

RESOLUTION NO. 4299

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT FOR PUBLIC UTILITIES:

Grantor


Gaylyn Bellegante

Purpose

A permanent 10-foot wide public utility easement more particularly described in the attached "EASEMENT FOR PUBLIC UTILITIES" and located in the attached vicinity map labeled "EXHIBIT A".

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

DATED THIS 28TH DAY OF JUNE 2000.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

TAXES: EXEMPT

THIS AGREEMENT, made and entered into this 2nd day of June, 2000, by and between Gaylyn Bellegante, 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:

An area of land in Lot 3 of Port Side Subdivision in the City of Albany, Linn County, Oregon described as follows:

The Eastern 10.0 feet of even width of said Lot 4 of Pot Side Subdivision.

Excepting therefrom any portion lying within existing easements as dedicated on Port Side Subdivision Plat.

See 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.
3. The easement granted is in consideration of \$825.00, receipt of which is acknowledged by the Grantor, 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.
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:

Gayln
Gaylyn Bellegante

STATE OF OREGON)
County of Linn) ss.

The foregoing instrument was acknowledged before me this 2nd day of June, 2000, by Gaylyn Bellegante.

Cheryl Lynn Kirby
Notary Public for Oregon

My Commission Expires: Feb 9, 2003



CITY OF ALBANY:

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

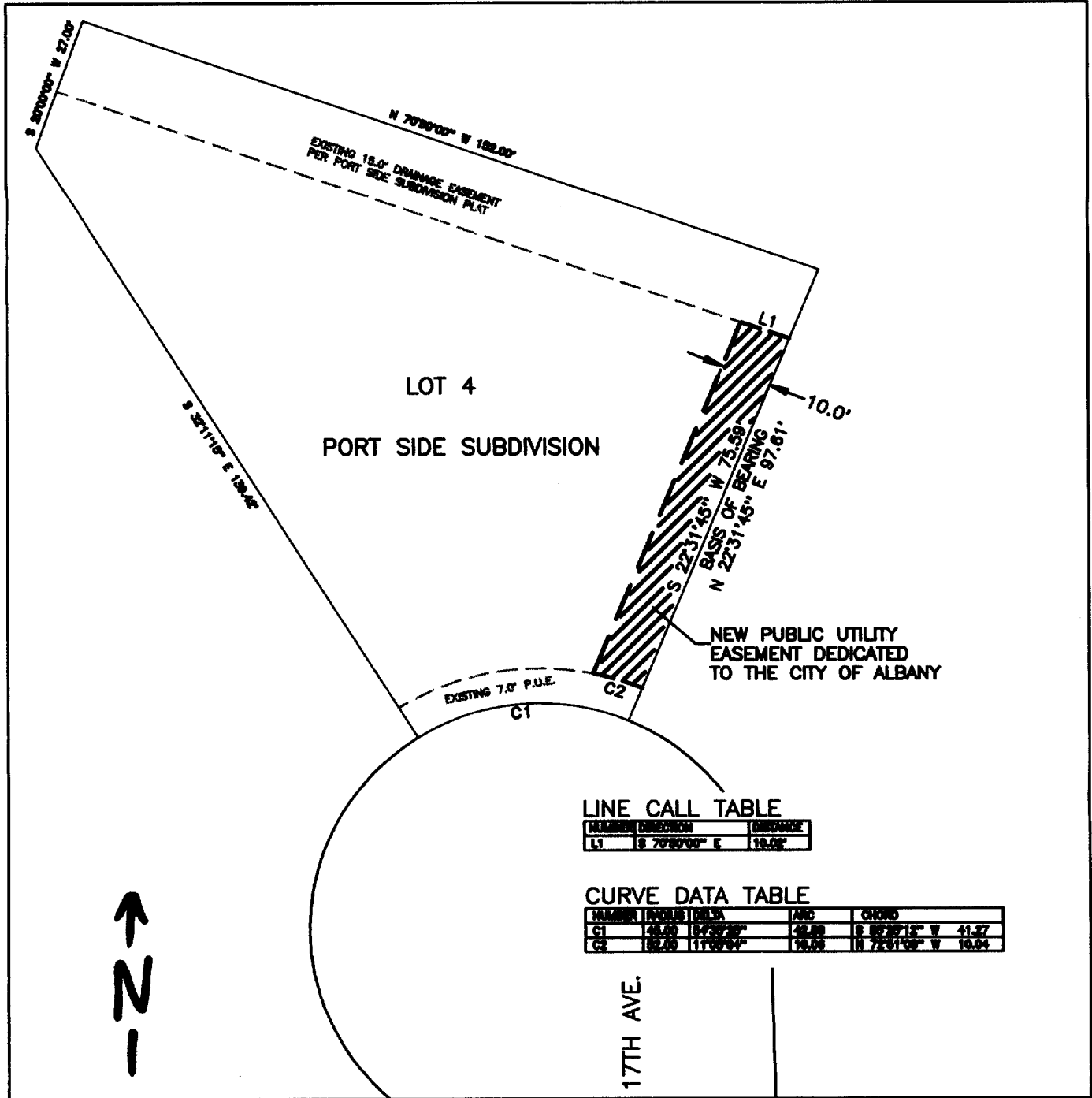
I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 4299, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 28 day of June, 2000.

Steve Bryant
City Manager

ATTEST:

Ken Thompson
City Recorder

EXHIBIT "A"
 PUBLIC UTILITY EASEMENT
 CITY OF ALBANY, LINN COUNTY, OREGON
 SCALE 1" = 20'



LINE CALL TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 70°50'00" E	10.02'

CURVE DATA TABLE

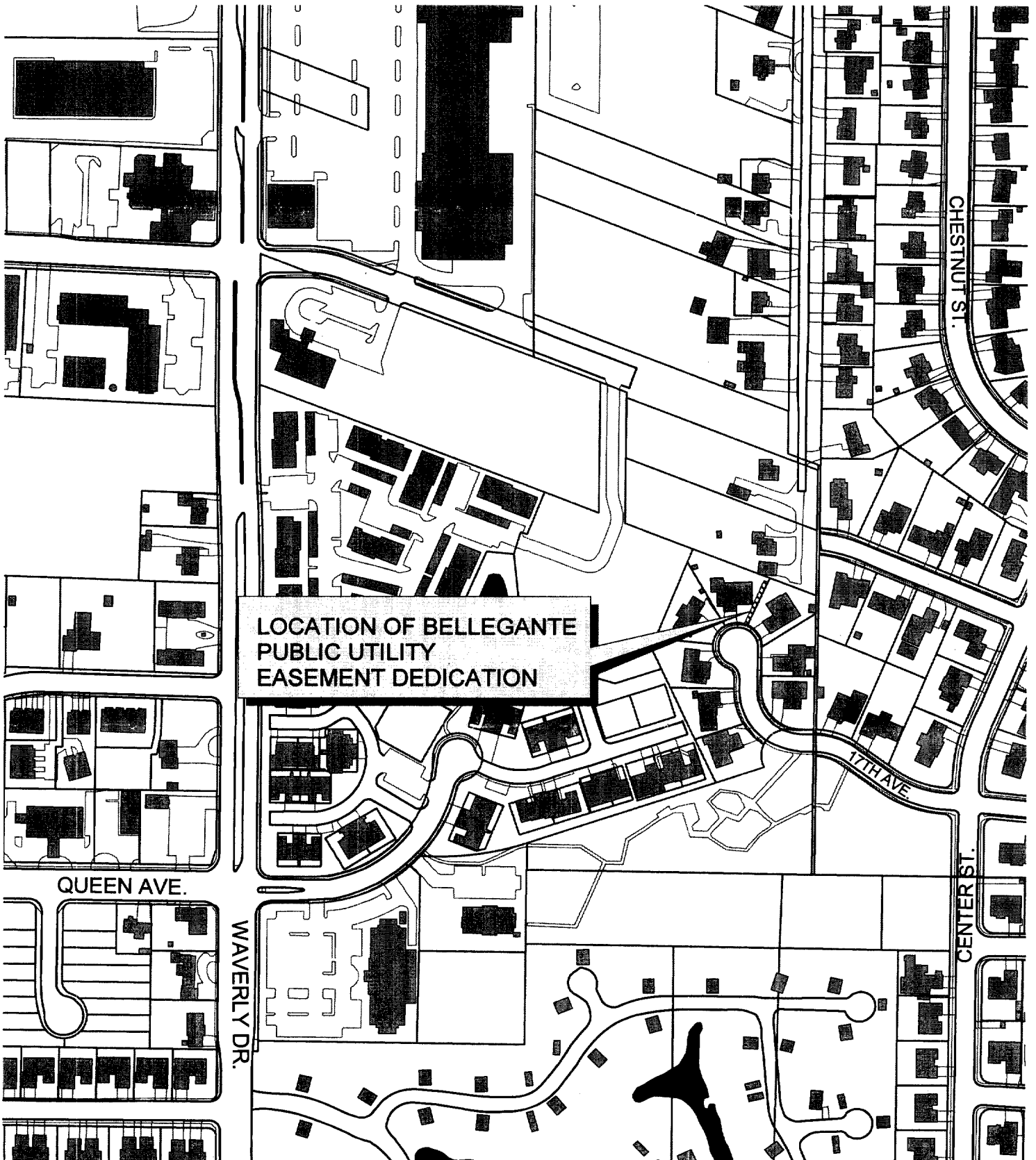
NUMBER	CHORD BEARS	ARC	CHORD
G1	12.50 87°32'30"	22.50	S 87°32'12" W 41.27
G2	10.00 117°00'00"	10.00	N 72°01'00" W 10.04

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Vicinity Map

Gaylyn Bellegante
EASEMENT FOR PUBLIC UTILITIES



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 SR, Deputy

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R 20
S 10
A 11
O

MF 1116

PAGE 999

41
JUL 17 P 2:17

Resolution No. 4299

Recorded Document Recorder File No. 3644