

RESOLUTION NO. 4667

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

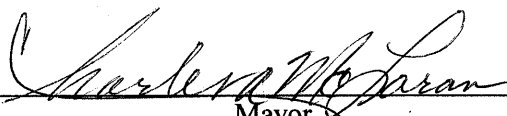
Albany Boys' Club, Inc. an Oregon Corporation

Purpose


A permanent public utility easement described in attached EXHIBIT A and as shown in attached EXHIBIT B.

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

DATED THIS 27TH DAY OF MARCH 2002.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 21 day of February, 2002, by and between **Albany Boys' Club, Inc. an Oregon Corporation**, hereinafter called Grantor, 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 grantor has this day bargained and sold and by these presents does 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 public utility easement, more particularly described in attached EXHIBIT "A" and shown in attached EXHIBIT "B"
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, 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 Grantor does 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.
6. 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 Grantor has hereunto fixed his hand and seal the day and year above written.

**GRANTOR:**  
Albany Boys' Club, Inc. an Oregon Corporation

**CITY OF ALBANY:**

By Ronald E. Loney  
Representative

Title Ex. Director

STATE OF OREGON )  
County of Linn ) ss.  
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 4667 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 1<sup>st</sup> day of April, 2002.

This instrument was acknowledged before me on the date: 2/21/02

By ~~Cheryl Lynn Kirby~~ Ronald E. Loney

Title Ex. Director


Steve Bryant  
City Manager

of Albany Boys' Club, Inc. an Oregon Corporation.

ATTEST:

Cheryl Lynn Kirby  
Notary Public for Oregon  
My Commission Expires: Feb 9, 2003

Betty J. [Signature]  
City Recorder

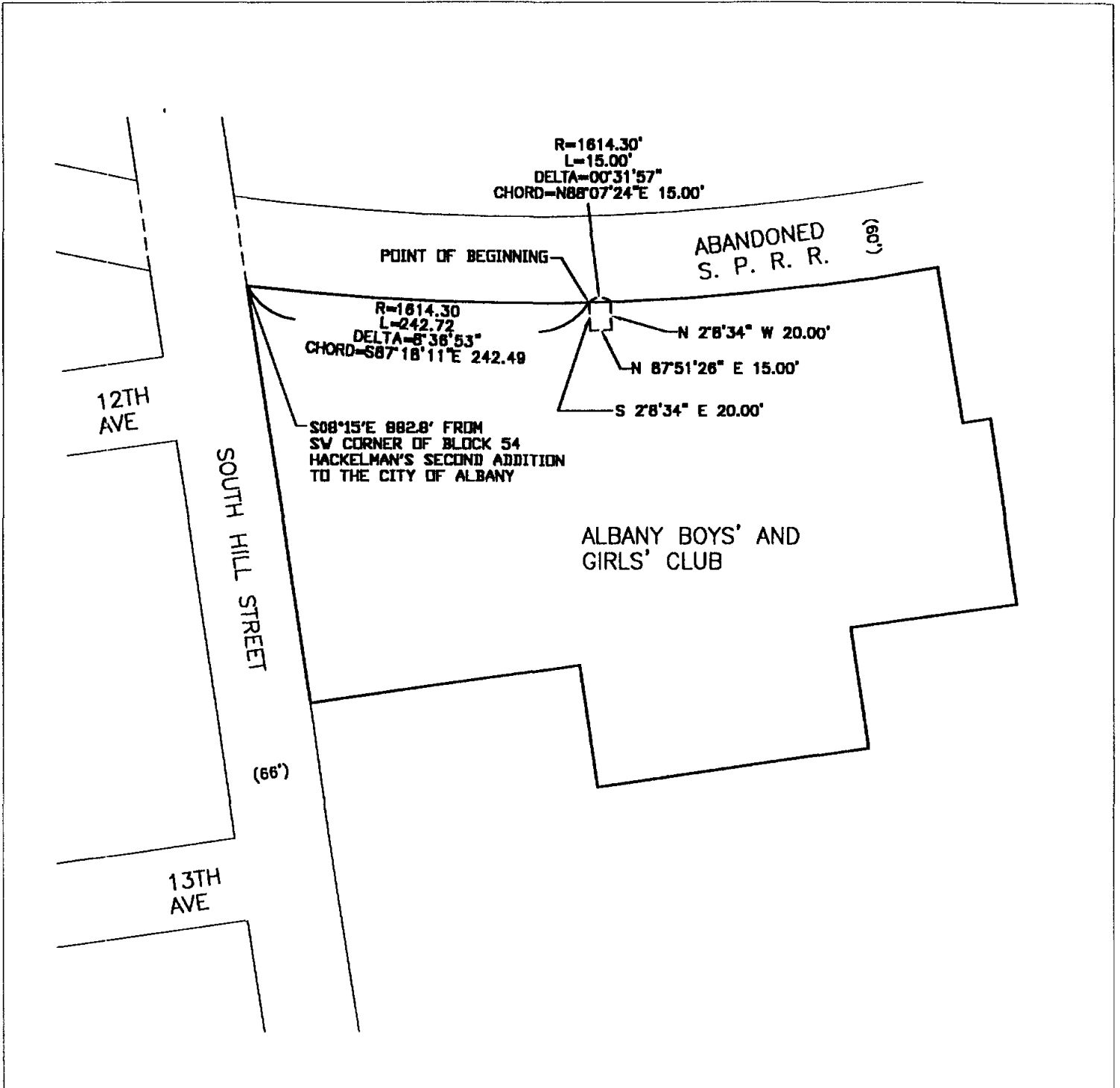


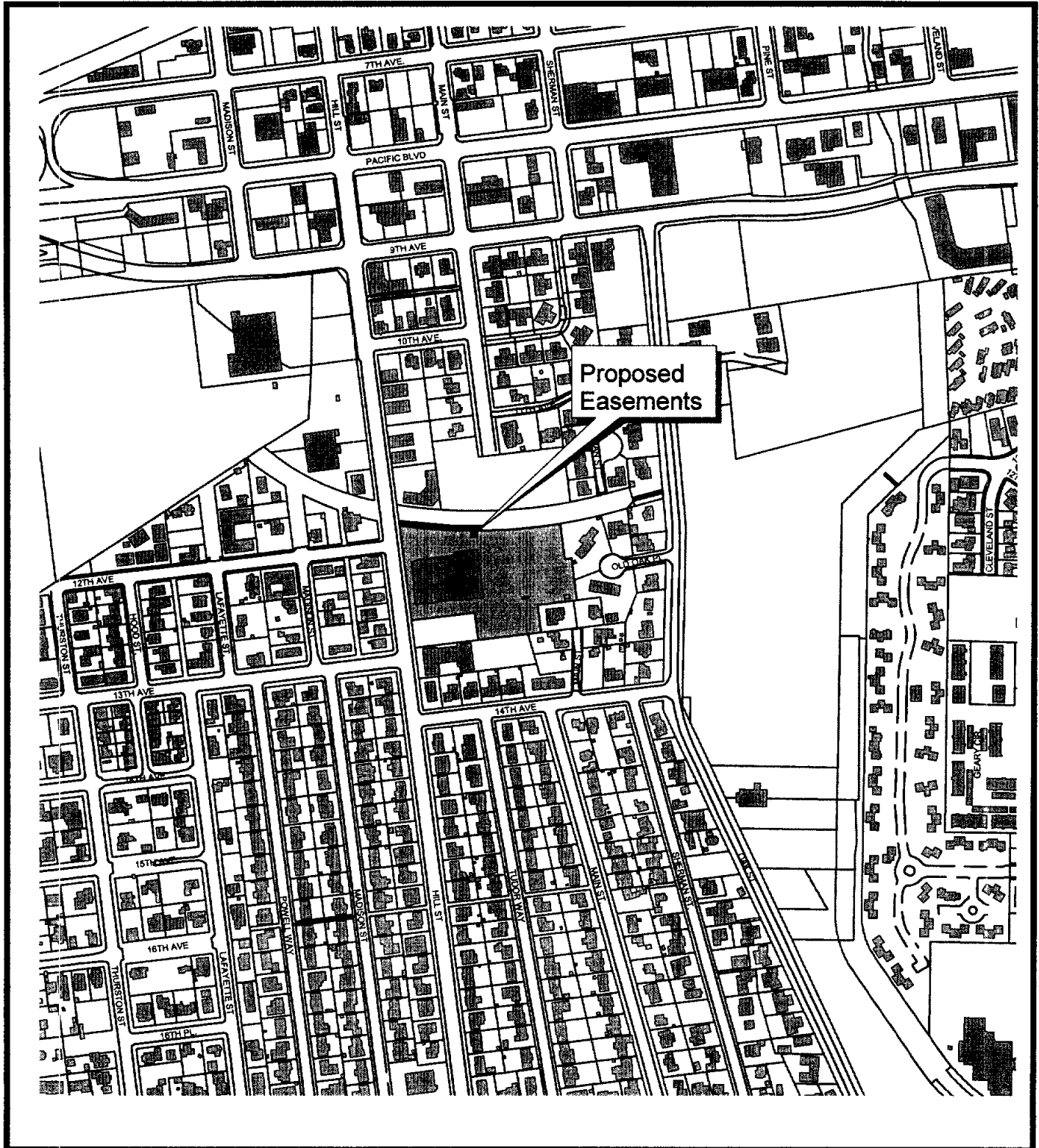


# EXHIBIT B

ALBANY BOYS' AND  
GIRLS' CLUB  
PUBLIC UTILITY  
EASEMENT

BLOCK 54 OF:  
HACKLEMAN'S SECOND ADDITION  
SECTION 7, T 11 S, R 3 W, WILLAMETTE MERIDIAN, LINN COUNTY, OREGON





# VICINITY MAP



Albany Boys' and Girls' Club  
City of Albany

Mike Brash

angles J VAV\_PROJ/SITE\_MAP APR

Engineering

March 15, 2002

Public Utility Easements  
Block 54 Hackleman's  
Second Addition



# EXHIBIT A

## Albany Boys' Club, Inc. Easement Legal Description

A portion of land located in the Northeast ¼ of Section 7, Township 11 South, Range 3 West, of the Willamette Meridian, City of Albany, Linn County, Oregon, more described as follows:

Beginning at a point South 08°15' East 882.8 feet, and South 87°18'11" East 242.49 feet from the Southwest corner of Block 54 of Hackleman's second addition to the City of Albany, thence South 02°08'34" East 20.00 feet, thence North 87°51'26" East 15.00 feet, thence North 02°08'34" West 20.00', thence along a curve to the right with a radius of 1,614.30 feet which chord bears South 88°07'24" West 15.00' to the point of beginning.

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

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Recorded Document Recorder File No. 4094