

RESOLUTION NO. 3792

A RESOLUTION DECLARING IT A NECESSITY THAT THE CITY ACQUIRE A UTILITY EASEMENT OVER A PORTION OF PROPERTY IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NUMBER T11S, R03W, SEC19A, AS TAX LOT 200, AND DECLARING AN EMERGENCY.

WHEREAS, the City has attempted to negotiate the private purchase of a utility easement over a portion of land identified on Linn County Assessor's Map Number T11S, R03W, Sec 19A, as Tax Lot 200, Linn County, Oregon, and through negotiations, have been unable to agree upon a reasonable value of said utility easement; and

WHEREAS, the utility easements in question are necessary for the construction of water and sanitary sewer to provide adequate service for the Lochner Utilities Extension LID project.

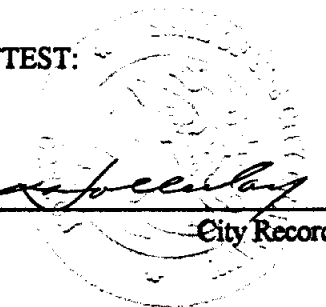

NOW, THEREFORE, BE IT RESOLVED that the City of Albany, through condemnation, acquire an easement over a portion of land identified on Linn County Assessor's Map Number T11S, R03W, Sec 19A, as Tax Lot 200, Linn County, Oregon, for the purpose of constructing water and sanitary sewer line to provide adequate service for the Lochner Road Utilities Extension project. The subject utility easement is necessary for the use of the City to construct and maintain City utility lines, and the proposed use is located in a manner which will be most compatible with the greatest public good and the least private injury.

BE IT FURTHER RESOLVED, that immediate possession of the utility easement is necessary and in the public interest.

DATED THIS 28TH DAY OF MAY 1997.

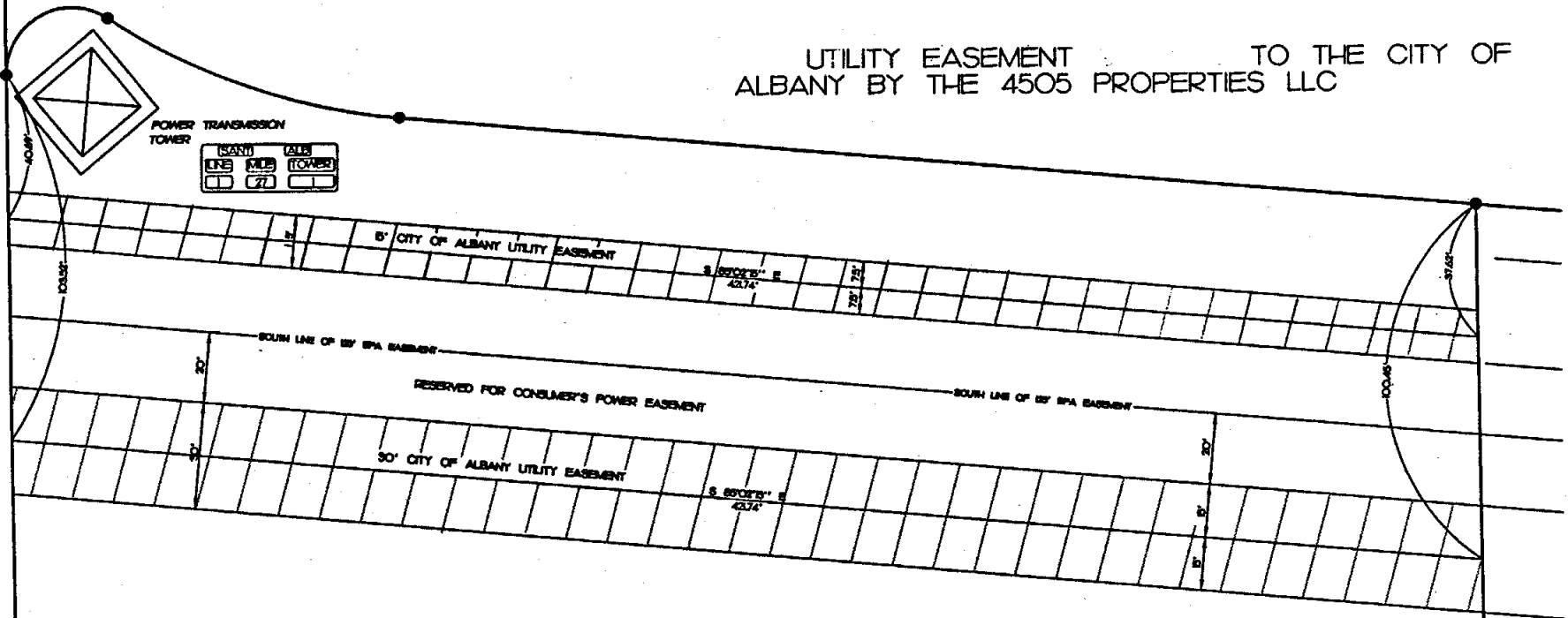

Mayor

ATTEST:

City Recorder

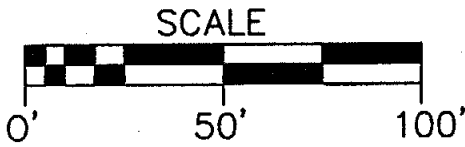
UTILITY EASEMENT TO THE CITY OF ALBANY BY THE 4505 PROPERTIES LLC



MARION STREET

S 00°33'46" E

S 00°33'46" E



DEED RECORDS
VOL. 684, P 200

EXHIBIT "A"

UNPAVED PARKING

WL-96-5 Lochner Rd. W/D