

RESOLUTION NO. 3281

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

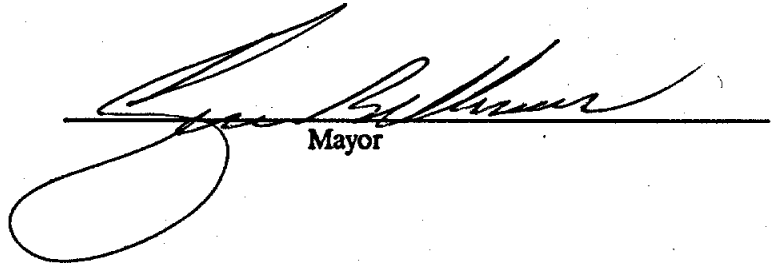
Grantor

PACIFICORP, dba Pacific Power & Light

Purpose

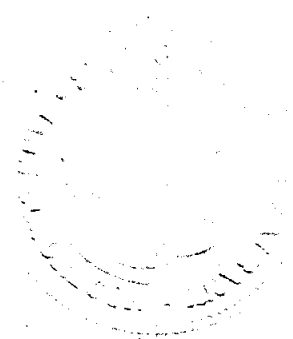
A variable width easement for a sidewalk across P P & L property located at 2010 Queen Avenue SE

DATED this 11th day of August, 1993.

  
\_\_\_\_\_  
Mayor

ATTEST:

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



EASEMENT FOR PUBLIC UTILITIES

This instrument is granted and recorded to correct an error in the description of that easement recorded on May 4, 1993 as Volume 639, Page 232, Linn County Microfilm Deed Records.

THIS AGREEMENT, made and entered into this 26 day of July, 1993, by and between PACIFICORP, an Oregon corporation, doing business as Pacific Power & Light Company, 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, for the purpose of conveying the public over and across the lands hereinafter described.

This agreement is subject to the following terms and conditions:

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

A permanent easement for a sidewalk over and across a portion of the following described real property of Grantor, located in Linn County, Oregon, to-wit:

Commencing at a point on the centerline of a county road, said point being North 88° 41' East 1036.20 feet from the Southeast corner of the Abram Hackleman Donation Land Claim No. 62 in Township 11 South, Range 3 West, Willamette Base and Meridian in the City of Albany, Linn County, Oregon; thence South 1° 53' East, parallel to the west boundary of the Leander C. Burkhart Donation Land Claim No. 50, 35 feet to the TRUE POINT OF BEGINNING of the hereinafter described parcel of land;

- thence South 1° 53' East 8 feet;
- thence South 88° 41' West 184.20 feet;
- thence South 1° 53' East 3 feet;
- thence South 88° 41' West 42 feet;
- thence North 1° 53' West 11 feet;
- thence North 88° 20' East 226.20 feet to the True Point Of Beginning.

Containing 2092 square feet, more or less.

- 2. 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.
- 3. 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.
- 4. 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.

GRANTOR:

PACIFICORP, dba Pacific Power & Light Company

By: Shelley K. Faigle  
Shelley Faigle, Vice President

By: Claron Ferguson  
Claron Ferguson, Assistant Secretary

Return to: City of Albany  
PO Box 490, Albany 97321

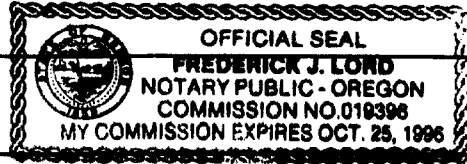
STATE OF OREGON )  
County of Multnomah ) ss.  
City of Portland )

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of JULY, 1993, by Shelley Faigle, Vice President of Pacific Power & Light Company, on behalf of PacifiCorp, an Oregon corporation.

*Frederick J. Lord*

Notary Public for Oregon

My Commission Expires: 25 Oct 1996



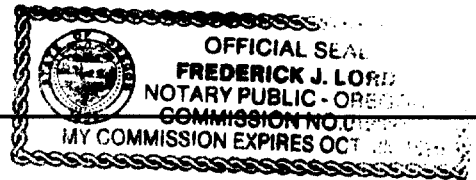
STATE OF OREGON )  
County of Multnomah ) ss.  
City of Portland )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of JULY, 1993, by Claron Ferguson, Asst. Secretary for Pacific Power & Light Company, on behalf of PacifiCorp, an Oregon corporation.

*Frederick J. Lord*

Notary Public for Oregon

My Commission Expires: 25 Oct 1996



CITY OF ALBANY:

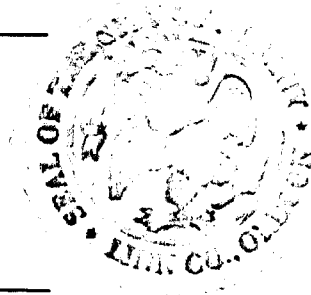
STATE OF OREGON )  
County of Linn ) ss.  
City of Albany )

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3281 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 11th day of August, 1993.

*Steve Bryant*  
City Manager

ATTEST:

*Noem C. Withrow*  
City Recorder - Deputy



STATE OF OREGON  
County of Linn

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

STEVE DRUCKENMILLER  
Linn County Clerk

By *[Signature]*, Deputy

M 70  
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Resolution No. 3281

Recorded Document Recorder File No. 2356