

RESOLUTION NO. 2666

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

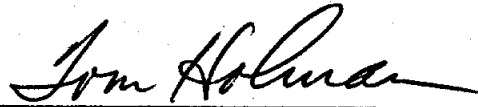
Grantee

John E. and Gladys Grammer

Purpose

To maintain and repair sanitary sewer lines in Block 9, Bryant's Addition, Albany, Oregon, Sec. 5, T. 11S, R. 3W, W.M.

Dated this 14th day of January, 1986.7



Mayor

ATTEST:


City Recorder

Recorded easement
IN file no. 1846

EASEMENT FOR A SANITARY SEWER

THIS AGREEMENT, made and entered into this 11th day of March 1986, by and between John E. and Gladys Grammer, 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 12' wide sanitary sewer easement more particularly described as follows:

Beginning at a point on the north property line of Block 9, Bryant's Addition, Section 5, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon, said point being 98.0' West of the Northeast corner of said Block 9; thence West 12.0'; thence South 110.0'; thence East 12.0'; thence North 110.0' to the beginning point of the herein described easement, as shown on the attached map labeled as EXHIBIT A.

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 LA-01-86 and VR-06-86.
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.



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

John E. Hammer
John E. Hammer

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

The foregoing instrument was acknowledged before me this 8th day of December, 1986, by grantor(s) as his/her/their voluntary act and deed.

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2666, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof this ___ day of January 15, 1987.

Subbu Indrus
Notary Public for Oregon
My Commission Expires: 7-20-89

CITY OF ALBANY, OREGON

William B Barrons
City Manager

[Signature]
City Recorder

RUTH SETTLEMIER

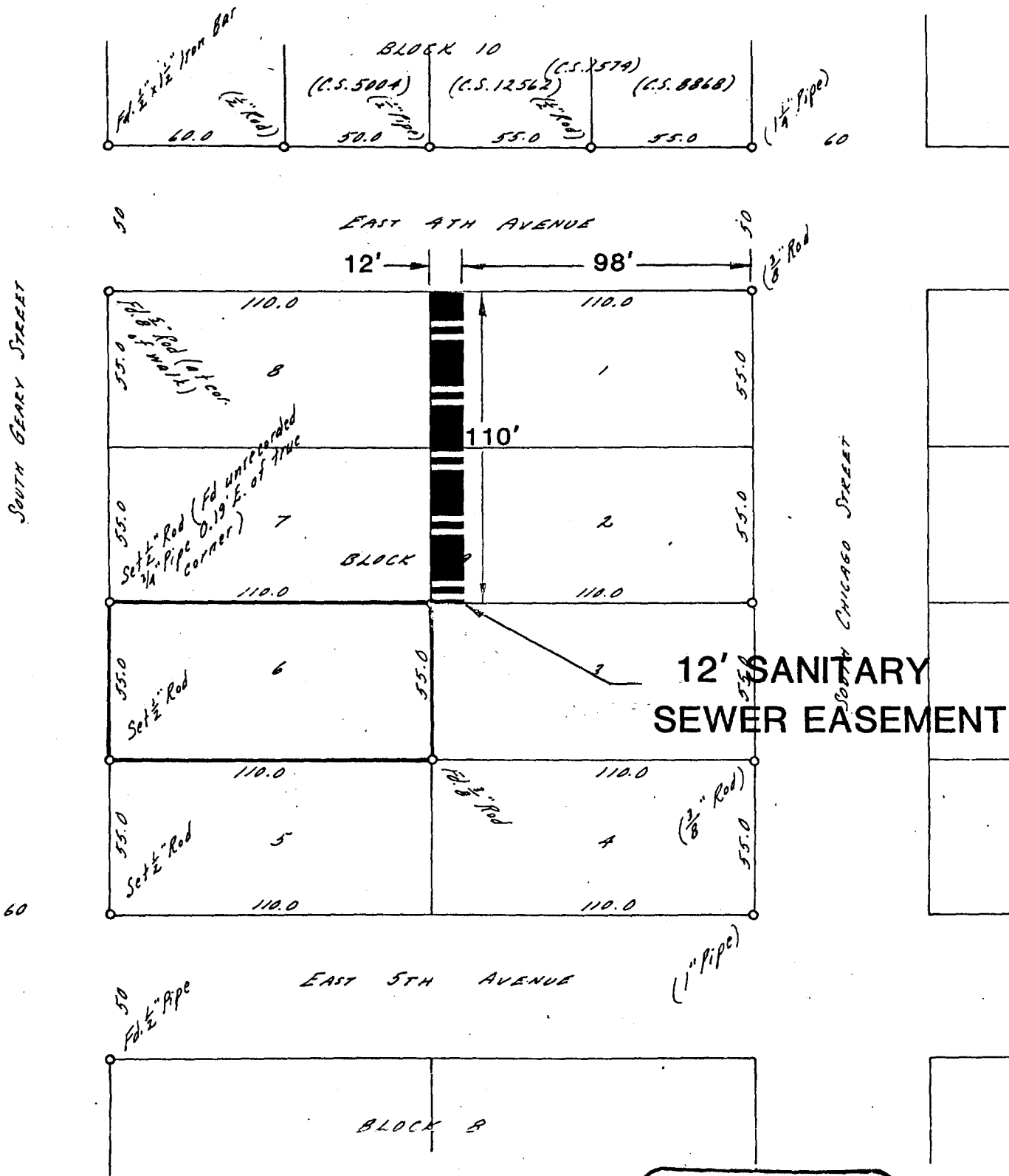
LOT 6, BL. 9, BRYANT'S ADDITION
ALBANY, LINN COUNTY, OREGON

Scale: 1" = 50'
September 13, 1974

Orris A. Carnegie
County Surveyor
By: Frank Howe

EXHIBIT A

Based on
C.S. 2162



12' SANITARY SEWER EASEMENT

ENTERED JAN 22 1987

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 433 Page: 276

At 8:30 O'clock a.m.

STEVE DRUCKENMILLER
Linn County Clerk

By LP, Deputy

City of Albany
Box 490
Albany 97321

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Orris A. Carnegie

OREGON
MAY 8, 1937
ORRIS A. CARNEGIE
213

Printed 2 pages 9-19-74

C.S. 13869
3W SCD

Resolution No. 2666

Recorded Document Recorder File No. 1846