

RESOLUTION NO. 4810

A RESOLUTION GRANTING THE FOLLOWING WELLHEAD PROTECTION EASEMENT:

Grantor: CITY OF ALBANY

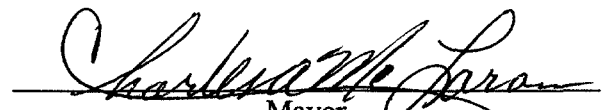
Purpose

Grantee: Grand Prairie Water Supply Company

A 100-foot radius Wellhead Protection Easement

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

DATED AND EFFECTIVE THIS 12th DAY OF MARCH 2003.



Mayor

ATTEST:



City Recorder

WELLHEAD PROTECTION EASEMENT

THIS EASEMENT, granted this 12 day of March 2003 by the **City of Albany**, a Municipal Corporation, herein called "Grantor," to the **GRAND PRAIRIE WATER SUPPLY COMPANY**, herein called "Grantee."

WITNESSETH:

The Grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the Grantee, easement and right-of-way, including the right to enter upon the real property hereinafter described, and to maintain, repair and protect well facilities.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consists of:

A 100-foot radius wellhead protection easement, more particularly described in attached EXHIBIT "A" and shown in attached EXHIBIT "B."
2. The easement described herein grants to the grantee, the right to enter upon said easement at any time that it may see fit for construction, maintenance, evaluation, and/or repair purposes.
3. The Grand Prairie Water Supply Company shall have the right to restrict the placement of any structures, objects, including fill, vehicles, debris, non-approved herbicides, petroleum products, or other contaminants by anyone within this wellhead protection easement.
4. This easement shall not prevent the Grand Prairie Water Control District from performing standard maintenance activities along Periwinkle Creek.
5. This easement shall automatically terminate if the well is no longer used to supply water to the Grand Prairie Subdivision by the Grand Prairie Water Supply Company or its successor.

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

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year above written.

GRANTOR:
City of Albany

CITY OF ALBANY:

By:

Ken Thompson
Ken Thompson,
Assistant City Manager/Admin. Services 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 4810, do hereby grant on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 12 day of March 2003.

The instrument was acknowledged before me this 13 day of March 2003 by Ken Thompson, Assistant City Manager/Administrative Services Director, City of Albany.

Steve Bryant
City Manager

ATTEST:

Margaret Langwell
Notary Public for Oregon
My Commission Expires: Sept. 2, 2004

Ken Thompson
City Recorder

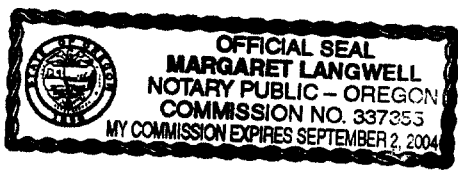
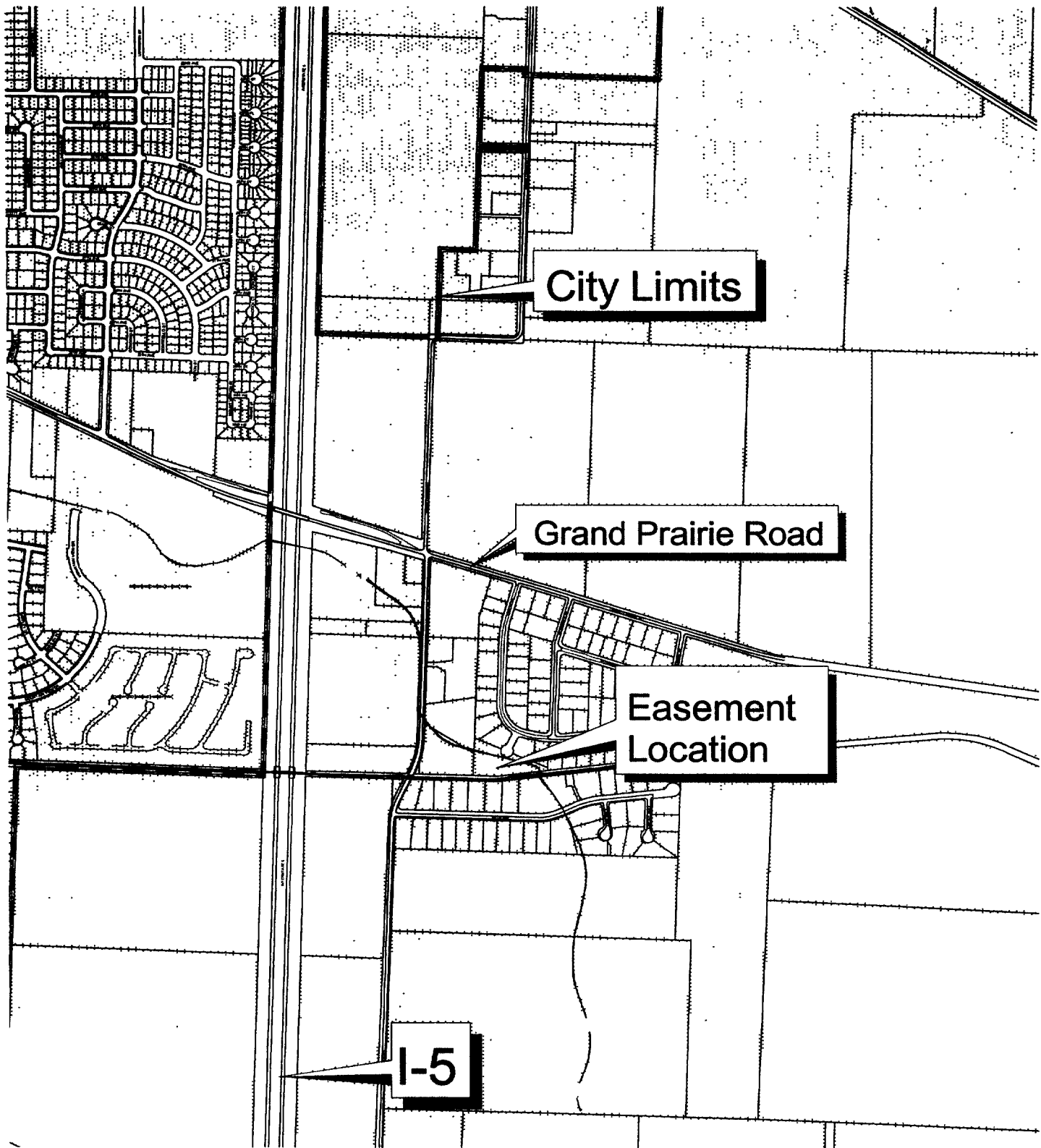


Exhibit "A"

Legal Description for Wellhead Protection Easement:

A 100-foot radius easement, centered over the well serving the Grand Prairie Subdivision, said point lying 154 feet East and 53 feet North of the Southwest Corner of Lot 12, Block 1, of Grand Prairie Subdivision. Said easement consists of that portion of the 100-foot radius circle that lies on said Lot 12, as shown on the attached map labeled Exhibit "B".



Vicinity Map



Public Works

gordons nil

Gordon Steffensmeier

Feb 24, 2003

0 1000 Feet



The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades using differing standards for quality control, documentation, and verification. As the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, occasionally this information proves to be incorrect, and thus its accuracy is not warranted. Prior to making any property purchase or other investments based in full or in part upon the information provided, it is specifically advised that you independently field verify the information contained within our records.



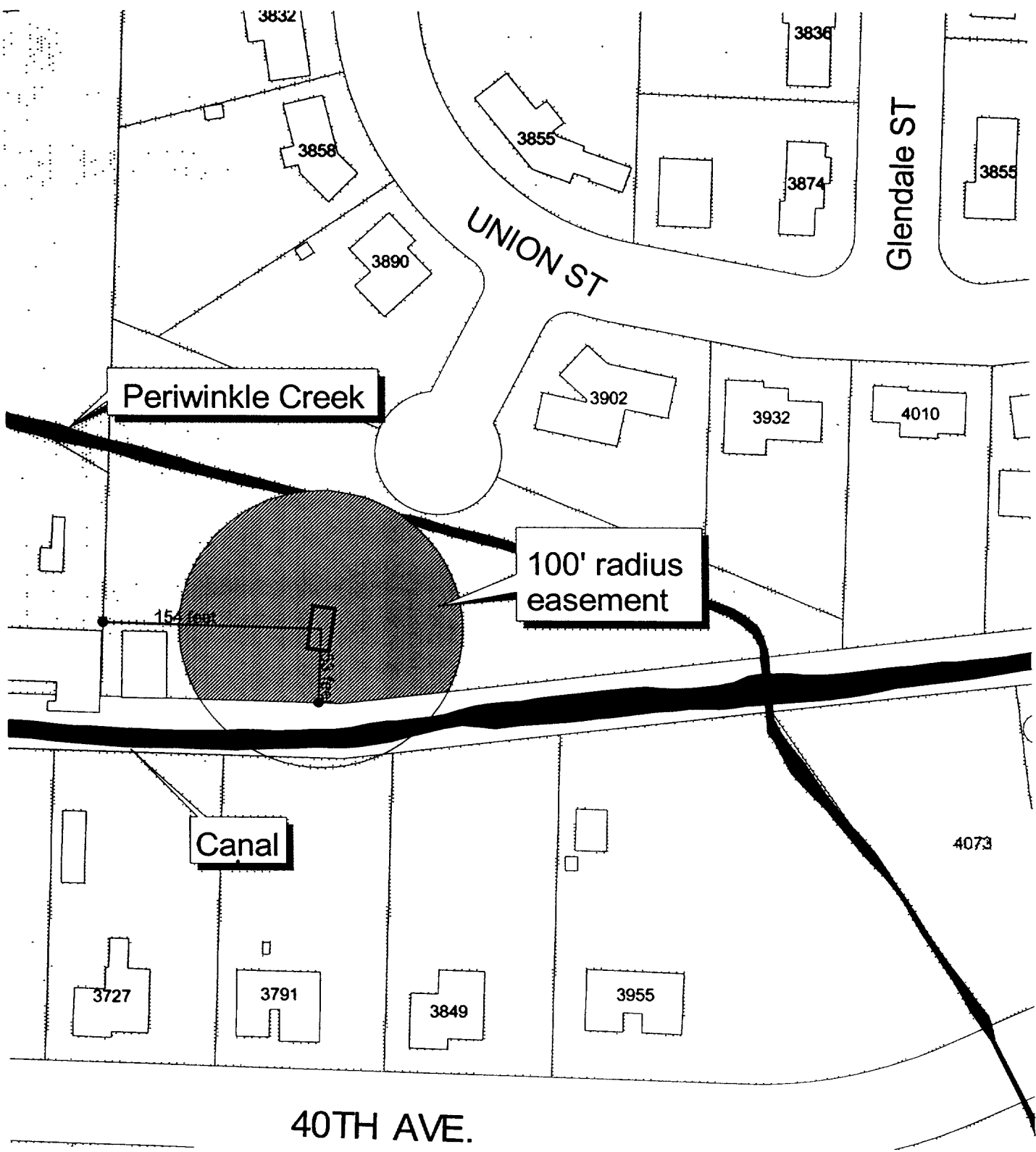


Exhibit B



Public Works

gordons nil

Gordon Steffensmeier

Jan 29, 2003

0 100 Feet



The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, occasionally this information proves to be incorrect, and thus its accuracy is not warranted. Prior to making any property purchases or other commitments based in full or in part upon the information provided, it is specifically advised that you independently field verify the information contained within our records.



STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

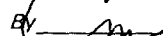
STEVE DRUCKENMILLER
Linn County Clerk

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By  Deputy PAGE 67

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Recorded Document Recorder File No. 4179