

RESOLUTION NO. 2657

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

Grantor

Alder Street Company, Inc., II

Purpose

- 1) to maintain and repair a sanitary sewer within the "Blue Ox R.V. Park", Map # 11 3W 9A, Tax Lots 500 and 501.
- 2) to dedicate the easterly 10 feet of the above mentioned Tax Lot 500 to street and utility right-of-way along the west side of Gold Fish Farm Road.

DATED this 19th day of November, 1986.



\_\_\_\_\_  
Mayor

ATTEST:

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

DEDICATION DEED

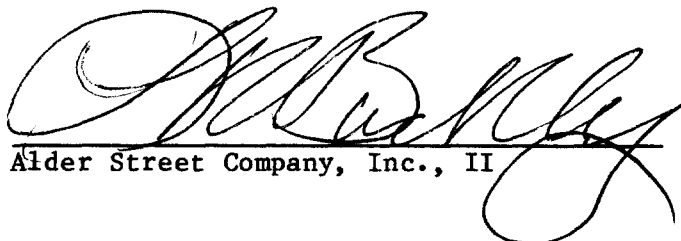
KNOW ALL MEN BY THESE PRESENTS, That **ALDER STREET COMPANY, INC., II**, hereinafter referred to as the Grantors, do dedicate to the public for street and utility right-of-way purposes, all that real property situated in Linn County, State of Oregon, described as follows:

A 10 foot wide strip of land, said strip being parallel and adjacent to, and west of the east property line, of the tract more fully described as follows, and shown on the attached drawing labeled as Exhibit 'A':

Beginning at a 1/2" iron rod, said rod being North 165.0 feet, and North 89° 51' 32" West 20 feet, from the Southwest corner of the Hugh Nickerson D.L.C. #39 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; thence North 89° 51' 32" West, 798.80 feet to a 1/2" iron rod; thence North 0° 23' 45" West, 431.00 feet to a 1/2" iron rod; thence South 89° 51' 32" East, 801.77 feet to a 1/2" iron rod; thence South, 430.98 feet to the point of beginning.

and covenants that the Grantors are the owners of the above described property free of all encumbrances save and except reservations in patents and easements of record, and will warrant and defend the same against all persons who may lawfully claim the same.

IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals this 11 day of Sept, 1986.

  
Alder Street Company, Inc., II

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

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

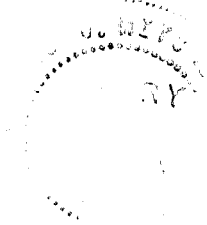
The foregoing instrument was acknowledged before me this 11 day of Sept, 1986, by Thomas O. Mitchell, president, and by [Signature], secretary, of Alder Street Company, Inc., II, an Oregon corporation, on behalf of the corporation.

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2657 do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this \_\_\_ day of November 20, 1986.

CITY OF ALBANY, OREGON  
William B. Barrons  
City Manager

Thomas O. Mitchell  
Notary Public for Oregon  
My Commission Expires: 12/26/88

[Signature]  
City Recorder



BY ORDERED BY LEE R. BUCKLEY

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

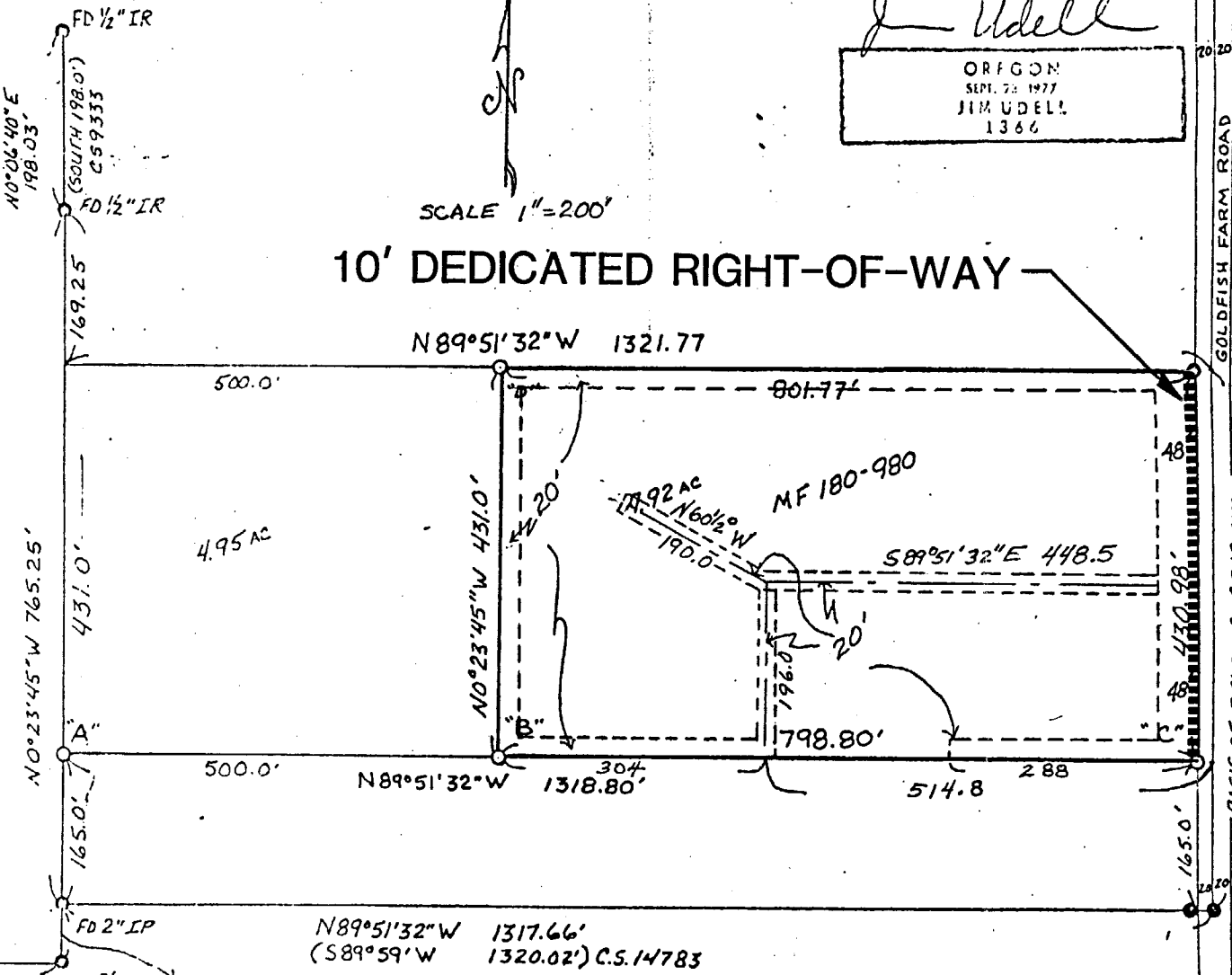
*Jim Udell*  
OREGON  
SEPT. 23 1977  
JIM UDELL  
1366



SCALE 1"=200'

### 10' DEDICATED RIGHT-OF-WAY

SEWER EASEMENT  
CITY OF ALBANY  
NE 1/4 SEC. 9 NW 1/4 SEC. 10, T.11S, R.3W. W.M.  
LINN CO. OR.



FD 5/8" IR / CAP  
PER CS 18513

BAISIS OF BEARING CS 18513  
NORTH 59°5.98' (59°5.98')

FD 5/8" IR / LINN COUNTY CAP  
IN ROAD AND 1/2" IR 24.95' W  
OF S.W. CORNER HUGH  
NICKERSON D.L.C. #39

FD 1" IP N89°48'13" W 965.50'  
27' EAST OF (S89°59' W 965.55) CS 14783

PRICE ROAD  
PER CS 9485

962.50

N89°51'32" W 1317.66'  
(S89°59' W 1320.02') CS 14783  
50°09'48" W 65.12'  
(SOUTH 65.0')  
CS 14783

VOL 429 PAGE 867

# EXHIBIT "A"

800

DEC 10 11 39 AM

STATE OF OREGON  
County of Linn

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

Volume: MF 429 Page: 866

DEL W. RILEY  
Linn County Clerk

By , Deputy

## EASEMENT FOR A SANITARY SEWER

THIS AGREEMENT, made and entered into this 8th day of September, 1986, by and between **ALDER STREET COMPANY, INC., II**, 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:

Sanitary sewer easements of varying widths for the following described parcel and as shown on the attached map labeled as "EXHIBIT A":

Beginning at a 1/2" iron rod, said rod being North 165.0 feet, and North 89° 51' 32" West 20 feet, from the Southwest corner of the Hugh Nickerson D.L.C. #39 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; thence North 89° 51' 32" West, 798.80 feet to a 1/2" iron rod; thence North 0° 23' 45" West, 431.00 feet to a 1/2" iron rod; thence South 89° 51' 32" East, 801.77 feet to a 1/2" iron rod; thence South, 430.98 feet to the point of beginning.

Sanitary sewer easement granted for this parcel shall be as follows:

- 1) A twenty foot wide easement of even width, said easement being parallel and adjacent to, and east of, the west property line of the above described parcel.
- 2) A twenty foot wide easement of even width, said easement being parallel and adjacent to, and south of, the north property line of the above described parcel.
- 3) A forty-eight foot wide easement of even width, said easement being parallel and adjacent to, and west of, the east property line of the above described parcel.
- 4) A twenty foot wide easement of even width, said easement being parallel and adjacent to, and north of, the south property line of the above described parcel, and extending east of the west property line a distance of 314.00 feet.

- 5) A twenty foot wide easement of even width, said easement being parallel and adjacent to, and north of, the south property line of the above described parcel, and extending west of the east property line a distance of 288.00 feet.

**ALSO:**

- 1) A twenty foot wide easement of even width, ten feet on either side of a centerline more fully described as follows:

Beginning at a point which is North 165.0 feet and North 89 51' 32" West, 514.8 feet from the Southwest corner of the Hugh Nickerson D.L.C. #39 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; thence North 0 23' 45" West, 196.0 feet; thence South 89 51' 32" East, 448.5 feet to a point which is 68.0 feet West of the centerline of Goldfish Farm Road and being the terminus of this easement.

- 2) A twenty foot wide easement of even width, ten feet on either side of a centerline more fully described as follows:

Beginning at a point which is North 165.0 feet, North 89° 51' 32" West, 514.8 feet, and North 0° 23' 45" West, 196.0 feet from the Southwest corner of the Hugh Nickerson D.L.C. #39 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; thence North 60° 30' West, 190.0 feet to the terminus of this easement.

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 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-53-86.
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. Upon performing any maintenance, the City shall return the site to original or better condition.
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.

Alder Street Company, Inc., II

By [Signature]

By [Signature]

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

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

The foregoing instrument was acknowledged before me this 11 day of Sept, 1986 by L. R. Buckley president, and by L. W. Almy secretary, of Alder Street Company, Inc., II, an Oregon corporation, on behalf of the corporation.

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2657 do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this \_\_\_ day of November 20, 1986

CITY OF ALBANY, OREGON

[Signature]  
City Manager

[Signature]  
Notary Public for Oregon  
My Commission Expires: 12/26/88

[Signature]  
City Recorder



VOL 429 PAGE 856

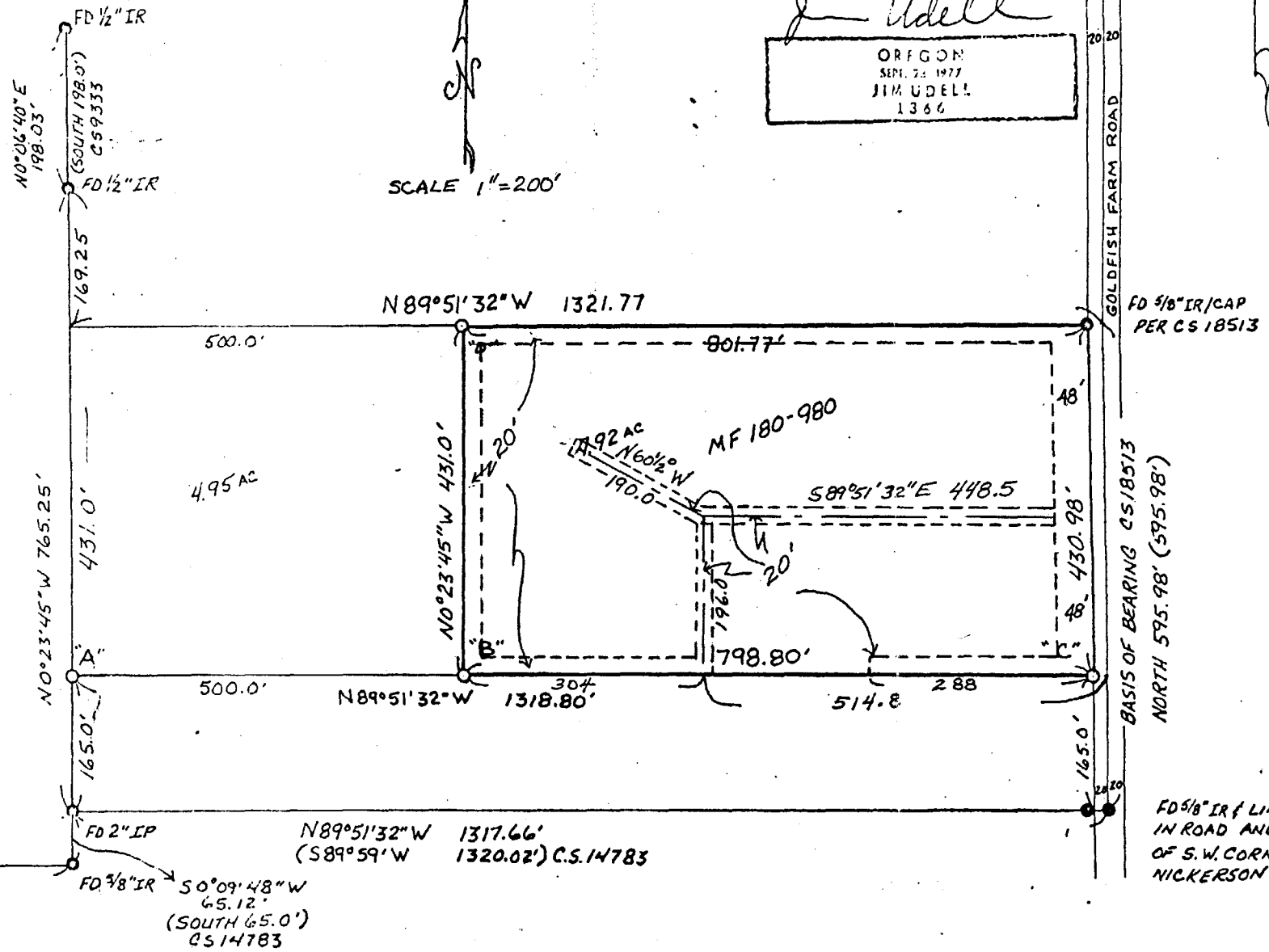
SEWER EASEMENT  
CITY OF ALBANY  
NE 1/4 SEC. 9 NW 1/4 SEC. 10, T.11S, R.3W. W.M.  
LINN CO. OR.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jim Udell*

OREGON  
SEPT. 22, 1977  
JIM UDELL  
1366

SCALE 1"=200'



FD 5/8" IR/CAP PER CS 18513

BASIS OF BEARING CS/18513  
NORTH 595.98' (595.98')

FD 5/8" IR & LINN COUNTY CAP IN ROAD AND 1/2" IR 24.95' OF S.W. CORNER HUGH NICKERSON D.L.C. #39

EXHIBIT A



16<sup>00</sup>

DEC 18 11 39 AM '09

STATE OF OREGON  
County of Linn

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

Volume: MF 429 Page: 853

DEL W. RILEY  
Linn County Clerk

By [Signature] Deputy

*City of Albany*  
*Box 490*

Resolution No. 2657

Recorded Document Recorder File No. 1840