


RESOLUTION NO. 3944

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

<u>Grantor</u>	<u>Purpose</u>
Taskin L.L.C.	A public utility easement to the City of Albany for the purpose of maintaining a sanitary sewer line.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED THIS 13TH DAY OF MAY 1998.



Mayor

ATTEST:



City Recorder



EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 25 day of April, 1998, 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 ten foot wide strip of land, more particularly described as follows:

Beginning at the intersection of the east line of the 50 foot easement described in Book 288, Page 618, Deeds Records for Linn County, Oregon, with the south line of the tract dedicated to the City of Albany for street and utility right-of-way purposes per Microfilm Volume 814, Page 563; thence along said east line S 1° 58' 28" 179.72 feet to the south line of the tract conveyed to Taskin, L.L.C., per Microfilm Volume 772, Page 834, said Deed Records; thence along said south line S 89° 59' 48" E 10.01 feet; thence N 1° 58' 28" W 182.81 feet to the south line of said street and utility right-of-way; thence along said right-of-way line on the arc of a 45 foot radius curve (long cord bears S 72° 38' 30" W 10.37 feet) 10.39 feet to the point of beginning.

See map on attached 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.

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.

3. 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.
4. Upon performing any maintenance, the City shall return the site to original or better condition.
5. No permanent structure shall be constructed on this easement.

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

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. AliNiaze
M.T. AliNiaze, General Manager

STATE OF OREGON)
County of ~~Linn~~ Benton) ss.
City of ~~Albany~~ Corvallis)

The foregoing instrument was acknowledged before me this 28th day of April, 1998, by M.T. AliNiaze, general manager of Taskin, L.L.C., an Oregon corporation, on behalf of the corporation.

Elizabeth Graham
Notary Public for Oregon
My Commission Expires: 5-19-00

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 3944 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 13 day of May, 1998.

Steve Bryant
City Manager

ATTEST:

[Signature]
City Recorder

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Queen Avenue

3/4" Ball
by CS 2947

N 88°41'00"E 120.00'
(N 88°41'00"E 120.00')

Clay Street

Taskin L.L.C.

50 foot wide easement to public
per Book 288, Page 618

Right of Way dedication per Microfilm Vol. 814, Page 563

334.74'
S 01°58'28"E 534.86'
(S 1°58'28"E 539.86')

[N 2°00'22"W 122.31']

S 01°58'53"E 537.09'
(S 1°58'53"E 537.09')



(S 1°25'58"E 540.23)
S 01°25'58"E 540.23'

N 71°30'10"E
R=45.00'

S 89°59'48"E 120.02'

50 foot wide easement to public
per Book 288, Page 618

10 foot wide public
utility easement

Ansari

Taskin L.L.C.

<N 1°57'W 125.222

200.12'

3/4" Rod
SE Corner
Parcel 1,
PP 1994-20

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 gla, Deputy

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