

RESOLUTION NO. 6530

A RESOLUTION GRANTING THE FOLLOWING UNDERGROUND ELECTRIC EASEMENT:

Grantor: **CITY OF ALBANY**

Purpose

Grantee: **Pacific Power**

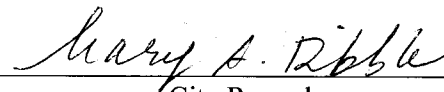
Granting a 10 foot by 50 foot Underground Electric Power easement on City property, as part of the new Police Station development project.

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

DATED AND EFFECTIVE THIS 24th DAY OF AUGUST 2016.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

~~Return to: Pacific Power  
P.O. Box 248  
Albany, OR 97321~~

CC#: 11256 WO#: 6102984

**UNDERGROUND RIGHT OF WAY EASEMENT**

For value received, *City of Albany* ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns ("Grantee"), a perpetual easement for a right of way **10'** feet in width and **50'** feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of Grantee's underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, cabinets, vaults on, across, or under the surface of the real property of Grantor in *Linn* County, State of *OR*, as more particularly described as follows and/or shown on Exhibit(s) *A* attached hereto and by this reference made a part hereof:

A portion of:

***Parcel 1 of Partition Plat No. 2003-01, recorded January 5, 2003 in Linn County, Oregon.***

Assessor's Map No.: ***11s - 04w - 13***

Parcel No.: ***7003***

Together with the right of ingress and egress for Grantee, its contractors, or agents, 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 therefore) the future right to keep the right of way 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 or store any flammable materials or light any fires, 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 other purposes not inconsistent, as determined by the Grantee, with the purposes for which this easement has been granted.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this easement. Each party further waives any right to consolidate, or to request the consolidation of, any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

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

Dated this 8 day of August, 2016.

City of Albany

By: Stewart Taylor,  
(Signature of Representative)

Its: Finance Director,  
(Title) Grantor

**REPRESENTATIVE ACKNOWLEDGEMENT**

State of Oregon )  
) SS.

County of Linn )

This instrument was acknowledged before me on this 8<sup>th</sup> day of August, 2016,

by Stewart Taylor, as Finance Director,  
Name of representative Title of representative

of City of Albany,  
Name of entity being represented

Mary A Dibble  
Notary Public

My commission expires: 12/15/16

M D







**LINN COUNTY**  
Recording Cover Sheet  
All Transactions, ORS: 205.234

LINN COUNTY OREGON      2016-14913  
E-UROW  
Clt=1 Str=44 COUNTER      08:30/2016 04:00:06 PM  
\$20.00 \$11.00 \$20.00 \$19.00 \$10.00      \$85.00



00278791201600149130050052

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

Steve Druckemiller - County Clerk



After Recording Return To:

City of Albany City Clerk

PO Box 490

Albany, OR 97321

All Tax Statements Should Be Sent To:

City of Albany

\_\_\_\_\_

\_\_\_\_\_

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

Underground Right of Way Easement

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

City of Albany

\_\_\_\_\_

\_\_\_\_\_

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

Pacific Power Corp

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

\$0

*Rec. No. 14913*