

RESOLUTION NO. 3555

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

Grantor

Purpose

Ray C. and Jean L. Bubak

A public utility easement across the property located at 2037-2039 Queen Avenue SE.

William M. and Milton L. Cooley

A public utility easement across Lot 6, Block 12, of Fairdale Addition, Albany, Oregon.

DATED this 27th day of September 1995.

Wayne M. Fisk
Council President

ATTEST:

Nora C. Withrow
Deputy City Recorder



EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 31st day of May, 1995, by and between Ray C. and Jean L. Bubak, herein called Grantors, and the CITY OF ALBANY, a Municipal Corporation, herein called "City."

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, undergrowth, 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 10-foot-wide permanent utility easement across that property conveyed in Volume 467, Page 489, Linn County Microfilm, more particularly described as follows and as shown on attached map labeled EXHIBIT A:

The Northerly 10.0 feet of even width of Lot 7, in Block 12, of Fairdale Addition to the City of Albany, Linn County, Oregon.

Excepting the Westerly 20.0 feet of the above 10.0 feet of even width.

Ray and Jean Bubak
PO Box 2
Browsville, OR 97327

2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, their 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.

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

07321

Return

- 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.

GRANTOR:

Ray C. Bubak
Ray C. Bubak

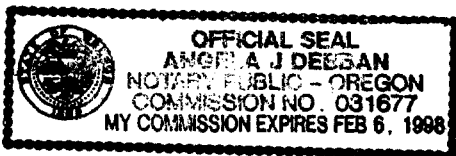
Jean L. Bubak
Jean L. Bubak

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

The foregoing instrument was acknowledged before me this 19 day of July, 19 95, by Ray C. and Jean L. Bubak as their voluntary act and deed.

Angela J. Deegan
Notary Public for Oregon

My Commission Expires: 2-6-98



CITY OF ALBANY:

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

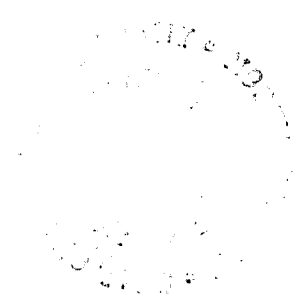
I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3555, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 27th day of September, 19 95

Steve Bryant
City Manager

ATTEST:

Nora C. Withers
City Recorder (Deputy)

Bubak Leas



SEVENTEENTH AVE.

EXHIBIT A

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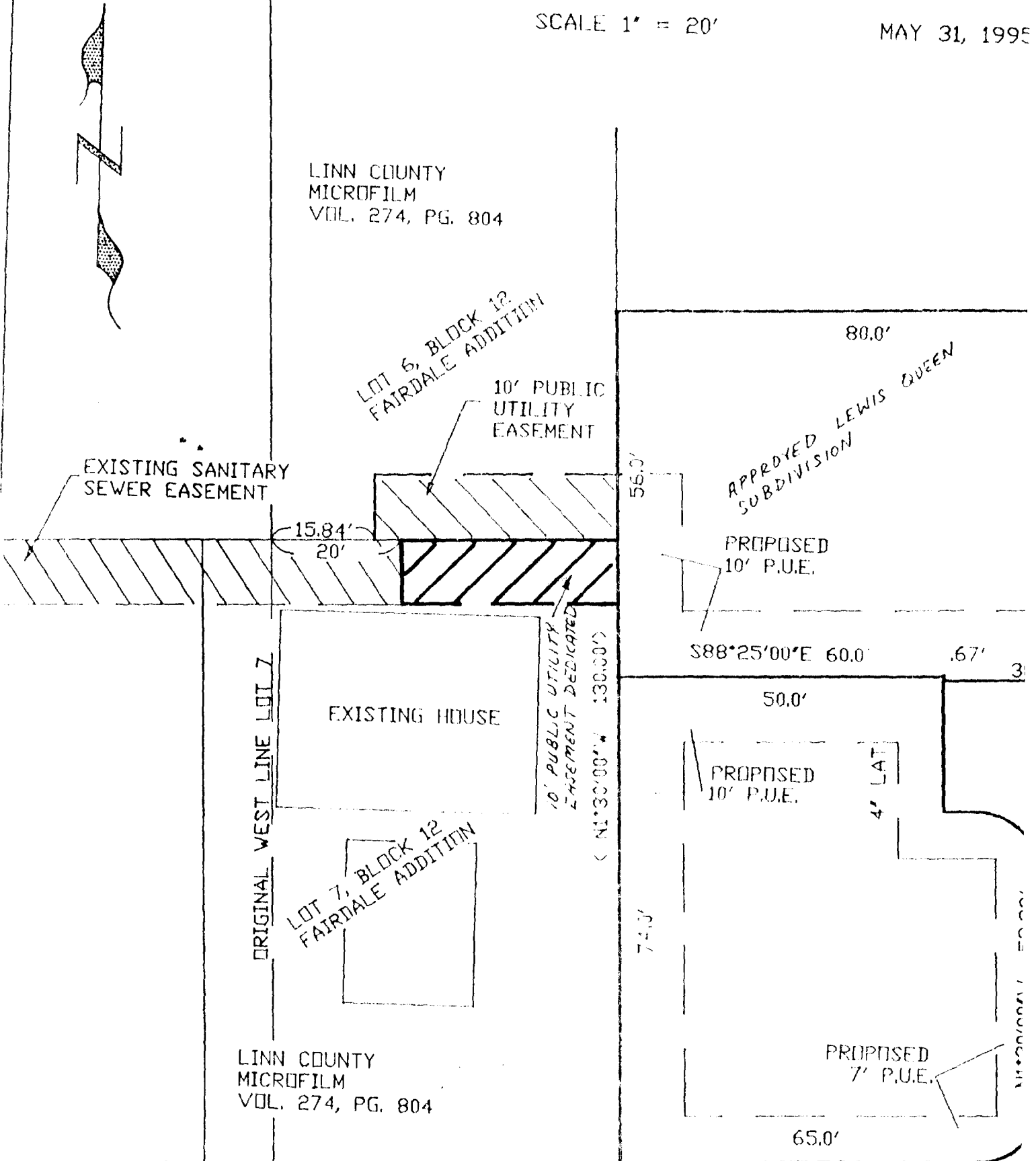
CITY OF ALBANY, PUBLIC WORKS DEPARTMENT
ENGINEERING/UTILITIES DIVISION

SECTION 8, T.11S., R.3W., W.M.

ALBANY, LINN COUNTY, OREGON

SCALE 1" = 20'

MAY 31, 1995



QUEEN AVE

PROPERTY OWNER: RAY & JEAN BUBAK
DEED REFERENCE: MF 467-489

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 15
R 70
S 70
A
O

8:30 O'clock a.m.

25

OCT 09 1995

MF 768

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EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 31 day of May, 1995, by and between William M. and Milton L. Cooley, 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, undergrowth, 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 10' wide permanent utility easement across that property conveyed in Volume 274, Page 804 Linn County Microfilm, more particularly described as follows and as shown on attached map map labelled EXHIBIT A:

The Southerly 10.0 feet of even width of Lot 6, in Block 12 of Fairdale Addition to the City of Albany, Linn County, Oregon.

Excepting the Westerly 15.84 feet of the above 10.0 feet of even width.

William m. and Milton L. Cooley
36048 Cox Creek Ln.
Albany, Or. 97321

- 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.

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P.O. Box 490, Albany, OR 97321

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.

GRANTOR:

William M. Cooley

William M. Cooley
Milton L. Cooley

Milton L. Cooley

CITY OF ALBANY:

STATE OF OREGON)
County of Linn) ss.
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 3555, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 27th day of September, 19 95

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by William M. and Milton L. Cooley as their voluntary act and deed.

Notary Public for Oregon

Steve Bryant

City Manager

My Commission Expires: _____

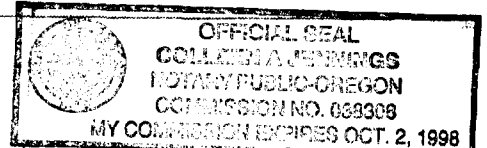
ATTEST:

STATE OF OREGON
COUNTY OF MALHEUR

The foregoing instrument was acknowledged before me this 8th day of June 1995, by William M. Cooley as his voluntary act and deed.

Nora C. Withers

City Recorder
STATE OF OREGON
County of Linn
COLEEN A. JENNINGS



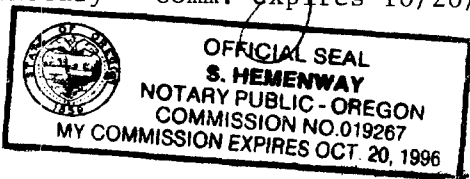
The foregoing instrument was acknowledged before me this 12th day of June 1995, by Milton L. Cooley as his voluntary act and deed.

Coleen A. Jennings

Notary- Commission expires 10-2-98

S. Hemenway

Notary - Comm. expires 10/20/96



SEVENTEENTH AVE.

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EXHIBIT A

CITY OF ALBANY, PUBLIC WORKS DEPARTMENT
ENGINEERING/UTILITIES DIVISION

SECTION 8, T.11S.,R.3W.,W.M.
ALBANY, LINN COUNTY, OREGON

SCALE 1" = 20'

MAY 31, 1995

LINN COUNTY
MICROFILM
VOL. 274, PG. 804

LOT 6, BLOCK 12
FAIRDALE ADDITION

10' PUBLIC
UTILITY
EASEMENT

EXISTING SANITARY
SEWER EASEMENT

15.84'
20'

APPROVED LEWIS QUEEN
SUBDIVISION

PROPOSED
10' P.U.E.

S88°25'00"E 60.0' .67' 30.0'

ORIGINAL WEST LINE LOT 7

EXISTING HOUSE

10' PUBLIC UTILITY
EASEMENT DEDICATED

(N1°30'00"W 130.00')

LOT 7, BLOCK 12
FAIRDALE ADDITION

PROPOSED
10' P.U.E.

4' LAT

LINN COUNTY
MICROFILM
VOL. 274, PG. 804

PROPOSED
7' P.U.E.

74.0'

65.0'

N1°30'00"W 53.33'

PROPERTY OWNER: WILLIAM + MILTON COOLE
DEED REFERENCE: MF VOL. 274, PG. 804

QUEEN AVE.

STATE OF OREGON
County of Linn

M
R 15
S 10
A
O

8:30 O'clock a.m.

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.
STEVE DRUCKENMILLER 768
Linn County Clerk MF

OCT 09 1995

By *[Signature]*, Deputy PAGE 837

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Resolution No. 3555

Recorded Documents Recorder Files No.

2640 Bubak

2641 Cooley