

RESOLUTION NO. 2600

BE IT RESOLVED by the Albany City Council that it does hereby accept the following easement:

Grantor

D.L. Moore

Purpose

To maintain and repair a sanitary sewer in a portion of Lots 2 and 4, Block 5, Motley's Addition to the City of Albany, Linn County, Oregon.

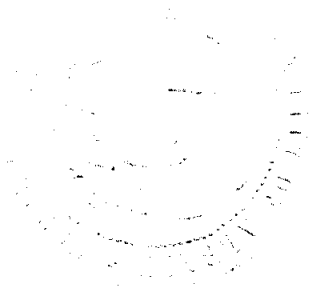
DATED this 12th day of February, 1986.



Mayor

ATTEST:



City Recorder

EASEMENT FOR A SANITARY SEWER

THIS AGREEMENT, made and entered into this 10th day of January, 1986, by and between D. L. MOORE, 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-72-85.
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 permanent structure shall be constructed on this easement.

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

D. L. Moore

STATE OF OREGON)
County of MULTNOMAH)ss
City of PORTLAND)

On this 10th day of JANUARY, 1986 personally appeared the above named D. L. MOORE and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 10th day of JANUARY, 1986



Mark K. Smith
Notary Public for Oregon

My Commission Expires: 8-26-89

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 2600, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

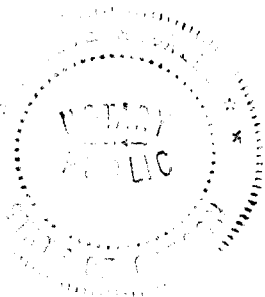
Dated: February 12, 1986.

CITY OF ALBANY, OREGON

William Barrons
City Manager

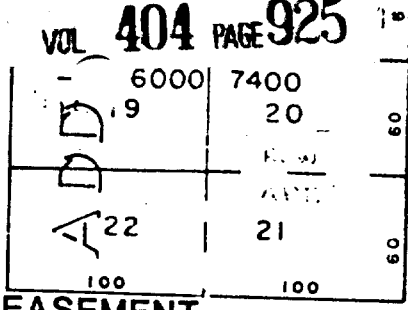
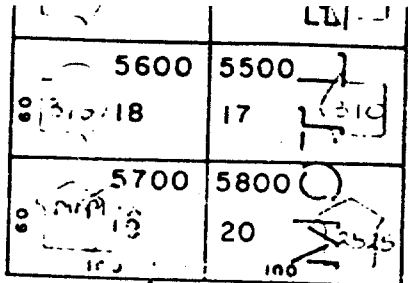
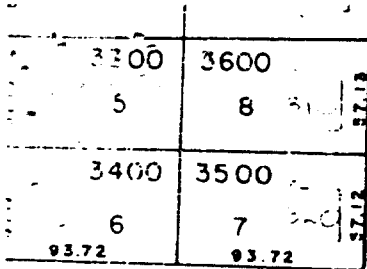
[Signature]
City Recorder

Subscribed and sworn to before me this 12th day February, 1986.



Delia Andrews
Notary Public for Oregon

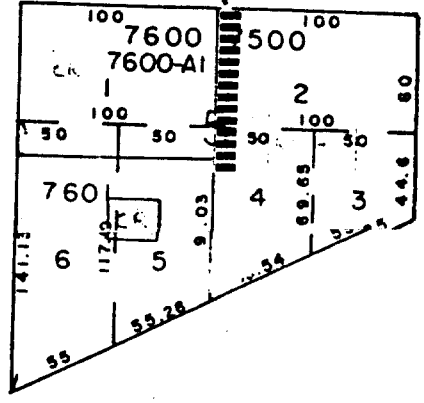
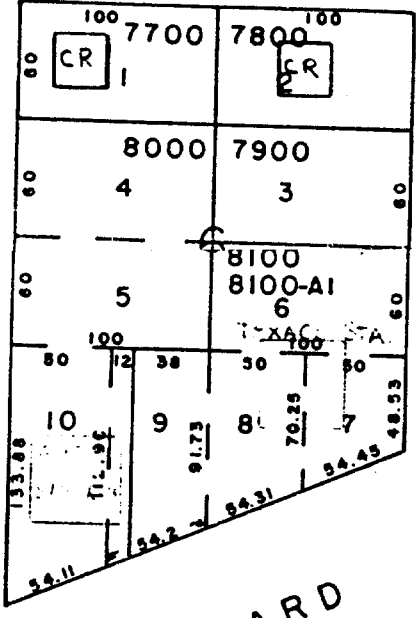
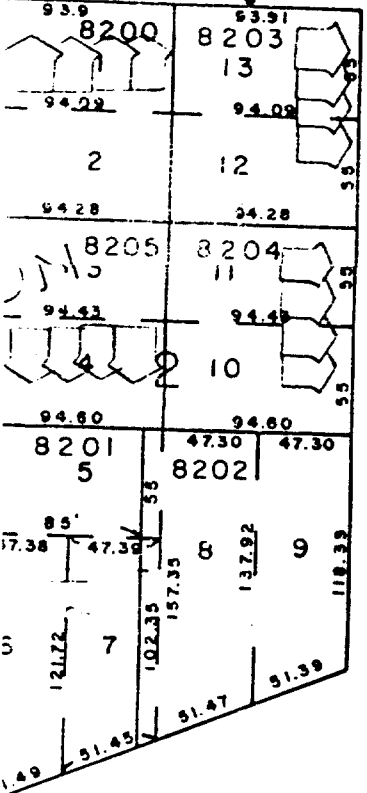
My Commission Expires 7/20/89



W A V E R L Y

8-1

10' SANITARY SEWER EASEMENT,
4TH AVENUE



P A C I F I C

B O U L E V A R D

F U L T O N

11-3W-5DC

DESCRIPTION

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

Beginning at a point on the north line of Lot 2, Block 5 of Motley's Addition to the City of Albany, Linn County, Oregon, said point being S 88° 57' W, 90' from the northeast corner of said Lot 2; thence S 1° 25' E, 85'; thence S 88° 57' W, 10' to a point on the west line of Lot 4, Block 5 of Motley's Addition to the City of Albany; thence N 1° 25' W, 85' along said property line to the northwest corner of Lot 2; thence N 88° 57' E, 10' to the p.o.b.

ENTERED FEB 25 1986

At 8:30 O'clock a.m.
DEL W. RILEY
Linn County Clerk

D.L. Moore to
City of Albany
Exhibit 'A'

STATE OF OREGON
County of Linn

By *[Signature]* Deputy

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

Volume: MF 404 Page: 923

*City of Albany
9/25/81*

Resolution No. 2600

Recorded Document Recorder File No. 1761