

RESOLUTION NO. 3561

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

Grantor

Vernon Schrock, Leona Schrock, Dean Schrock, Kathleen Schrock

Purpose

Permanent easement for utility purpose across the property south of Beta Drive in Linn County Deed Reference Volume MF 748, Page 720.

DATED this 11th day of October 1995.

  
\_\_\_\_\_  
Mayor

ATTEST:

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



## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 17th day of July, 1995, by and between Vernon Schrock, Leona Schrock, Dean Schrock, and Kathleen Schrock, 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 PARCEL OF LAND FOR UTILITY PURPOSES LOCATED IN THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 36, TOWNSHIP 11 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD WHICH BEARS SOUTH 63° 08' 13" WEST 84.37 FEET FROM THE NORTHEAST CORNER OF SECTION 36, SAID IRON ROD ALSO MARKS THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY OF BETA DRIVE AND THE WESTERLY RIGHT-OF-WAY OF HIGHWAY 99E AND A POINT ON A 40.00 FOOT RADIUS CURVE TO THE LEFT; THENCE 35.60 FEET NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT-OF-WAY OF BETA DRIVE (LONG CHORD BEARS NORTH 60° 06' 22" WEST 34.40 FEET); THENCE SOUTH 02° 15' 12" WEST LEAVING SAID RIGHT-OF-WAY 24.97 FEET; THENCE SOUTH 87° 44' 48" EAST 30.50 FEET TO THE AFOREMENTIONED HIGHWAY 99E RIGHT-OF-WAY; THENCE NORTH 02° 15' 12" EAST ALONG SAID RIGHT-OF-WAY 9.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.014 ACRES OF LAND, MORE OR LESS. THE BASIS OF BEARINGS FOR THIS EASEMENT DESCRIPTION IS LINN COUNTY PARTITION PLAT NO. 1995-32.

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.

Schrock Utility Easement

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

6. No permanent structure shall be constructed within the limits of this easement.

IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year above written.

GRANTOR:

Vernon Schrock  
Vernon Schrock



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

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of July, 1995, by Vernon Schrock, as his voluntary act and deed.

Notary Public for Oregon Mary L. Long  
My Commission Expires: 3-6-97

GRANTOR:

Leona Schrock  
Leona Schrock



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

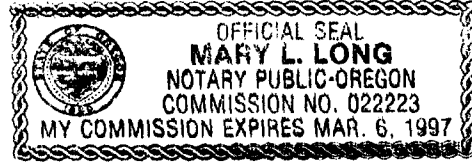
The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of July, 1995, by Leona Schrock, as her voluntary act and deed.

Notary Public for Oregon Mary L. Long  
My Commission Expires: 3-6-97

Schrock Utility Easement

GRANTOR:

Dean Schrock  
Dean Schrock



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

The foregoing instrument was acknowledged before me this 18 day of July, 1995, by Dean Schrock, as his voluntary act and deed.

Notary Public for Oregon Mary L. Long  
My Commission Expires: 3-6-97

GRANTOR:

Kathleen Schrock  
Kathleen Schrock



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

The foregoing instrument was acknowledged before me this 18 day of July, 1995, by Kathleen Schrock, as her voluntary act and deed.

Notary Public for Oregon Mary L. Long  
My Commission Expires: 3-6-97

Schrock Utility Easement

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 3561, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 11<sup>th</sup> day of October, 1995.

[Signature]  
City Manager

ATTEST:

[Signature]  
City Recorder schrock.es

WL-94-7



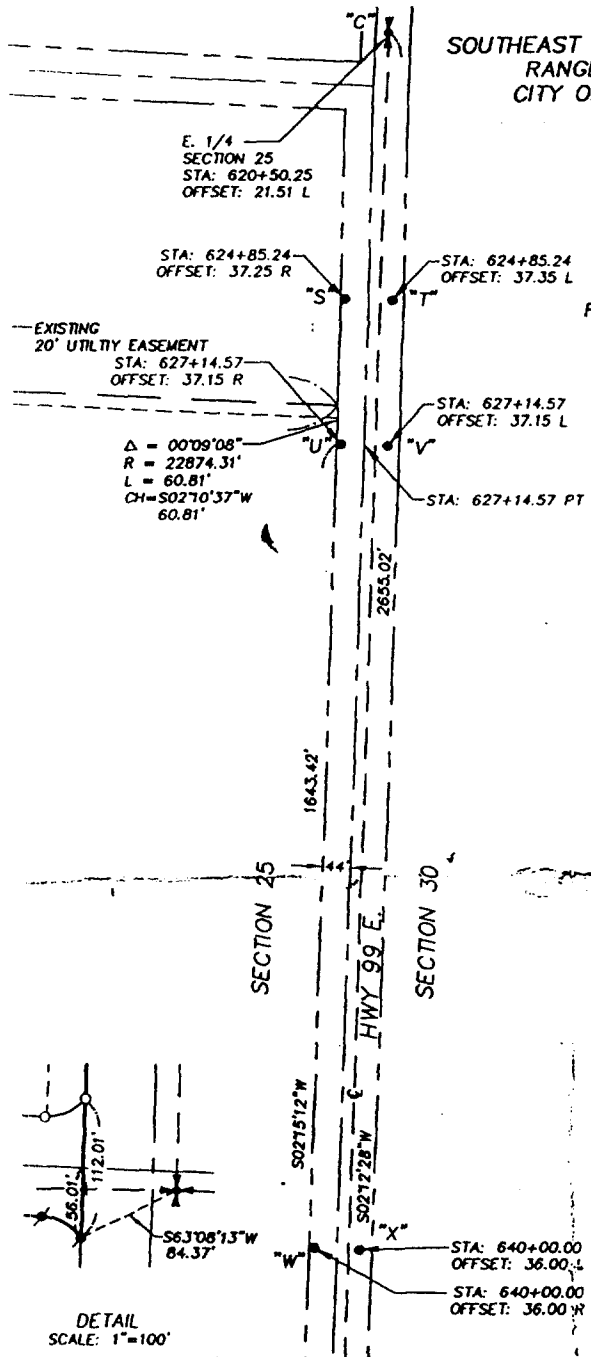
VOL 0770 PAGE 538  
 PARTITION PLAT NO.: 395-32

LOCATED IN THE  
 SOUTHEAST 1/4, SECTION 25, TOWNSHIP 11 SOUTH,  
 RANGE 4 WEST, WILLAMETTE MERIDIAN,  
 CITY OF ALBANY, LINN COUNTY, OREGON  
 MAY 12, 1995

FOR  
 THE SCHROCK'S  
 BY

W&H PACIFIC  
 8405 SW NIMBUS AVE  
 BEAVERTON, OR 97008  
 (503) 626-0455

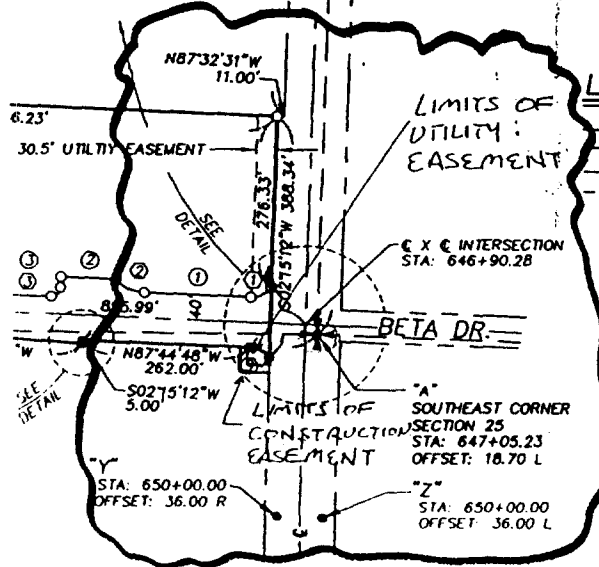
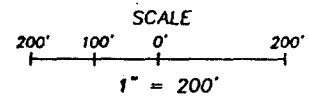
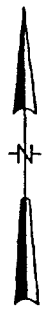
FILE: 1474-0101 / STWTPPO1.DWG  
 CITY CASE NO. PA-04-95



REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JUL 19, 1994  
 JOHN D. PUTNAM  
 2676  
 RENEWAL: 12-31-96

I CERTIFY THAT THIS IS AN EXACT  
 COPY OF THE ORIGINAL PARTITION PLAT.



LEGEND:

- RIGHT-OF-WAY LINE
- CENTER LINE
- SECTION LINE
- - - - - EASEMENT LINE
- FOUND MONUMENT AS NOTED
- ◊ FOUND 5/8"X30" IR W/YPC STAMPED "W&H PACIFIC"
- SET 5/8"X30" IR W/YPC STAMPED "W&H PACIFIC"
- IR IRON ROD
- IP IRON PIPE
- W/YPC WITH YELLOW PLASTIC CAP
- R.O.W. RIGHT OF WAY

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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 PA, Deputy

M  
R 35  
S 70  
A  
O

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OCT 19 1 31 PM '95

MF 770

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Recorded Document Recorder File No. 2657