

RESOLUTION NO. 2461

NOW, THEREFORE, BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following:

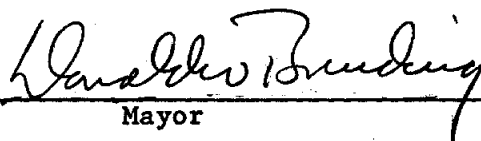
Grantor

Fred Dunmire, dba, Dunmire Datsun

Purpose

Permanent easement 10' wide for sanitary sewer easement described as the east 10 feet of Lots 4 & 5, Block 6 Motley's Additions to the City of Albany, Linn County, Oregon.

DATED this 25th day of April, 1984.



Mayor

ATTEST:



City Recorder

EASEMENT FOR A SANITARY SEWER

THIS AGREEMENT, made and entered into this 11 day of April 1984, by and between Fred Dunmire, dba, Dunmire Datsun, herein called grantors, 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 grantors have this day bargained and sold and by these presents do 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 sanitary sewer lines for the purpose of conveying sewer 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 sewer and the further right to remove trees, bushes, under-growth and other obstructions interfering with the location and maintenance of the said sewer.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consist of:
 - a. a permanent easement which covers a strip of land 10 feet in width for the purpose of maintenance over the property described herein.
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 maintenance and repair purposes.
3. The land affected by this agreement is located in the County of Linn, State of Oregon; and is a portion of the tract as shown on the attached drawing, marked "Exhibit A," which is herewith made a part of this agreement.
4. The true, actual, and total compensation to be paid by the City to the Grantors, in exchange for the easement rights herein described and granted is:
 - a. The approval of Site Plan SP-24-84 and Variance VR-04-84
5. The City hereby covenants with the Grantors that the compensation agreed upon herein shall be paid to the Grantors within a period of thirty (30) days from the date of this instrument.
6. The Grantors do 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.
7. No structure shall be built on this easement that is permanently attached to the ground.

IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year below written.

[Signature]
Linda Lunnire

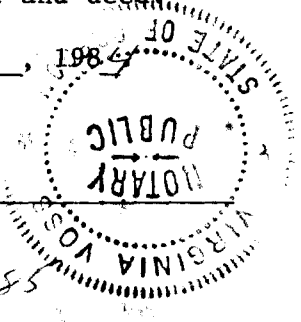
STATE OF OREGON)
County of)ss
City of)

On this 4 day of April, 1984 personally appeared the above named persons and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 11th day of April, 1984

[Signature]
Notary Public for Oregon

My Commission Expires: 5-12-85



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

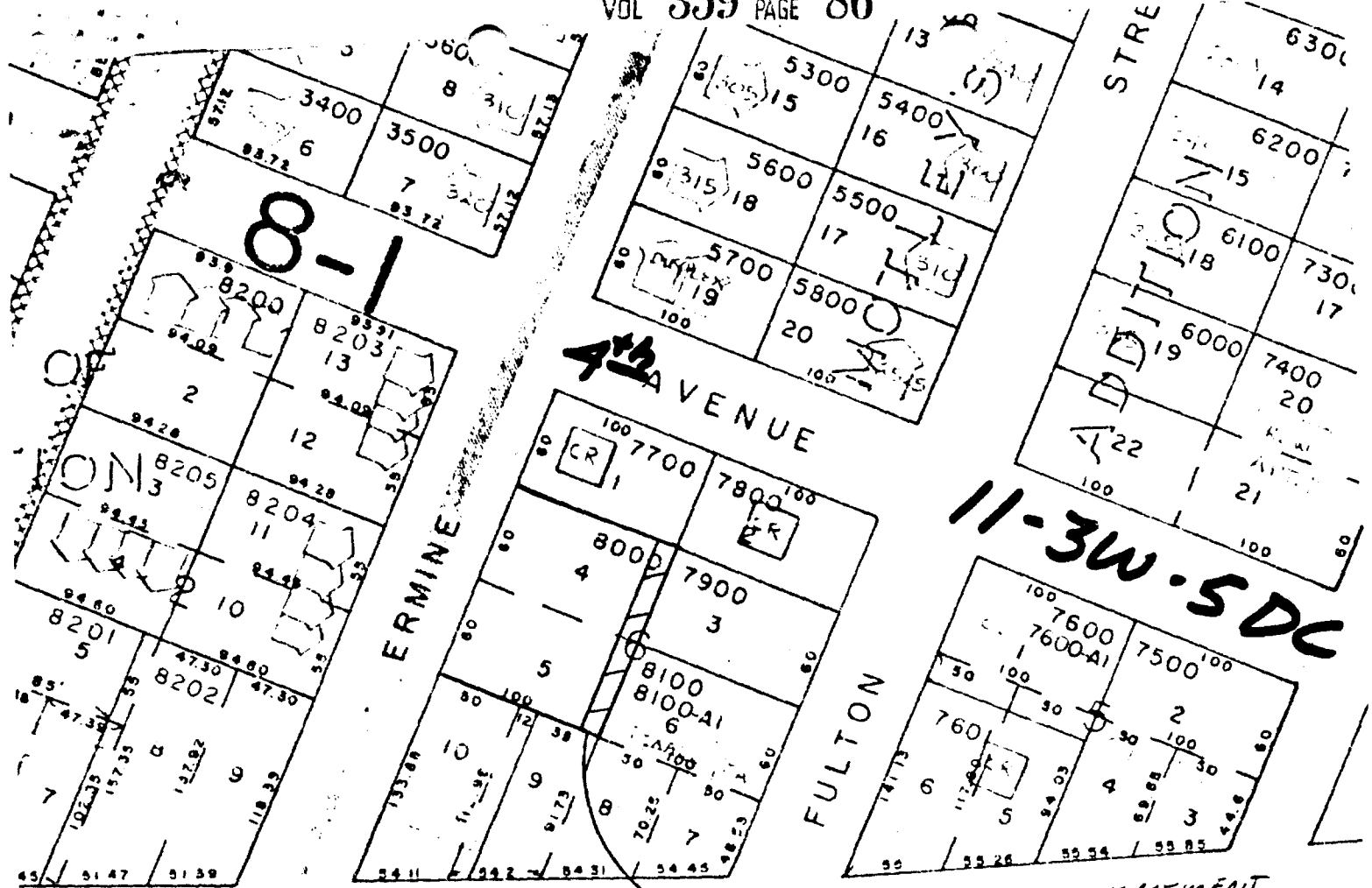
I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2461, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

Dated: April 26, 1984.

CITY OF ALBANY, OREGON
[Signature]
City Manager

[Signature]
City Recorder





PACIFIC
BOULEVARD

→ 10' SANITARY SEWER EASEMENT

F I C

DESCRIPTION

A 10 foot wide sanitary sewer easement more fully described as:

The east 10 feet of Lots 4 and 5, Block 6 Motley's Additions to the City of Albany, Linn County, Oregon.

561991

May 7, 1984

STATE OF OREGON
County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records:

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At 8:30 O'clock a.m.

DEL W. RILEY
Linn County Clerk

By [Signature] Deputy

Dunmire to
City of Albany
Exhibit 'A'

*City of Albany
97321*

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Recorded Document Recorder File No. 1551