

RESOLUTION NO. 6586

A RESOLUTION GRANTING THE FOLLOWING EASEMENT:

Grantor: **CITY OF ALBANY**

Purpose

Grantee: **PacifiCorp**

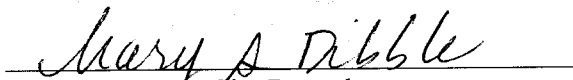
Granting a 10 foot wide Electric Power Easement to PacifiCorp as part of the Carousel Project.

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

DATED AND EFFECTIVE THIS 22nd DAY OF MARCH 2017.

  
Mayor

ATTEST:

  
City Recorder

## ELECTRICAL POWER EASEMENT

THIS EASEMENT, granted this 22nd day of March 2017 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 a perpetual 10 foot wide easement and right-of-way, for the 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 on attached Exhibit A and as shown on the easement maps on attached Exhibits B and C, attached hereto and by this reference made a part hereof.

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, parking, landscaping, 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.

**GRANTOR:**  
City of Albany

**CITY OF ALBANY:**

By:

  
\_\_\_\_\_  
Stewart Taylor,  
Finance Director

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

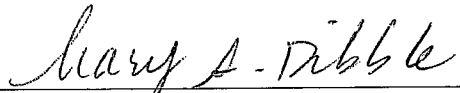
STATE OF Oregon )  
County of Linn    ) ss.  
City of Albany    )

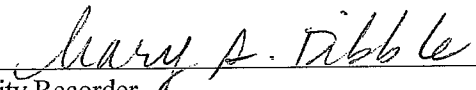
I, Wes Hare, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 6586, do hereby grant on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 23<sup>rd</sup> day of March 2017.

The instrument was acknowledged before me this 23<sup>rd</sup> day of March 2017 by Stewart Taylor, Finance Director, City of Albany.

  
\_\_\_\_\_  
City Manager

ATTEST:

  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 11/6/2020

  
\_\_\_\_\_  
City Recorder

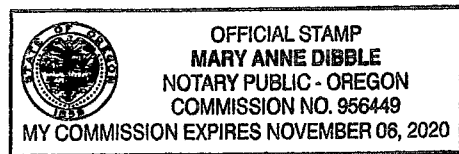
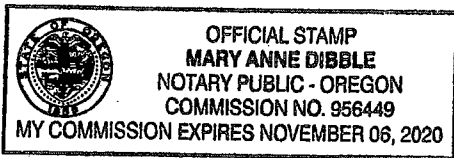


Exhibit "A"

Legal Description  
10 foot wide Power Easement

Located in  
SE 1/4 Section 1, Township 11 South, Range 4 West, Willamette Meridian  
City of Albany, Linn County, Oregon

A 10.00 foot wide strip of land located over portions of the properties conveyed to the City of Albany by deeds recorded in MF Volume 511, Page 219 and Document Number 2013-16972 in the Linn County, Oregon Deed Records, said 10.00 foot wide strip being more particularly described as follows:

Beginning at a point on the south line of that City of Albany property described in said Document Number 2013-16972 (herein after referred to as City of Albany property #1) which point being South 81°37'07" West 79.74 feet from the southeast corner of said City of Albany property #1; thence South 76°03'07" West, along the south line of said City of Albany property #1, a distance of 10.05 feet; thence North 08°22'29" West 33.03 feet; thence North 16°31'36" East 4.49 feet to a point on the north line of that City of Albany property described in said MF Volume 511, Page 219; thence along the arc of a 271.48 foot radius curve to the right, on said north line, (long chord of which bears North 56°59'34" East 7.65 feet) a distance of 7.65 feet; North 57°48'00" East, on said north line, 7.63 feet; thence South 16°31'36" West 13.83 feet; thence South 08°22'29" East 29.85 feet to the Point of Beginning.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR


*Joe J. Cota*  
OREGON  
JULY 9, 2002  
JOE J. COTA  
58561

RENEWS: 12/31/17

Project # 12-37  
Power easement  
By: JJC

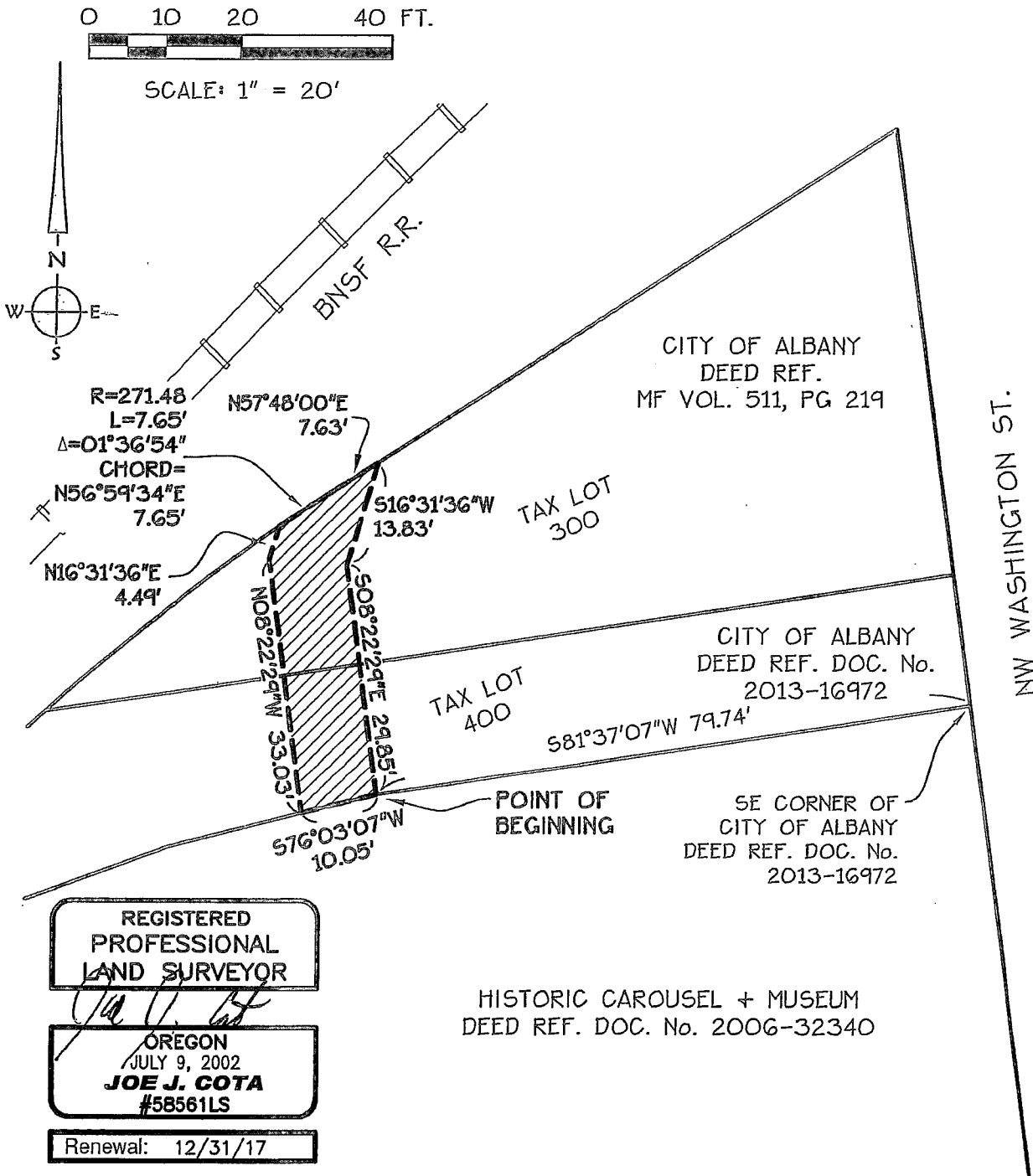
**EASEMENT LEGEND:**

--- 10' WIDE POWER EASEMENT

 AREA OF EASEMENT

**EXHIBIT "B"**

A 10' WIDE POWER EASEMENT  
 LOCATED OVER  
 TAX LOTS 300 AND 400  
 TAX MAP 115-04W-01DD  
 CITY OF ALBANY, LINN COUNTY, OREGON  
 MARCH 21, 2017



REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Joe J. Cota*

OREGON  
 JULY 9, 2002  
**JOE J. COTA**  
 #58561LS

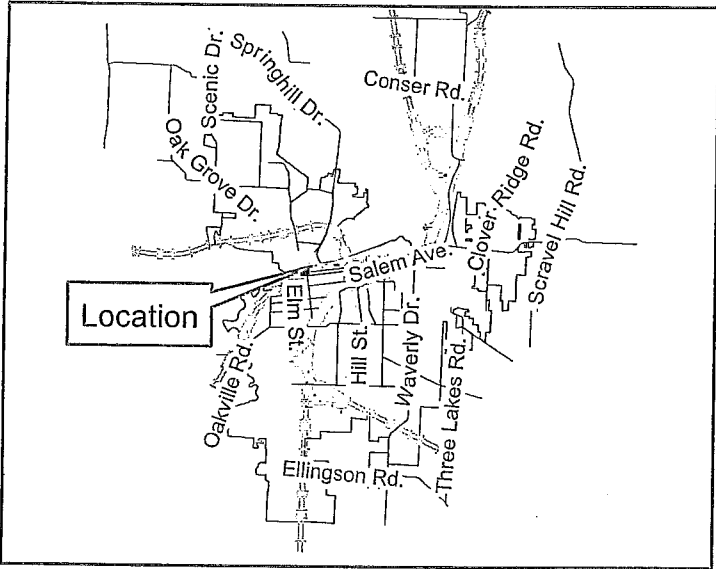
Renewal: 12/31/17

Date: 3/21/2017 Time: 12:33  
 Scale: 1=1(P5)  
 File: dwg\2012\12-37\1237-bm.dwg (George)

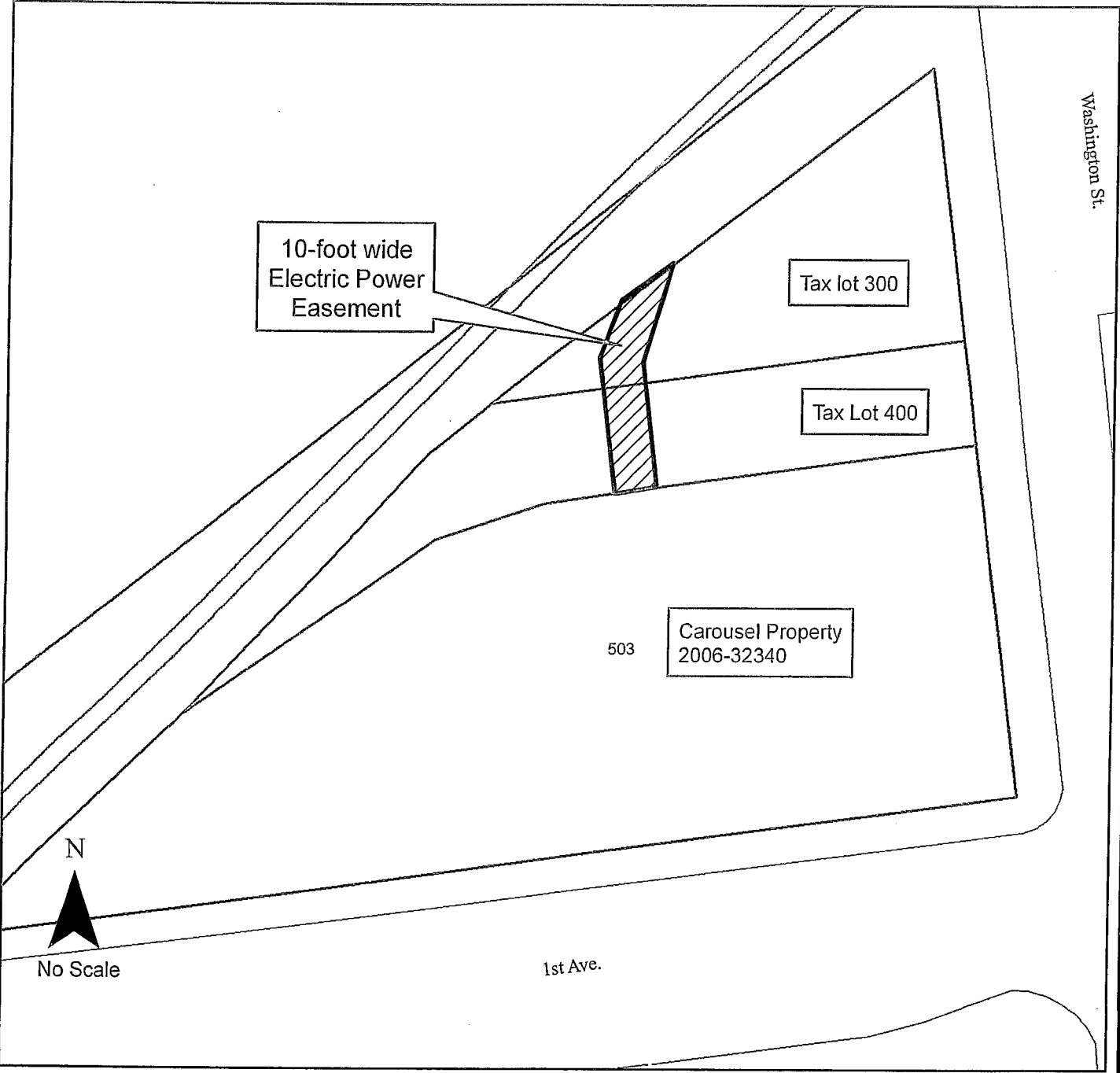
# EXHIBIT C

11S04W01DD- 00300, 00400

A 10 foot wide Electric Power Easement, as part of the Carousel Project



Geographic Information Services



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

LINN COUNTY, OREGON **2017-05192**  
E-EAS  
Cnt=1 Stn=44 COUNTER **03/23/2017 02:55:15 PM**  
\$35.00 \$11.00 \$20.00 \$19.00 \$10.00 **\$95.00**



00293052201700051920070070

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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Electrical Power Easement

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

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

\$0

*Li No. 6516*