

RESOLUTION NO. 3258

BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby grant the following easement and authorizes the City Manager to sign the attached easement document:

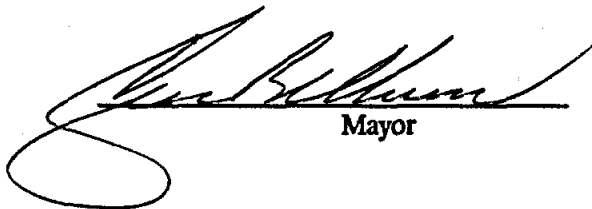
Grantor

CITY OF ALBANY, OREGON

Purpose

A 10-foot by 15-foot easement within the property at the Albany Airport for the installation, operation and maintenance of communication equipment.

DATED this 26 day of May, 1993.



Mayor

ATTEST:



Deputy City Recorder

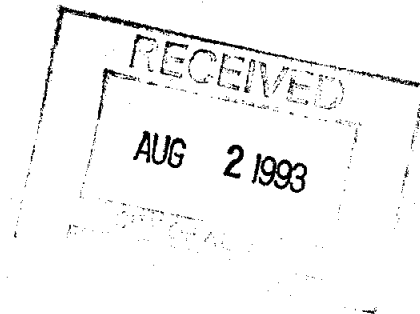


U S WEST Communications, Inc.
1600 Seventh Avenue, Room 1703
Seattle, Washington 98191
206 345-5046

Right of Way Office

USWEST
COMMUNICATIONS ©

Seattle



Dear Property Owner:

Enclosed for your files is a copy of the recorded easement you granted to U S WEST Communications for placement of telephone facilities on your property.

If there are any questions, please call Patty San Diego in Seattle at (206) 345-5046.

Thank you for your cooperation in granting this easement.

Sincerely,

A handwritten signature in cursive script that reads "D. L. Dauphiny".

D. L. Dauphiny
Manager - Right of Way Operations
1600 7th Avenue
Room 1703
Seattle, WA 98191

The Undersigned Grantor(s) for and in consideration of One Thousand and 00/100

----- Dollars (\$ 1000.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to U S WEST Communications, Inc., a Colorado Corporation, (Grantee) whose address is 1600 7th Ave., Seattle, Washington 98191 its successors, assigns, lessees, licensees and agents a perpetual easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit:

The purpose of this easement is to provide an area for the installation, operation and maintenance of equipment on and within the limits of that tract of land described in Linn County Deed Records Book 135, Page 176, and located in the Northwest 1/4 of Section 4, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon. Said easement being more particularly described as follows:

Beginning at a point on the South line of Knox Butte Road (M.R. No. 7), said point being 40.00 feet from the centerline of same, which point also bears North 85°49'16" West 1,344.70 feet from the intersection of the South line of Knox Butte Road and the West line of Timber Street (60' right of way); thence at right angles to Knox Butte Road, South 04°10'44" West 5.00 feet to the True Point of Beginning of the easement being described; thence continuing South 04°10'44" West 15.00 feet; thence North 85°49'16" West, parallel to Knox Butte Road 10.00 feet; thence North 04°10'44" East, at right angles to Knox Butte Road 15.00 feet to a point 5.00 feet Southerly of Knox Butte Road right of way; thence South 85°49'16" East, parallel to Knox Butte Road 10.00 feet to the True Point of Beginning.

Said easement contains 150.00 square feet (0.0034 acres).

situated in County of Linn State of Oregon

Grantee shall have the right of ingress and egress over and across the Land of the Grantor to and from the above-described property and the right to clear and keep cleared all trees and other obstructions. Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

The Grantor reserves the right to occupy, use and cultivate said Easement for all purposes not inconsistent with, nor interfering with the rights herein granted.

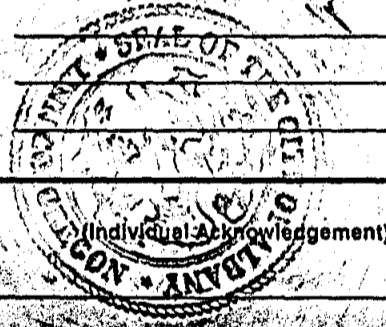
The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

In witness whereof the undersigned has executed this instrument this 26th day of May, 19 93

Witness: Nam C. Withrow
Deputy City Recorder

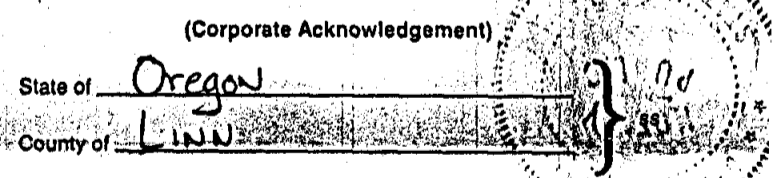
By: Steve Bryant, City Manager

[Signature of Steve Bryant]



(Individual Acknowledgement)
State of _____ }
County of _____ } ss

On this day personally appeared before me _____
known to me to be the individual _____ who executed the foregoing instrument, and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes herein mentioned.
Given under my hand and official seal this _____



(Corporate Acknowledgement)
State of Oregon }
County of Linn } ss

On this day personally appeared before me Steve Bryant
who did say he/she is the City Manager
of the municipal corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that Steve Bryant was/were authorized to execute said instrument on behalf of the municipal corporation.

Given under my hand and official seal this 1st day of June, 19 93

Debbie Anders
Notary Public in and for the State of Oregon
residing at 4450 Sunset Ridge Dr NW, Albany OR
My commission expires: 7/20/93

RETURN TO GRANTEE AT:
US WEST COMMUNICATIONS, INC.
BHT-OF-WAY DEPT.
1600 7th AVENUE, ROOM 1703
SEATTLE, WA 98191

STATE OF OREGON
County of Linn
I hereby certify that the attached was received and duly recorded by me in Linn County records.
STEVE DRUGENMILLER
Linn County Clerk MF 649
By [Signature] Deputy PAGE 103

8:30 O'clock a.m. 15
JUL 19 1993

EASEMENT

R/W. Reference

The Undersigned Grantor(s) for and in consideration of One Thousand and 00/100

----- Dollars (\$ 1000.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey to U S WEST Communications, Inc., a Colorado Corporation, (Grantee) whose address is 1600 7th Ave., Seattle, Washington 98191 its successors, assigns, lessees, licensees and agents a perpetual easement to construct, reconstruct, operate, maintain and remove such telecommunications facilities as Grantee may require upon, over, under and across the following described land which the Grantor owns or in which the Grantor has any interest, to wit:

The purpose of this easement is to provide an area for the installation, operation and maintenance of equipment on and within the limits of that tract of land described in Linn County Deed Records Book 135, Page 176, and located in the Northwest 1/4 of Section 4, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon. Said easement being more particularly described as follows:

Beginning at a point on the South line of Knox Butte Road (M.R. No. 7), said point being 40.00 feet from the centerline of same, which point also bears North 85°49'16" West 1,344.70 feet from the intersection of the South line of Knox Butte Road and the West line of Timber Street (60' right of way); thence at right angles to Knox Butte Road, South 04°10'44" West 5.00 feet to the True Point of Beginning of the easement being described; thence continuing South 04°10'44" West 15.00 feet; thence North 85°49'16" West, parallel to Knox Butte Road 10.00 feet; thence North 04°10'44" East, at right angles to Knox Butte Road 15.00 feet to a point 5.00 feet Southerly of Knox Butte Road right of way; thence South 85°49'16" East, parallel to Knox Butte Road 10.00 feet to the True Point of Beginning.

Said easement contains 150.00 square feet (0.0034 acres).

situated in County of Linn, State of Oregon

Grantee shall have the right of ingress and egress over and across the Land of the Grantor to and from the above-described property and the right to clear and keep cleared all trees and other obstructions. Grantee shall be responsible for all damage caused to Grantor arising from Grantee's exercise of the rights and privileges herein granted.

The Grantor reserves the right to occupy, use and cultivate said Easement for all purposes not inconsistent with, nor interfering with the rights herein granted.

The rights, conditions and provisions of this easement shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

In witness whereof the undersigned has executed this instrument this 26th day of May, 19 93

Witness: Norm C. Withrow
Deputy City Recorder

By: CITY OF ALBANY
Steve Bryant, City Manager
[Signature]

(Individual Acknowledgement)

State of _____ }
County of _____ } ss

On this day personally appeared before me _____

known to me to be the individual _____ who executed the foregoing instrument, and acknowledged that _____ signed the same as _____ free and voluntary act and deed, for the uses and purposes herein mentioned.

Given under my hand and official seal this _____ day of _____, 19 _____

Notary Public in and for the State of _____ residing at _____ My commission expires: _____

(Corporate Acknowledgement)

State of Oregon }
County of LINN } ss

On this day personally appeared before me Steve Bryant

who did say he/she is the City Manager of the municipal corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that Steve Bryant was authorized to execute said instrument on behalf of the municipal corporation.

Given under my hand and official seal this 1st day of June, 19 93

[Signature]
Notary Public in and for the State of Oregon residing at 4450 Sunset Ridge Dr NW, Albany OR My commission expires: 7/20/93

Accepted by
Manager Right-of-Way Operations

