

RESOLUTION NO. 3669

BE IT RESOLVED BY THE ALBANY CITY COUNCIL THAT IT DOES HEREBY ACCEPT THE FOLLOWING EASEMENT:

Grantor

Taskin, L.L.C.

Purpose

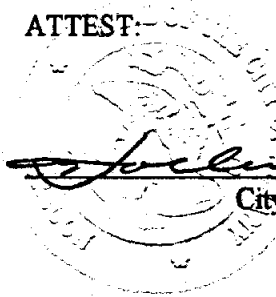
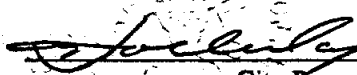
A permanent public utility easement 20.0 feet in even width across that property being in the Southeast quarter of Section 8, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon.

DATED THIS 10TH DAY OF JULY 1996.



Mayor

ATTEST:

City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 14 day of June, 1996, by and between Taskin, L.L.C., 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 20 foot wide easement for public utilities, being in the Southeast quarter of Section 8, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, more particularly described as follows: Beginning at a point on the South right-of-way line of East Queen Avenue which bears North 88°41'00" East along the centerline of said Avenue 1650.82 feet and South 01°19'00" East 35.00 feet from the Southeast corner of the Abram Hackleman Donation Land Claim No. 62, said point of beginning being the Northeast corner of that tract of land described in Deed to Taskin, L.L.C., recorded in Linn County Deed Records Volume 772 Page 834 and Page 835; thence along said South right-of-way line South 88°41'00" West 55.54 feet to the true point of beginning; thence South 02°16'46" East 87.31 feet; thence South 36°21'55" West 44.34 feet; thence South 01°16'14" East 341.52 feet; thence South 88°43'46" West 20.00 feet; thence North 01°16'14" West 348.34 feet; thence North 36°21'55" East 44.14 feet; thence North 02°16'46" West 80.63 feet to a point on the aforementioned South right-of-way line; thence along said South right-of-way line North 88°41'00" East 20.00 feet to the true point of beginning, the above described easment containing 9,463 square feet of land, more or less. The bearings for this description are based on Linn County Survey 21297. See attached drawing labeled Exhibit A.

- 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.

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

- 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.

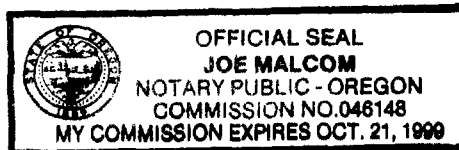
GRANTOR:
Taskin, L.L.C.

By: M. T. AliNiazee
M.T. AliNiazee, General Manager

STATE OF OREGON)
County of BENTON) ss.
City of CORVALLIS)

The foregoing instrument was acknowledged before me this 14th day of June, 1996, by M.T. AliNiazee, general manager of Taskin, L.L.C., an Oregon corporation, on behalf of the corporation.

Joe Malcom
Notary Public for Oregon
My Commission Expires: 10-21-99



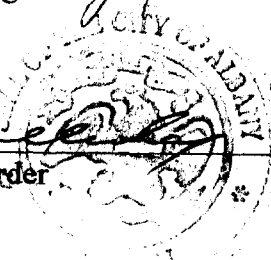
CITY OF ALBANY:

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 3669, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 12 day of July, 1996.

SKB
City Manager

ATTEST:
[Signature]
City Recorder



S.E. CORNER A. HACKLEMAN
DLC NO. 62

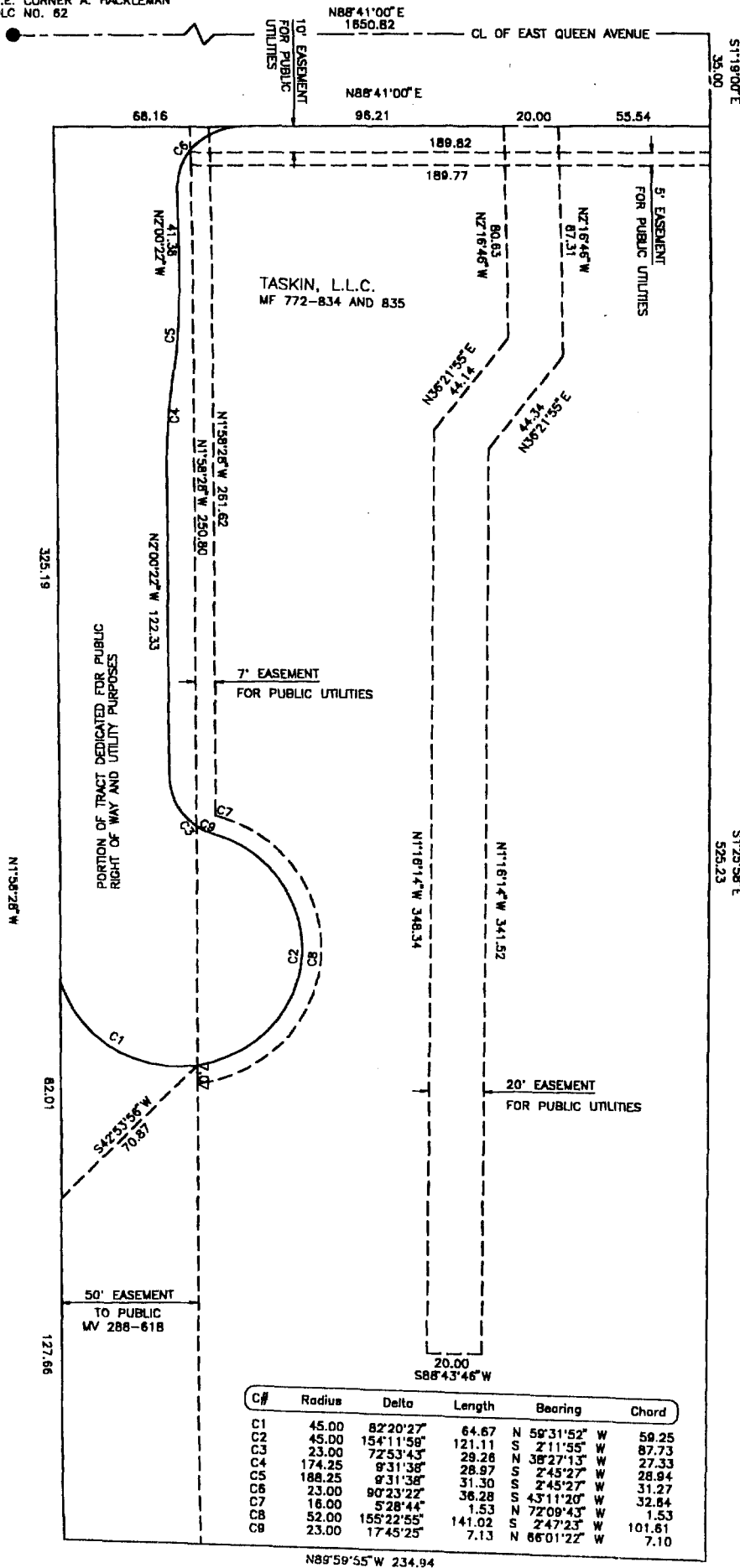


Exhibit A



SOUTHEAST 1/4 SECTION 8
TOWNSHIP 11 SOUTH
RANGE 3 WEST
WILLAMETTE MERIDIAN
CITY OF ALBANY
LINN COUNTY
OREGON

25
M 15 JUL 15 2 27 PM '96
S 12 A O

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

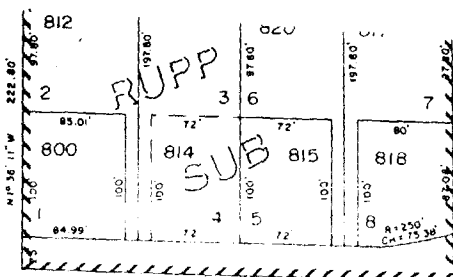
By *[Signature]*, Deputy
MF 814
PAGE 566

C#	Radius	Delta	Length	Bearing	Chord
C1	45.00	82°20'27"	64.67	N 59°31'52" W	59.25
C2	45.00	154°11'58"	121.11	S 2°11'55" W	87.73
C3	23.00	72°53'43"	29.26	N 38°27'13" W	27.33
C4	174.25	9°31'38"	28.97	S 2°45'27" W	28.94
C5	188.25	9°31'38"	31.30	S 43°11'20" W	31.27
C6	23.00	90°23'22"	36.28	S 43°11'20" W	32.84
C7	16.00	5°28'44"	1.53	N 72°09'43" W	1.53
C8	52.00	155°22'55"	141.02	S 2°47'23" W	101.81
C9	23.00	17°45'25"	7.13	N 66°01'22" W	7.10

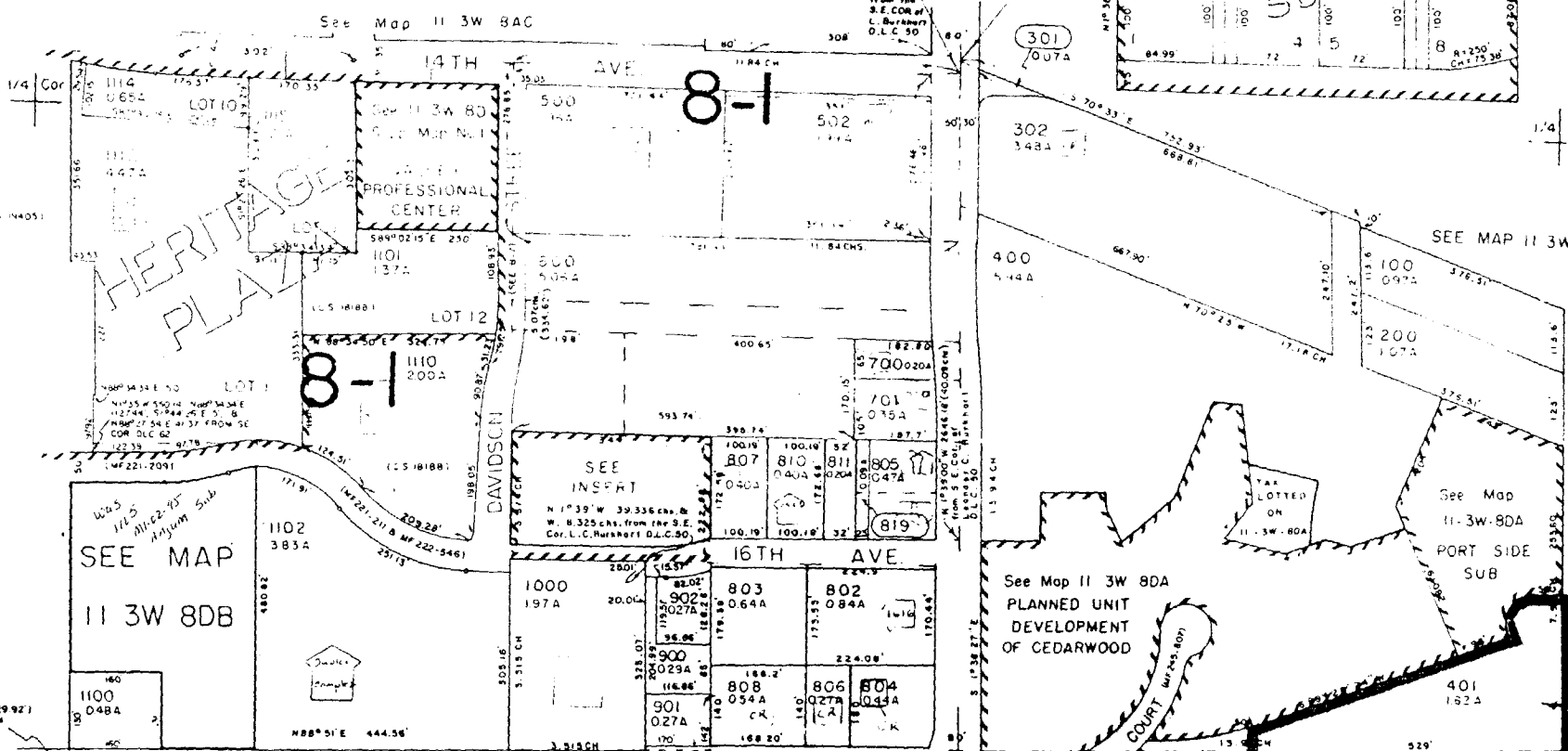
SE 1/4 Sec. 8 T.11S. R.3W. W.M.

1" = 200'

S1°22'E 1256.54' FR. INTERSECTION W. LINE
DLC 49 & E. SANTIAM HWY.



INSERT
1" = 100'

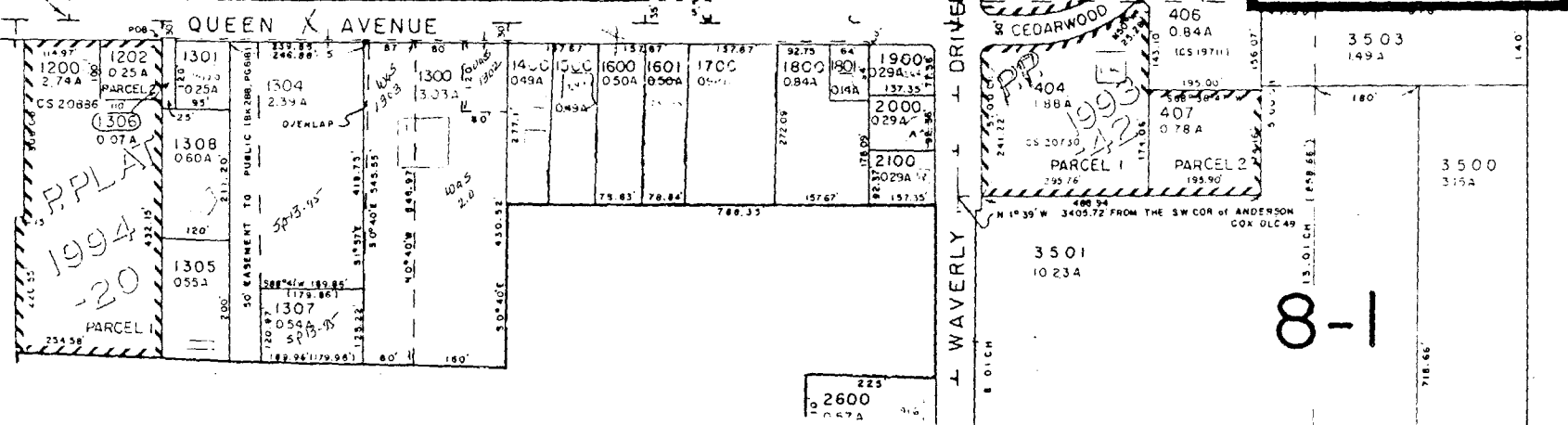


HERITAGE
PLAZA

8-1

8-1

8-2



P.P.L.A.
1994
-20

8-1

11-3W-8D TL 1304

SEE MAP 11-3W-80A

488°14'E 17.12CH (1129.92')
FROM SE COR. ABRAM
HACKLEMAN DLC 62

W WEVERLY
DRIVE

DAVIDSON

CEEDARWOOD
COURT

SEE MAP 11-3W-80A

SEE MAP 11-3W-80A

SEE MAP 11-3W-80A

SEE MAP 11-3W-80A

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SEE MAP 11-3W-80A

SEE MAP 11-3W-80A

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Recorded Document Recorder File No. 2794