

RESOLUTION NO. 5853

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

INTOWN LLC

Purpose

A Blanket Access Easement providing access to a sewer main for the Intown Mini-storage development.

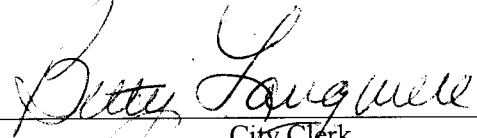
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED AND EFFECTIVE THIS 14TH DAY OF OCTOBER 2009.



Mayor

ATTEST:



City Clerk

BLANKET ACCESS EASEMENT

THIS EASEMENT, granted this 28 day of September 2009 by **INTOWN LLC**, herein called "Grantor," to the **City of Albany, Oregon, a Municipal Corporation**, 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, and grantee's heirs, successors and assigns, an ingress and egress easement and right-of-way, including the right to enter upon the real property hereinafter described, for the purpose of accessing and maintaining a sanitary sewer pipe and manhole.

This agreement is subject to the following terms and conditions:

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

A blanket access easement over the property described in attached EXHIBIT "A" and shown on the maps in attached EXHIBIT "B" and Exhibit "C".
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 inspection, construction, maintenance, evaluation, and/or repair purposes of the sanitary sewer system.
3. The easement is not an exclusive easement. The grantor reserves the right to build structures and place utilities within the easement area and grant easements to others over all or portions of the easement area, as long as the grantee retains maintenance vehicle access between Highway 20 and the sanitary sewer manhole along the northeast property line of the site.

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

CITY OF ALBANY:

**GRANTOR:
Intown LLC**

By: Clifford Maier
Clifford Maier

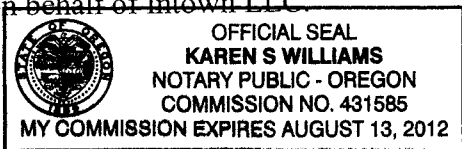
STATE OF OREGON)
County of Linn) ss.
City of Albany)

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 5853, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 15 day of October 2009.

The instrument was acknowledged before me this 28th day of September 2009 by Clifford Maier, on behalf of Intown LLC.

Wes Hare
City Manager



ATTEST:

Karen S. Williams
Notary Public for Oregon
My Commission Expires: August 13, 2012

Margaret Langwell
City Recorder

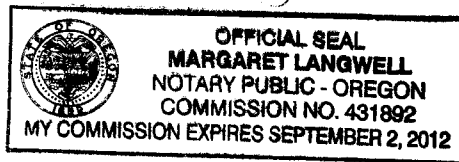


Exhibit "A"

Legal Description for Blanket Easement:

Lots 1 and 3, Block 4, Glendorr Subdivision, located in the Northwest ¼ of the Northwest ¼ of Section 9, Township 11 South, Range 3 West, Willamette Meridian, Linn County, Oregon. Further described as follows:
Beginning at the Northeast corner of lot 3 thence North 70°28'23" West, 220.07';
Thence South 19°21'06" West, 77.67';
Thence South 19°18'33" West, 70.98';
Thence South 70°41'14" East, 94.99';
Thence South 19°20'37" East, 237.03';
Thence South 81°57'43" East, 25.50';
Thence North 19°20'58" East, 214.96';
Thence South 70°39'00" East, 100.00';
Thence North 19°21'00" East, 164.98' to the point of beginning containing 0.92 acres more or less.

Exhibit "B"

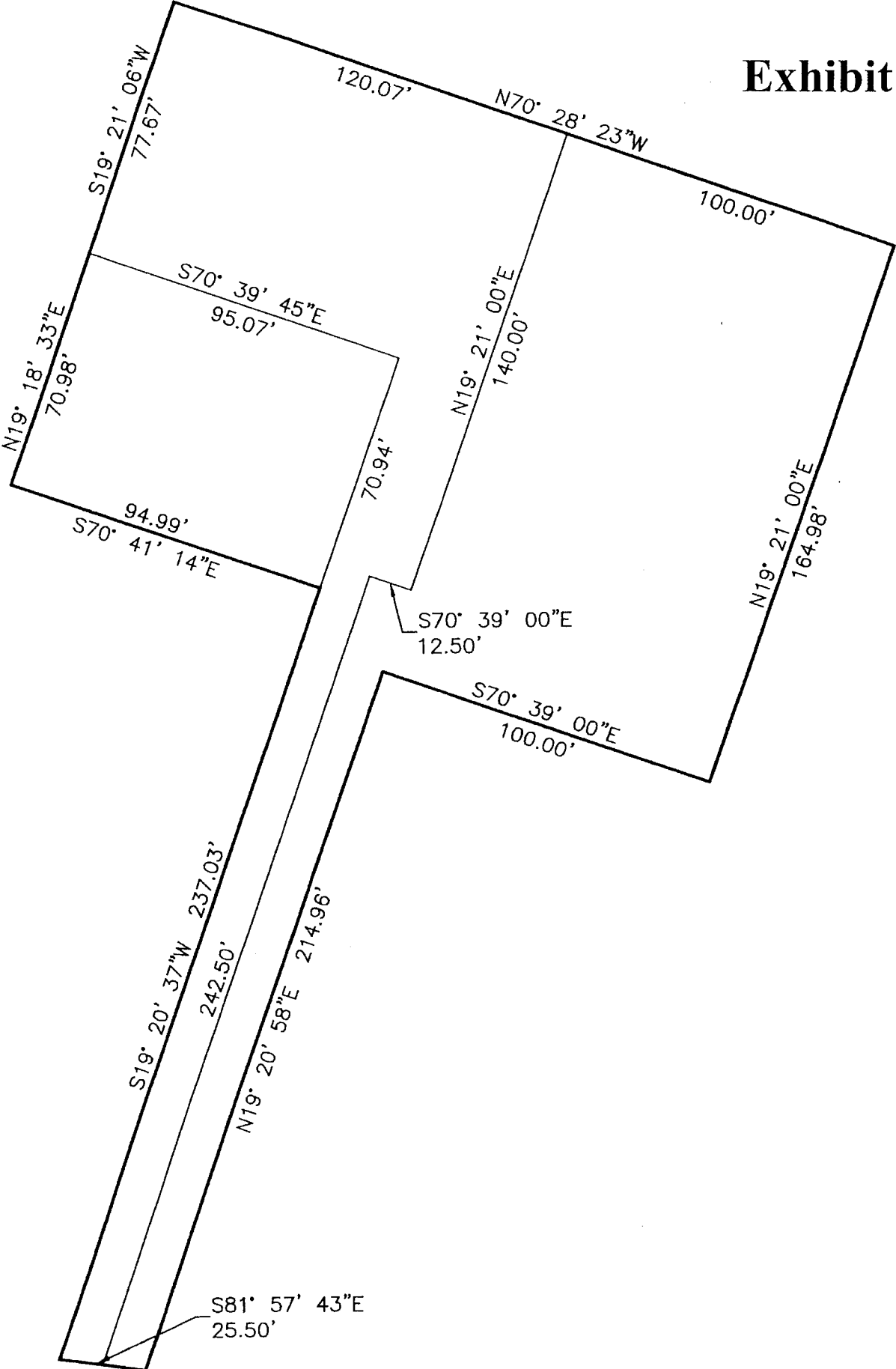


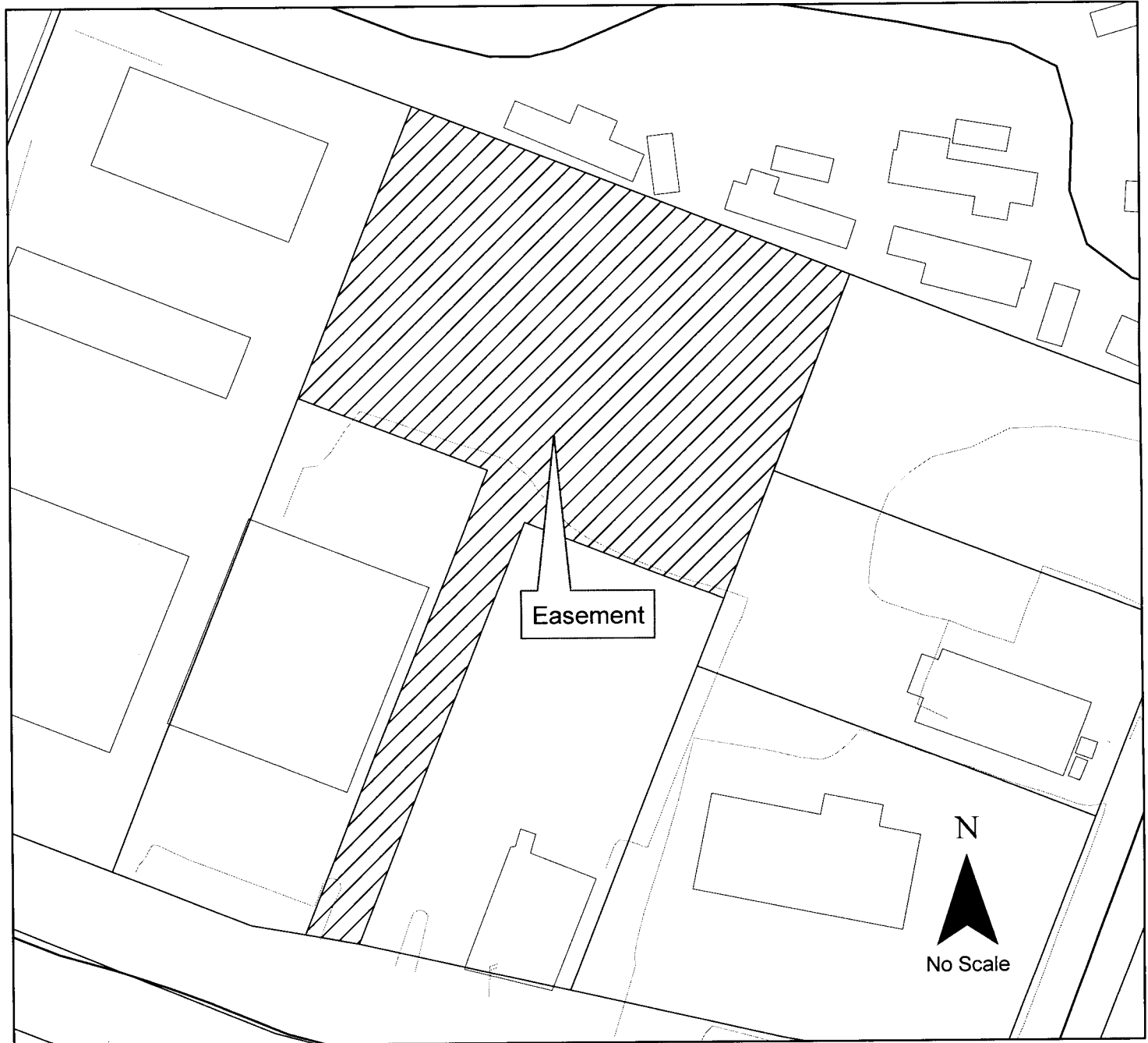
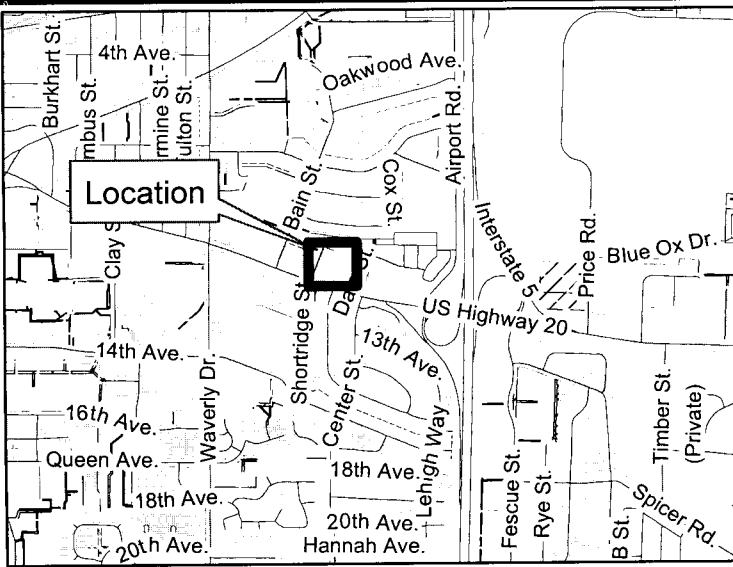
EXHIBIT C

11SO3W09BB01500

A Blanket Access Easement
providing access to a sewer
main for the Intown Mini-storage
development.



Geographic Information Services



LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2009-18171**
E-AE
Cnt=1 Str=1 COUNTER **10/16/2009 03:31:15 PM**
\$30.00 \$11.00 \$15.00 \$9.00 \$10.00 **\$75.00**



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)
BLANKET ACCESS EASEMENT
2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160
INTOWN, LLC
3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160
City of Albany
4. True and Actual Consideration (if there is one), ORS 93.030
\$0.00

Resolution No. 5853

Recorded Document Recorder File No. 5406