

RESOLUTION NO. 2563

BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following easement:

Grantor

CCMW Company

Purpose

to install, maintain and repair water, telephone, electrical and gas utilities located on the south 3 feet of even width of the north 10 feet of even width of Lots 2 through 15 of Block 1 of Friday's Fairway, Linn County, Oregon.

DATED this 28th day of August, 1985.

Tom Hobson

Mayor

ATTEST:

W. Bellamy

City Recorder

AGREEMENT FOR EASEMENT

THIS AGREEMENT, made and entered into this 12 day of August, 1985, by and between CCMW Company, a partnership comprised of Rex Casey, R. Verne Casey, Bernard Miller, and Larry Wabbs, together with Andrew and Tamara Antonson, hereinafter referred to as "The First Party," and the City of Albany, hereinafter referred to as "The Second Party."

W I T N E S S E T H

WHEREAS, the First Party is the record owner of the following described real property in Linn County, State of Oregon, to-wit:

The South 3 feet of even width of the north 10 feet of even width of Lots 2 through 15 of Block 1 of Friday's Fairway, Linn County, Oregon.

And, has the unrestricted right to grant the easement hereafter described relative to said real property;

NOW, THEREFORE, IN CONSIDERATION of the payment of One Dollar and No/100 (\$1.00) by the Second Party to the First Party, and other good and valuable consideration, receipt and adequacy of which is hereby acknowledged, the parties hereto hereby agree as follows:

(1) The First Party does hereby grant, assign, and set over unto the Second Party an easement for the installation, maintenance and repair for water, telephone, electrical, and gas utilities.

(2) The second Party shall have all rights of ingress and egress to and from said real estate (including the right from time-to-time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging and other obstructions) necessary for the Second Party's use, enjoyment, and operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

(3) Except as to the rights herein granted, the First Party shall have the full use and control of the above-described real property.

(4) The Second Party hereby agrees to hold and save the First Party harmless from any and all claims of any third party arising from Second Party's use of the rights granted herein.

(5) The easement described herein shall be perpetual.

(6) The agreement shall bind and inure to the benefit of, as circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators, assigns and successors in interest as well.

(7) In construing this agreement and the context so requires, words in the singular form include the plural; the masculine includes the feminine and the neuter; and, generally, all changes made or implied so that this instrument shall apply both to individuals and to corporations.

IN WITNESS WHEREOF, the parties hereto have hereunto

set their hands and seals the date and year first above written.

CCMW Company

By Bernard Miller

STATE OF OREGON)
) ss
County of Linn)

The foregoing instrument was acknowledged before me
this 9th day of August, 1985, by BERNARD MILLER acting on
behalf of CCMW Company, a partnership.

Sinda J. Huddleston
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6-16-86

Andrew Antonson
Andrew Antonson

Tamara Antonson
Tamara Antonson

STATE OF OREGON)
) ss
County of Linn)

The foregoing instrument was acknowledged before me
this 9th day of August, 1985, by ANDREW ANTONSON and TAMARA
ANTONSON.

Sinda J. Huddleston
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6-16-86

THE CITY OF ALBANY

By William B. Barron

STATE OF OREGON)
) ss
County of Linn)

The foregoing instrument was acknowledged before me
this 29th day of August, 1985, by William B. Barron
on behalf of the City of Albany.

Debbie Andrews
NOTARY PUBLIC FOR OREGON
My Commission Expires: 7/20/89

SEP 12 1985

STATE OF OREGON
County of Linn

I hereby certify that the attached was
received and duly recorded by me in
Linn County records:

Volume: MF 393 Page: 571

At 8:30 O'clock a.m.

DEL W. RILEY
Linn County Clerk

By De, Deputy

*City of Albany
Finance Dept
10-5-85
10000097321*

Resolution No. 2563

Recorded Document Recorder File No. 1729