

RESOLUTION NO. 3057

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


Grantor

Randy Wayne Cooper

Purpose

7.5-foot wide permanent utility easement, for an existing sanitary sewer, along the south line of that parcel of land located at 1014 Washington Street SW, City of Albany, Linn County, Oregon.

DATED this 8th day of May, 1991.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 29TH day of April, 1991, by and between **Randy Wayne Cooper**, herein called grantors, and the **CITY OF ALBANY**, a Municipal corporation, herein called "City."

WITNESSETH:

VR-10-91

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 public utilities for the purpose of conveying public utilities services 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 public utilities and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consists of:

A 7.5-foot wide permanent utility easement across that parcel of land conveyed to Randy Wayne Cooper as described in Volume MF 543, Page 900, Linn County Microfilm Deed Records, more particularly described as follows and as shown on the attached map labeled EXHIBIT A:

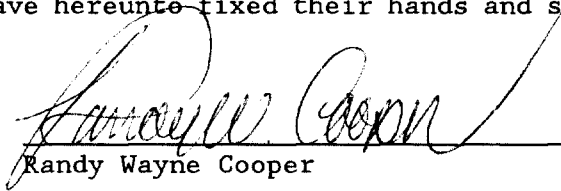
A 7.5-foot wide strip of land over said Randy Wayne Cooper parcel, said strip of land being parallel, adjacent, and north of the south line of said parcel, situated in Block 90, Monteith's Southern Addition to the City of Albany, in the Northeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Linn County, Oregon.

Containing 600 square feet, more or less.

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, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$1.00 and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom. Nothing herein shall reduce or limit grantors obligation to pay any costs or assessments which may result from the improvements.
4. 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.

- 5. Upon performing any maintenance, the City shall return the site to original or better condition.
- 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 above written.



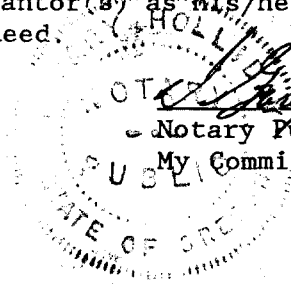
 Randy Wayne Cooper

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 29 day of April, 1991, by grantor(s) as his/her/their voluntary act and deed.

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3057, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 8th day of May, 1991



 Notary Public for Oregon
 My Commission Expires: 4/2/94

CITY OF ALBANY, OREGON



 City Manager



 Deputy City Recorder

10th Avenue

N 81° E

55'

80'

Tax lot 16001

64'

11S-04W-12AD
Tax lot 16100

Randy Wayne Cooper
MF 543-900

Addition

46'

S 9° E

Monteith's Southern
Block 90

Tax lot 16200

7.5-foot wide permanent
utility easement which is
parallel, adjacent, and
north of the south line.

Tax lot 16300

55'

134'

Washington Street



Scale 1" = 40'

11th Avenue

CITY OF ALBANY, OREGON
PUBLIC WORKS DEPARTMENT
ENGINEERING/UTILITIES DIVISION

Exhibit A:

7.5-foot wide permanent
utility easement from
Randy Wayne Cooper to
the City of Albany

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JUN 27 9 05 AM '91

STATE OF OREGON
County of Linn

STEVE DRUCKENMILLER
Linn County Clerk

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

By MS, Deputy
City of Albany

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ATT: NORM

Resolution No. 3057

Recorded Document Recorder File No. 2065