

RESOLUTION NO. 3319

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

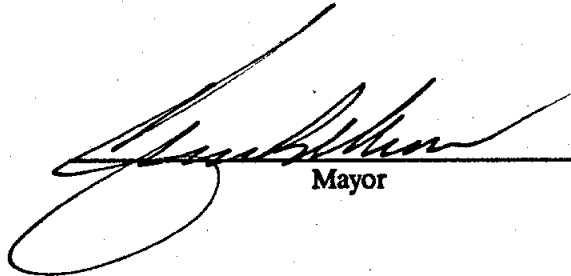
Grantor

Ned C. Crowe and Stella P. Crowe

Purpose


a permanent public utility easement (over an existing sanitary sewer) across property located at 1815 NE Front Avenue

DATED this 12 day of January, 1994.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 15th day of Dec 1993, by and between Ned C. and Stella P. Crowe, 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 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 ten-foot wide permanent public utility easement across that parcel conveyed to Ned C. and Stella P. Crowe by deed recorded in Volume 319, Page 592, Linn County Microfilm Deed Records in Section 5, Township 11 South, Range 3 West, Willamette Meridian more particularly described as follows and as shown on the attached map labeled Exhibit A:

The northerly 10 feet of even width of Lot 6, Block 6, Woodle's Riverside Addition to the City of Albany, Linn County, Oregon.

Containing 548 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.
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.

GRANTOR:

Ned C. Crowe

Ned C. Crowe, Owner

Stella P. Crowe

Stella P. Crowe, Owner

Return to: City of Albany - Recorder
P.O. Box 490, Albany, OR 97321

Cindy L. Gibson

Cindy L. Gibson, Contract Purchaser

STATE OF ~~OREGON~~)
County of Linn) ss.
City of ~~Albany~~) *Yuma*



The foregoing instrument was acknowledged before me this 15th day of Dec, 1993 by Ned C. Crowe and Stella P. Crowe as their voluntary act and deed.

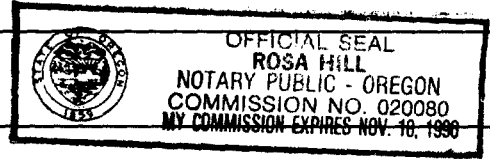
Quinn M. Rose
Notary Public for ~~Oregon~~ ARIZONA

My Commission Expires: March 1, 1996

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

The foregoing instrument was acknowledged before me this 17th day of Dec, 1993, by Cindy L. Gibson as her voluntary act and deed.

Rosa Hill
Notary Public for Oregon



My Commission Expires: _____

CITY OF ALBANY:

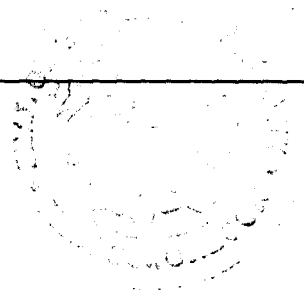
STATE OF OREGON)
County of Linn) ss.
City of Albany)

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3319, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 12th day of January, 1994.

SD Bryant
City Manager

ATTEST:
Norm C. Withrow

Deputy
City Recorder



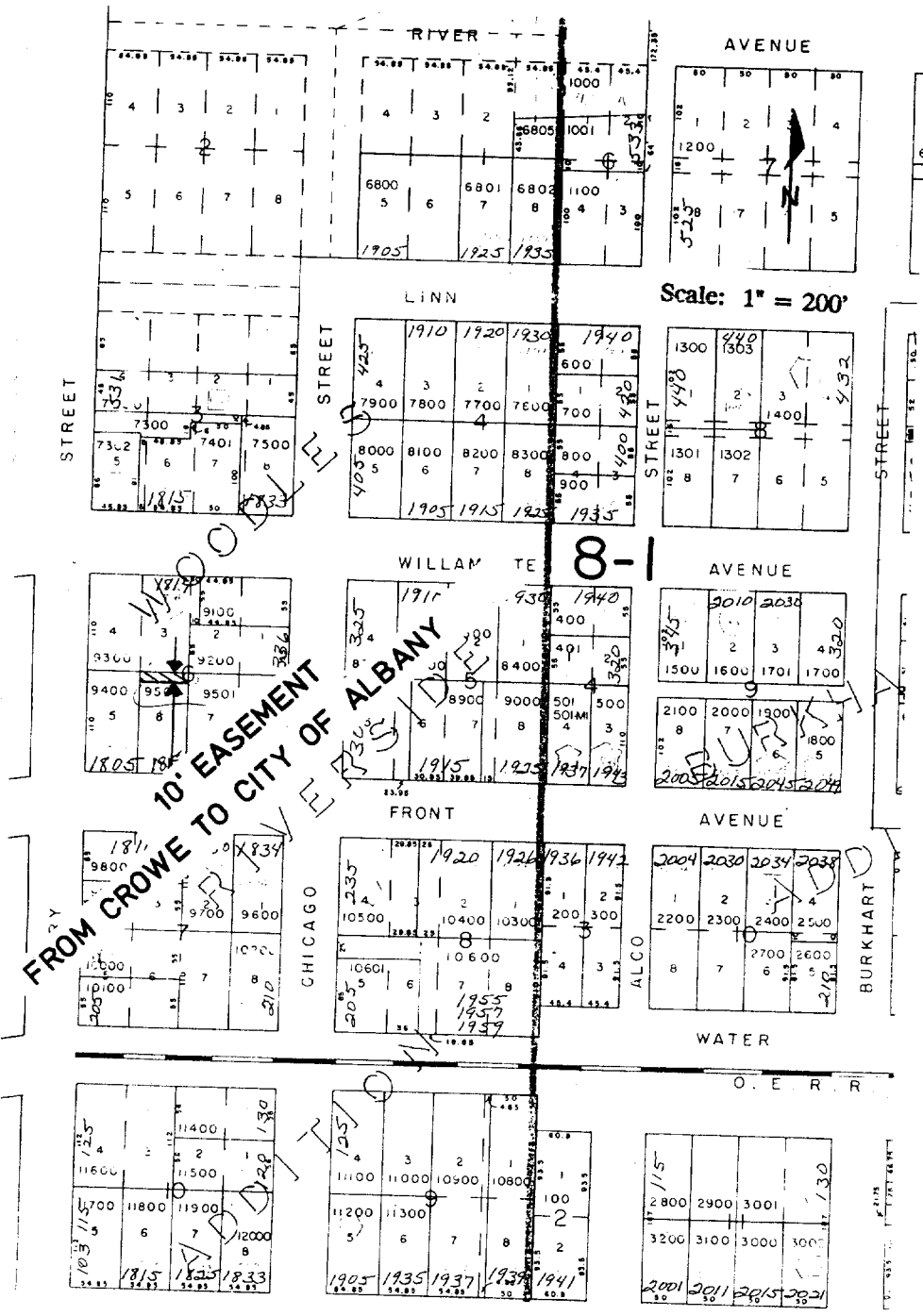
STATE OF OREGON
County of Linn

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

STEVE DRUCKENMILLER MF 677
Linn County Clerk

By Steve Druckenmiller, Deputy PAGE 736

JAN 18 1 39 PM '94



Resolution No. 3319

Recorded Document Recorder File No. 2396