

RESOLUTION NO. 5515

A RESOLUTION GRANTING THE FOLLOWING UNDERGROUND ELECTRICAL POWER EASEMENT FOR THE WASTEWATER TREATMENT PLANT:

Grantor: **City of Albany**

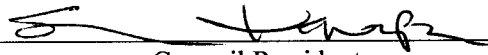
Purpose

Grantee: **PacificCorp**

To provide primary power connection, metering and miscellaneous appurtenances for the Wastewater Treatment Plant

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby grant this underground electrical power easement.

DATED AND EFFECTIVE THIS 5th DAY OF NOVEMBER 2007.



Council President

ATTEST:



City Recorder

Return to: Pacific Power
830 Old Salem Rd
Albany, OR 97321

UNDERGROUND ELECTRICAL POWER EASEMENT, WASTEWATER TREATMENT PLANT

THIS EASEMENT, granted this 5th day of November 2007 by the **City of Albany**, a Municipal Corporation, herein called "Grantor," to **PacificCorp**, an Oregon Corporation, its successors and assigns, herein called "Grantee."

WITNESSETH:

For value received, the Grantor hereby grants an easement and right-of-way, 10 feet in width and 60 feet in length, more or less, the right to enter upon the real property hereinafter described, for construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of Grantee's underground electric distribution and communication lines, including without limitation: wires, fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, cabinets, vaults on across or under the surface of the real property of Grantor in Linn County, State of Oregon, as more particularly described as follows and/or as shown on Exhibit A attached hereto and by this reference made a part hereof:

In the SW 1/4 of the NE 1/4 of Section 5, Township 11 South, Range 3 West, Willamette Meridian, Linn County Oregon:

A ten foot wide easement lying adjacent to, west of and parallel to the following described line. Beginning at the northeast corner of Lot 12 of Block 27, Burkhart Park Addition to Albany in Linn County, Oregon, a subdivision of record recorded on December 11, 1911; thence south 60 feet along the east property line of said Lot 12 to the terminus of the easement.

Together with the right of access, for Grantee, its contractors, or agents, to the right of way from adjacent lands of the Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future right to keep this right of way clear of all brush, trees, buildings and other hazards which might endanger the Grantee's facilities or impede Grantee's activities.

At no time shall the Grantor place or store flammable materials (other than agricultural crops), or light any fires, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

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

CITY OF ALBANY:

GRANTOR:
City of Albany

By:

Stewart Taylor
Stewart Taylor,
Finance Director

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

I, Wes Hare, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 5515, do hereby grant on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 6th day of November 2007.

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

The instrument was acknowledged before me this 26 day of November 2007 by Stewart Taylor, Finance Director, City of Albany.

Wes Hare
City Manager

ATTEST:

Margaret Langwell
Notary Public for Oregon
My Commission Expires: September 2, 2008

Betty Langwell
City Recorder

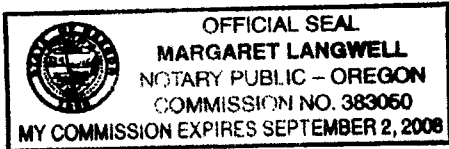


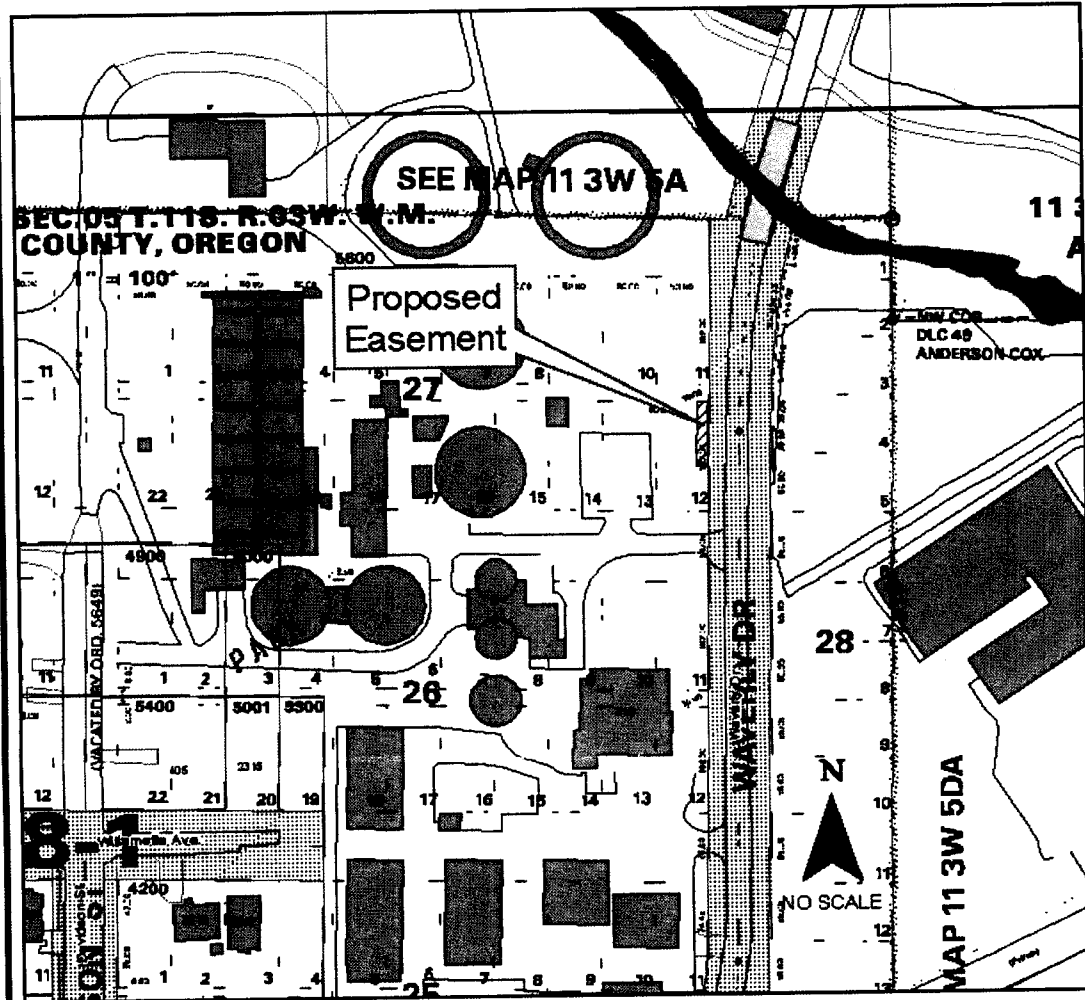
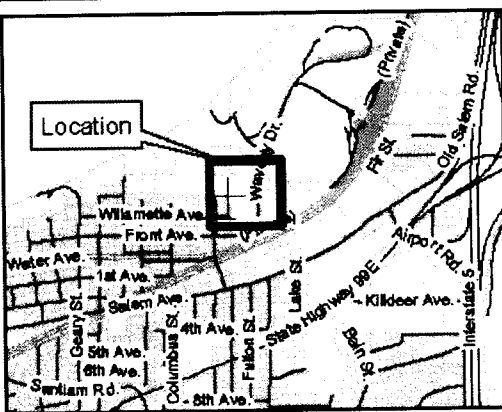
EXHIBIT A

A 10-foot wide easement lying adjacent to, west of, and parallel to the following described line.

Beginning at the northeast corner of Lot 12 of Block 27, Burkhart Park Addition to Albany in Linn County, Oregon, a subdivision of record recorded on December 11, 1911; thence south 60 feet along the east property line of said Lot 12 to the terminus of the easement.



Geographic Information Services



CC#:

WO#:



EXHIBIT A

This drawing should be used only as a representation of the location of the easement area. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2007-27423**
E-UNDER
Cnt=1 Str=1 COUNTER 11/26/2007 02:48:07 PM
\$20.00 \$11.00 \$10.00 **\$41.00**



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.



Steve Druckenmiller - County Clerk

After Recording Return To:

City of Albany City Clerk _____

PO Box 490 _____

Albany, OR 97321 _____

All Tax Statements Should Be Sent To:

Exempt _____

1. Name/Title of Transaction - by ORS 205.234 (a)

EASEMENT FOR UNDERGROUND ELECTRICAL POWER AT THE WASTEWATER TREATMENT PLANT

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

City of Albany

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

PacifiCorp, an Oregon Corporation

4. True and Actual Consideration (if there is one), ORS 93.030

\$0.00

Resolution No. 5515

Recorded Document Recorder File No. 5006