

RESOLUTION NO. 6454

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Glorietta Bay, LLC

Purpose

A variable-width sanitary sewer and storm drainage easement over existing sewer and storm drainage lines. In conjunction with the release of 370 feet of a 420 foot wide sewer easement.

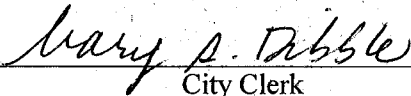
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED AND EFFECTIVE THIS 14TH DAY OF OCTOBER 2015.



Mayor

ATTEST:



City Clerk

LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY OREGON **2015-16973**
E SEW
Cnt=2 Stn=44 COUNTER 10/19/2015 01:57:57 PM
\$30.00 \$5.00 \$11.00 \$20.00 \$19.00 \$95.00



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:

City of Albany

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

Easement for Public Sanitary Sewer and Storm Drainage

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

City of Albany

PO Box 490

Albany OR 97321

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

Glorietta Bay, LLC

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

\$1.00

EASEMENT FOR PUBLIC SANITARY SEWER AND STORM DRAINAGE

THIS AGREEMENT, made and entered into this 16 day of Oct, 2015, by and between Glorietta Bay, LLC, 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, including the right to enter upon the real property hereinafter described, and to construct, maintain, and repair public sanitary sewer and storm drainage lines for the purpose of providing sanitary sewer and storm drainage lines over, across, and through the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public sewer and storm drainage and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public sewer and storm drainage lines.

This agreement is subject to the following terms and conditions:

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

A variable-width sanitary sewer and storm drainage easement over existing sewer and storm drainage lines. In conjunction with the release of 370 feet of a 420 foot wide sewer easement..

See legal description on attached Exhibit A and maps on attached Exhibit B and Exhibit 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.

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

GRANTOR:

Glorietta Bay, LLC

[Handwritten Signature]

Scott Lepman, Managing Member

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

The foregoing instrument was acknowledged before me this 30th day of September, 2015, by Scott Lepman, Managing Member, as a representative of Glorietta Bay, LLC, as his voluntary act and deed.



Tonia Nellaine McDaniel
Notary Public for Oregon
My Commission Expires: June 17, 2019

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 6454, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 16 day of October 2015.

Wes Hare

City Manager



ATTEST:
Mary A. Dibble

City Clerk

Exhibit A

PUBLIC UTILITY EASEMENT

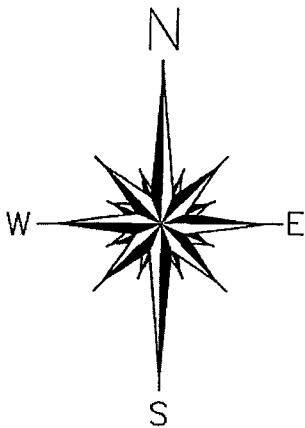
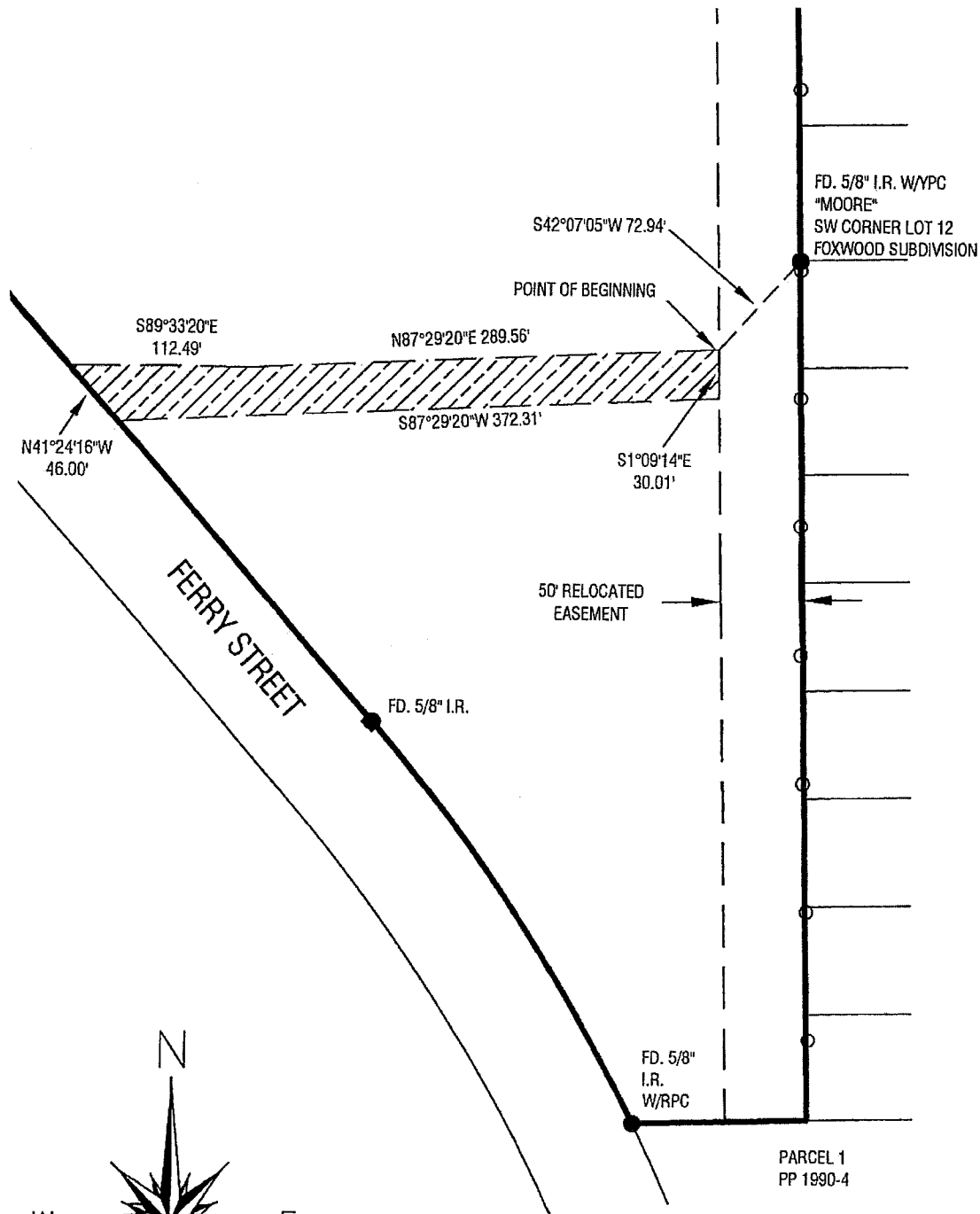
An area of land in the Northwest 1/4 of Section 18, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon being more particularly described as follows;

Beginning at a point bearing South 42°07'05" West 72.94 feet from the Southwest corner of Foxwood Subdivision in the Northwest 1/4 of Section 18, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence South 01°09'14" East 30.01 feet; thence South 87°29'20" West 372.31 feet to the East right-of-way of Ferry Street; thence along said right-of-way North 41°24'16" West 46.00 feet; thence South 89°33'20" East 112.49 feet; thence North 87°29'20" East 289.56 feet to the point of beginning.



EXHIBIT "B"

SANITARY SEWER & STORM DRAIN EASEMENT



REGISTERED
PROFESSIONAL
LAND SURVEYOR

D. M. Crawford

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

EXPIRES: 12-31-2015



Crawford
LAND SURVEYING

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

EXHIBIT C

11S03W18BD-00501

A variable width sanitary sewer and storm drainage easement over existing sewer and storm drainage lines.



Geographic Information Services

