

RESOLUTION NO. 2646

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

Grantor

Newport Shrimp Company, Inc.

Purpose

Access to the Willamette River
Greenway across Block 123,
Hackleman's Addition to the
City of Albany.

DATED this 8th day of October, 1986.



Mayor

ATTEST:



City Recorder

EXHIBIT "B"
GREENWAY ACCESS EASEMENT

THIS AGREEMENT, made and entered into this 9th day of August, 1986, by and between **Newport Shrimp Company, Inc.**, herein called Grantors, and the CITY OF ALBANY, a Municipal corporation, herein called "City."

W I T N E S S E T H :

That for and in consideration of the total compensation to be paid by the City, the Grantors have this day granted a Greenway Access easement, including the right to enter upon the real property hereinafter described.

This agreement is subject to the following terms and conditions:

1. The easement hereby granted consists of:

A Greenway Access easement more particularly described as follows:

That property in Block 123 in the Hackleman's Addition to the City of Albany, Linn County, Oregon, in Township 11 South, Range 3 West of the Willamette Meridian, lying adjacent to and North of the following described line, no point of which is closer than 25 feet to any existing building located on Block 123 at the time of granting this easement:

Beginning at the Southwest corner of Block 123, Hackleman's Addition to the City of Albany; thence North (Basis of Bearing) on the West line of said Block 123, a distance of 285 feet to the beginning of this described line; thence North 80°46'12" East a distance of 81.05 feet; thence North 86°58'24" East a distance of 185.08 feet to the East line of Block 123 and the terminus of this described line, as shown on the attached drawing.

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, and repair of pedestrian and bicycle facilities.
3. 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 the sum of One Dollar (\$1.00) for the permanent easement.
4. 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.
5. 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.

6. No permanent structure shall be constructed on this easement.

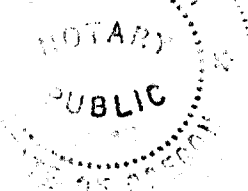
IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year first hereinabove written.

GRANTORS:

[Handwritten signatures]

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

The foregoing instrument was acknowledged before me this 18 day of Sept, 1986, by JOHN BECKER, president, and by ARPI WITZMIST secretary of NEWPORT SHRIMP CO, a OREGON corporation, on behalf of the corporation. Before me:



[Handwritten signature]

Notary Public for Oregon
My Commission Expires: JUNE 1989

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 2646 do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this 9th day of October, 1986.

[Handwritten signature]

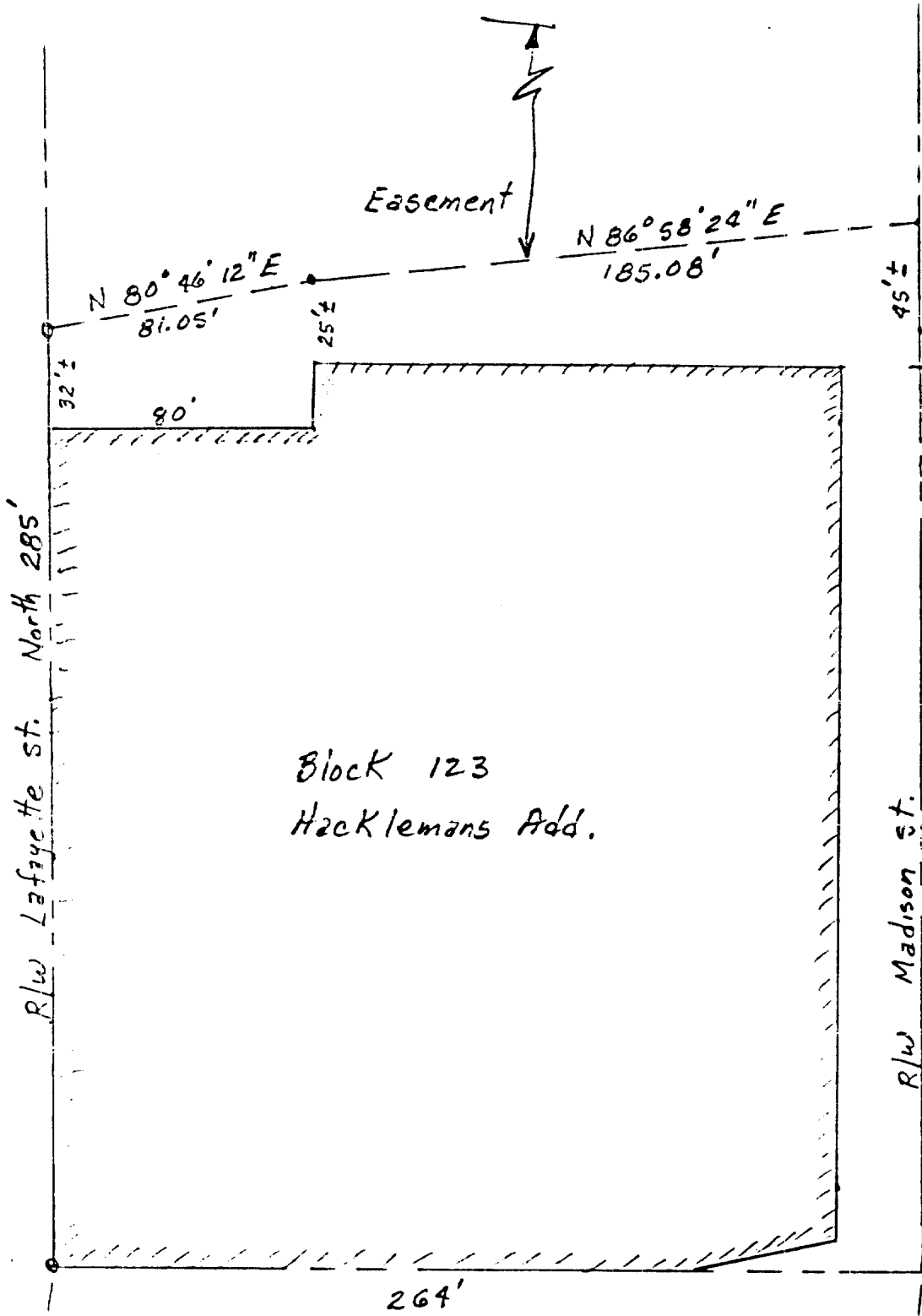
City Manager

ATTEST:

[Handwritten signature]

City Recorder





CITY OF ALBANY PUBLIC WORKS DEPT.
ENGINEERING/UTILITIES DIVISION
INLAND QUICK FREEZE
GREENWAY ACCESS EASEMENT
AUGUST 1986

ENTERED 08/15 1986

At 8:30 O'clock a.m.

DEL W. RILEY
Linn County Clerk

STATE OF OREGON
County Of Linn

By _____ Deputy

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

Resolution No. 2646

Recorded Document Recorder File No. 1834