

RESOLUTION NO. 6452

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Purpose

Autozone Parts, Inc.

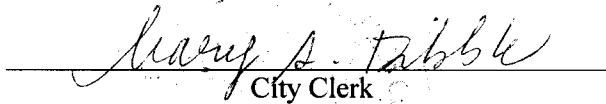
A 20 foot wide sanitary sewer easement, as part of the Autozone Development Project.

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

DATED AND EFFECTIVE THIS 9TH DAY OF SEPTEMBER 2015.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

**LINN COUNTY**  
Recording Cover Sheet  
All Transactions, ORS: 205.234

LINN COUNTY OREGON **2015-14838**  
E-SEW  
Cnt#1 Sl#44 COUNTER 09/10/2015 03:23:39 PM  
\$30.00 \$11.00 \$20.00 \$19.00 \$10.00 **\$90.00**



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:

AutoZone Parts, Inc. A Nevada Corporation

\_\_\_\_\_  
\_\_\_\_\_

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

Easement for Sanitary Sewer

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

AutoZone Parts, Inc. A Nevada Corporation

\_\_\_\_\_  
\_\_\_\_\_

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

\$1.00

## EASEMENT FOR SANITARY SEWER

THIS AGREEMENT, made and entered into this 28TH day of AUGUST, 2015, by and between AutoZone Parts, Inc. A Nevada Corporatoin, 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 a sanitary sewer utility for the purpose of conveying public sanitary sewer service 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 sanitary sewer and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public sanitary sewer.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consists of:  
  
A 20 foot wide easement over an new public sanitary sewer. See legal description on attached Exhibit A and map on attached Exhibits B and C.
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.

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

**GRANTOR:**

**AutoZone Parts, Inc.**

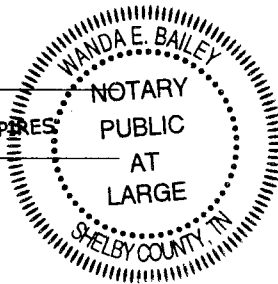
Maria Leggett  
[Signature]

Approved by AutoZone  
Legal & Business Personnel  
[Signature]

STATE OF Tennessee  
County of Shelby ss.  
City of Memphis

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of August 2015,  
by Maria Leggett James C. Griffith as his/her voluntary act and deed on behalf of Autozone  
Parts, Inc. Vice President Vice President

Wanda E. Bailey  
Notary Public for \_\_\_\_\_  
My Commission Expires: MY COMMISSION EXPIRES  
MAY 7, 2018



**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 6452, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 10<sup>th</sup> day of September 2013.



Wes Hare  
City Manager

ATTEST:  
Mary A Dibble  
City Clerk

## Easement Exhibit

An area of land lying in the Northwest 1/4 of Section 8, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon being more particularly described as follow;

Beginning at a point on the west line of and bearing South 7°15'18" East 93.03 feet from a 5/8" iron rod with aluminum cap marking the Northwest corner of that land described in Linn County Deed Microfilm Volume 1151 Page 735 in the Northwest 1/4 of Section 8, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence North 73°02'58" East 99.55 feet; thence North 82°44'42" East 75.89 feet; thence South 52°15'18" East 34.17 feet; thence North 85°50'38" East 31.68 feet; thence North 7°15'18" West 6.49 feet; thence North 82°53'15" East 10.00 feet; thence South 07°15'18" East 7.01 feet; thence North 85°50'38" East 3.73 feet; thence South 04°09'22" East 20.00 feet; thence South 85°50'38" West 53.08 feet; thence North 52°15'18" West 33.54 feet; thence South 82°44'42" West 65.90 feet; thence South 73°02'58" West 101.28 feet; thence North 07°15'18" West 20.29 feet to the point of beginning.

Based on Linn County Survey No. 24937

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*D. M. Crawford*

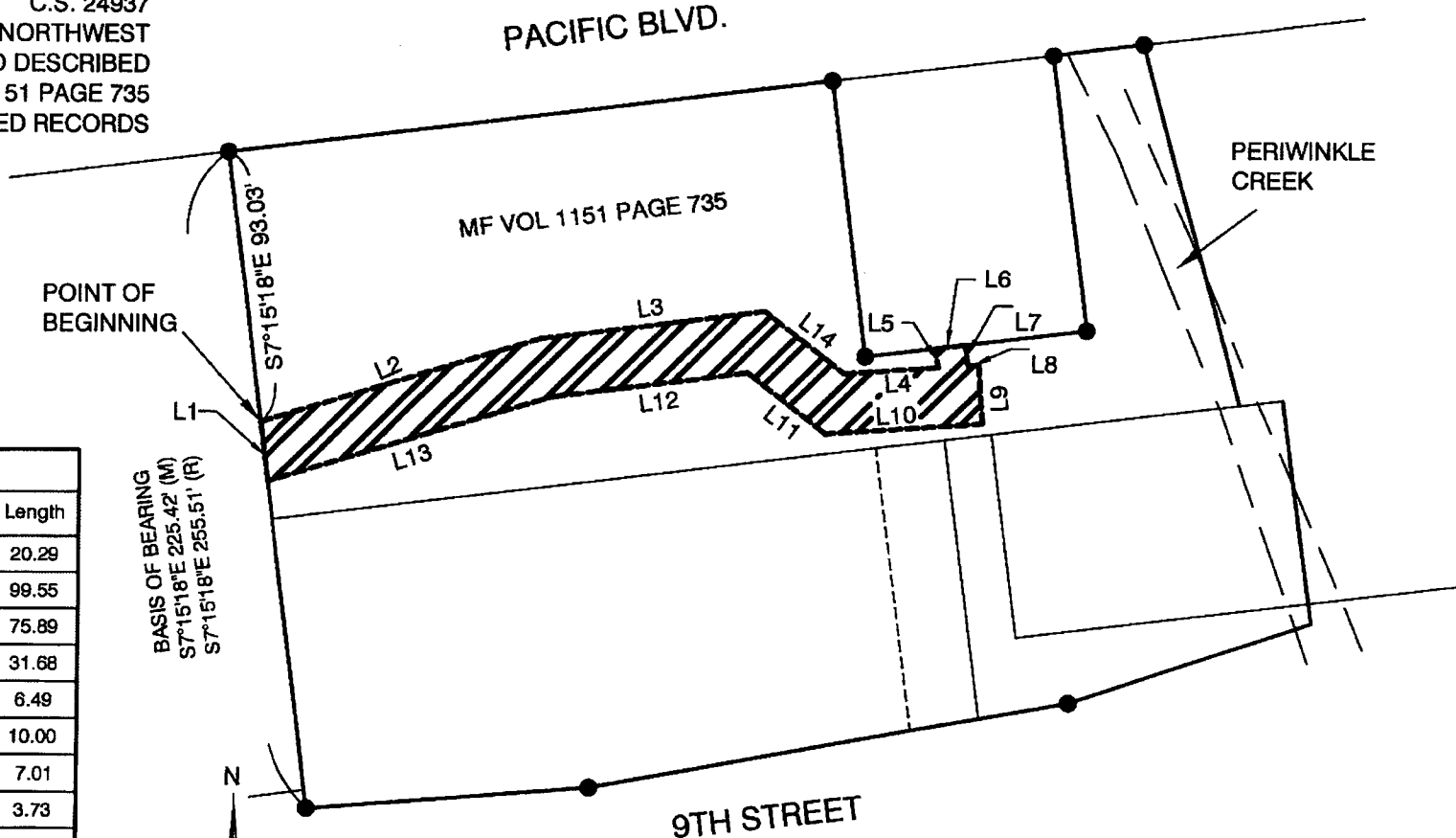
OREGON  
JAN. 9, 2007  
DERON M. CRAWFORD  
#76980 LS

EXPIRATION DATE: 12/31/2015

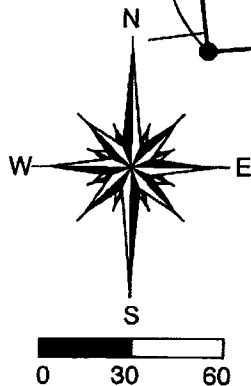
# EASEMENT EXHIBIT

NW 1/4 OF SECTION 8, T11 S, R 3 W, W.M.  
CITY OF ALBANY, LINN COUNTY, OREGON  
SURVEYED: MAY 29, 2014

FD 5/8" IR W/ALUM CAP  
C.S. 24937  
HELD AS NORTHWEST  
COR OF THE LAND DESCRIBED  
IN MF VOL 1151 PAGE 735  
LINN COUNTY DEED RECORDS



Line Table		
Line #	Direction	Length
L1	N7°15'18"W	20.29
L2	N73°02'58"E	99.55
L3	N82°44'42"E	75.89
L4	N85°50'38"E	31.68
L5	N7°15'18"W	6.49
L6	N82°53'15"E	10.00
L7	S7°15'18"E	7.01
L8	N85°50'38"E	3.73
L9	S4°09'22"E	20.00
L10	S85°50'38"W	53.08
L11	N52°15'18"W	33.54
L12	S82°44'42"W	65.90
L13	S73°02'58"W	101.28
L14	S52°15'18"E	34.17



## LEGEND

- MONUMENT FOUND
- FD FOUND
- C.S. COUNTY SURVEY
- IR IRON ROD

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Deron M. Crawford*

OREGON  
JAN. 9, 2007  
DERON M. CRAWFORD  
#78980 LS

**CRAWFORD,  
DRUMMOND &  
ASSOCIATES, INC.**

1055 AIRWAY ROAD, BLDG B  
PO BOX 2385, LEBANON, OREGON 97355  
PH: (541) 258-8833 FAX: (541) 258-8834

EXPIRES: 12-31-2015

# EXHIBIT C

11S03W08BB- 04400

A 20 foot wide Sanitary sewer easement, as part of the AutoZone Development Project



Geographic Information Services

