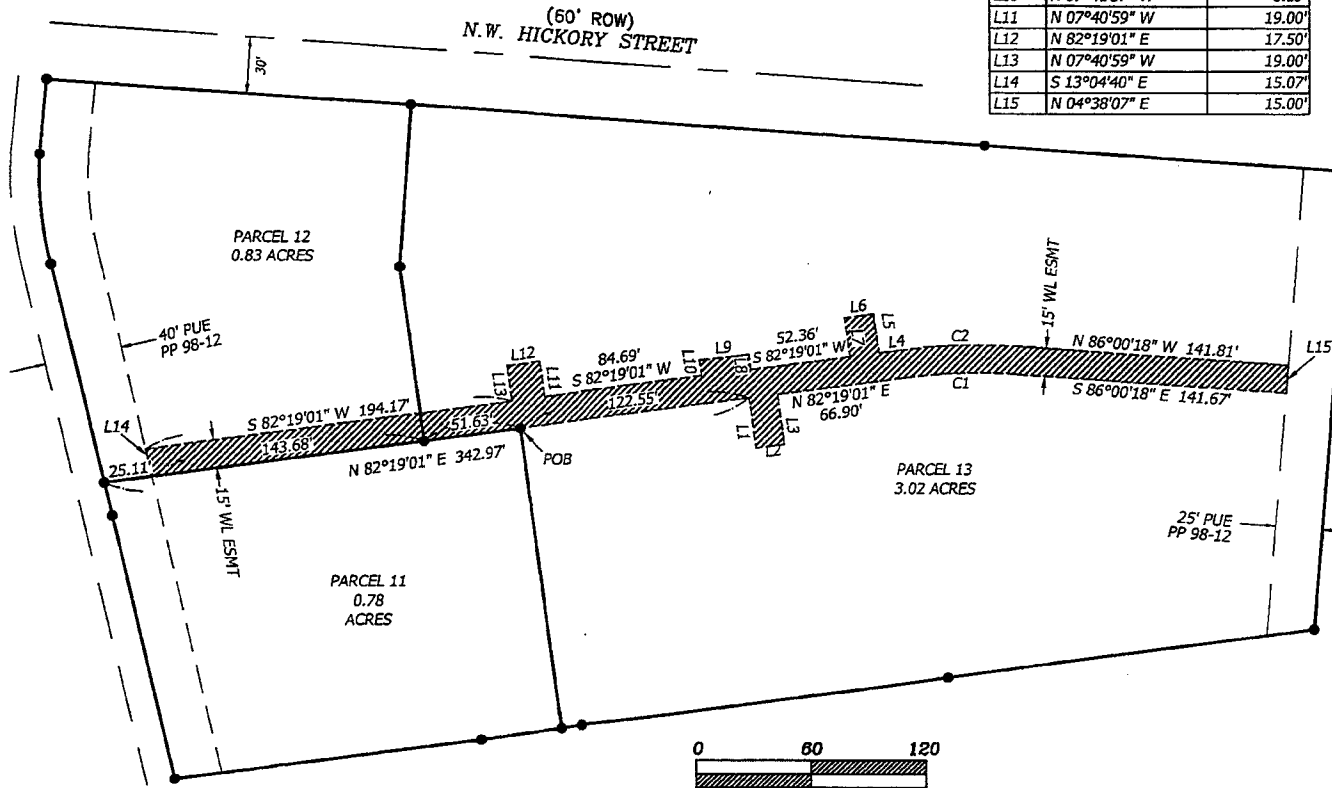
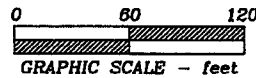


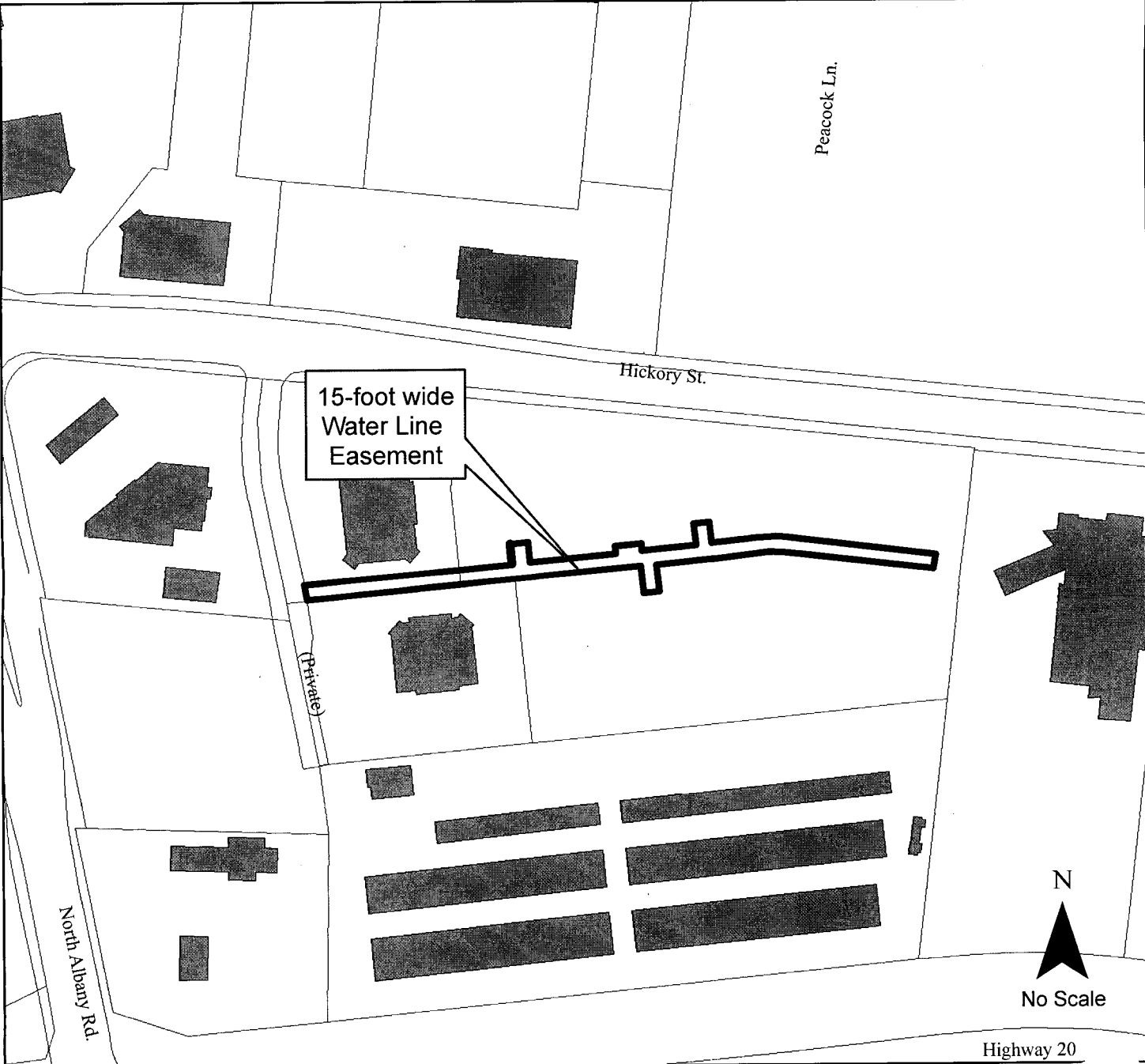
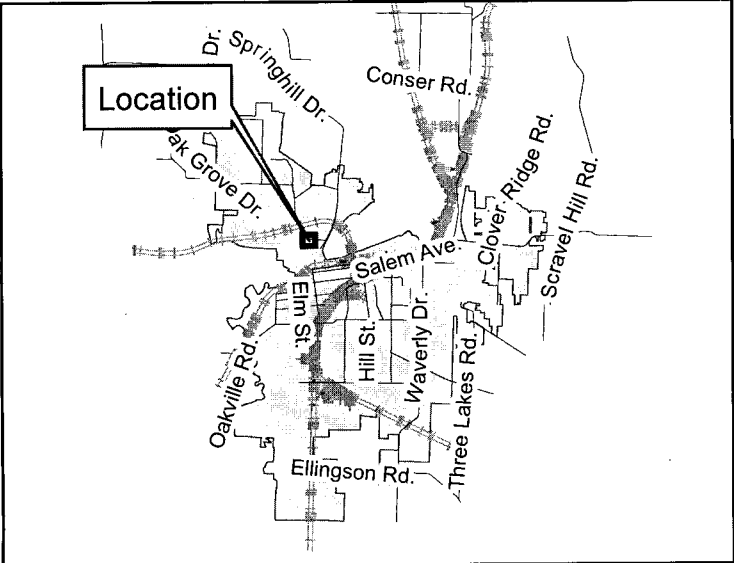
EXHIBIT C

11S04W01DA- 01500, 01600

A 15 foot wide water line easement,
as part of the Hickory Station LLC
Development Project



Geographic Information Services



**INVOICING: Charge to City of Albany,
Attn: Finance Dept, Mary Dibble
PO Box 490, Albany, OR, 97321**

**RECORDING RECIEPT: Email to
mary.dibble@cityofalbany.net**

RECORDING COVER SHEET (Please Print or Type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

AFTER RECORDING RETURN TO:

City of Albany Recorder _____

PO Box 490 _____

Albany, OR 97321 _____

All Tax Statements Should Be Sent To:

Hickory Station, LLC _____

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

Easement for Public Utilities

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

Hickory Station LLC _____

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

BENTON COUNTY, OREGON **2016-546924**
DE-EAS
Cnt=1 Stn=54 DB **07/21/2016 01:26:49 PM**
\$30.00 \$11.00 \$22.00 \$10.00 \$20.00 **\$93.00**



00324169201605469240060069

I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

James V. Morales - County Clerk



Rec No. 546924

Resolution No. 6524

Recorded Document Recorder File No. 7222