

RESOLUTION NO. 2606

BE IT RESOLVED by the Albany City Council that it does hereby accept the following easement:

Grantor

Cascade West Health Systems, Inc.

Purpose

To maintain and repair a sanitary sewer within Block 42, City of Albany Addition, Tax Lot 11-4W-12AA (9400), City of Albany, Linn County, Oregon.

DATED this 26th day of February, 1986.



Council President

ATTEST:



City Recorder

EASEMENT FOR A SANITARY SEWER

THIS AGREEMENT, made and entered into this 31st day of January, 1986, by and between CASCADE WEST HEALTH SYSTEMS, INC., herein called grantors, 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 grantors have this day bargained and sold and by these presents do 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 sanitary sewer lines for the purpose of conveying sewer 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 sewer and the further right to remove trees, bushes, under-growth and other obstructions interfering with the location and maintenance of the said sewer.

This agreement is subject to the following terms and conditions:

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

A 15-foot wide sanitary sewer easement. 7.5 feet on either side of a center line more particularly described as follows:

Beginning at a point on the west line of Block 42, City of Albany Addition, in the northeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Linn County, Oregon, said point being S 8° 16' E, 111.5 feet from the northwest corner of said Block 42; thence N 81° 49' E, 77 feet plus or minus to the ending point of the herein described easement.

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 maintenance and repair purposes.
3. The true, actual, and total compensation to be paid by the City to the Grantors, in exchange for the easement rights herein described and granted is:
 - a. The approval of SP-04-86.
5. The City hereby covenants with the Grantors that the compensation agreed upon herein shall be paid to the Grantors within a period of thirty (30) days from the date of this instrument.
6. The Grantors do 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.

- 7. Upon performing any maintenance, the City shall return the site to original or better condition.
- 8. No permanent structure shall be constructed on this easement.

IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year below written.

CASCADE WEST HEALTH SYSTEMS, INC.

By: Ronald L. Purdum
President

By: Nancy A. Jones
Secretary
Nancy A. Jones

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

The foregoing instrument was acknowledged before me this 31st day of January, 1986 by Ronald L. Purdum, president, and by Nancy A. Jones, secretary of CASCADE WEST HEALTH SYSTEMS, INC., an Oregon corporation, on behalf of the corporation.

[Signature]
Notary Public for Oregon
My Commission Expires: 7/9/88

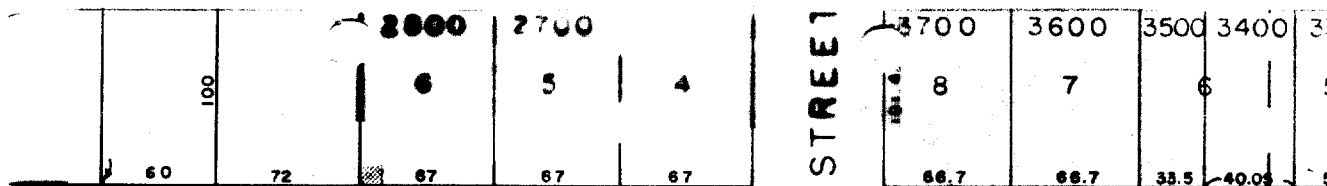
STATE OF OREGON)
County of Linn)ss
City of Albany)

I, William B. Barrons, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 2606, do hereby accept on behalf of the City of Albany, the above easement pursuant to the terms thereof.

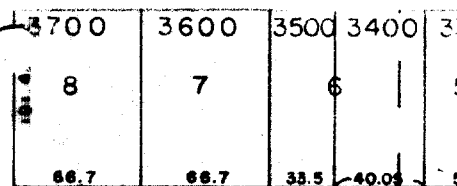
Dated: February 27, 1986

CITY OF ALBANY, OREGON
William B. Barrons
City Manager

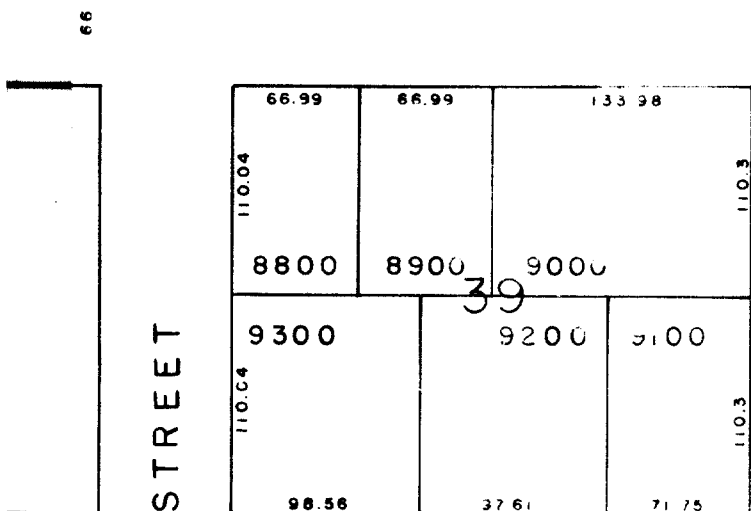
[Signature]
City Recorder



STREET

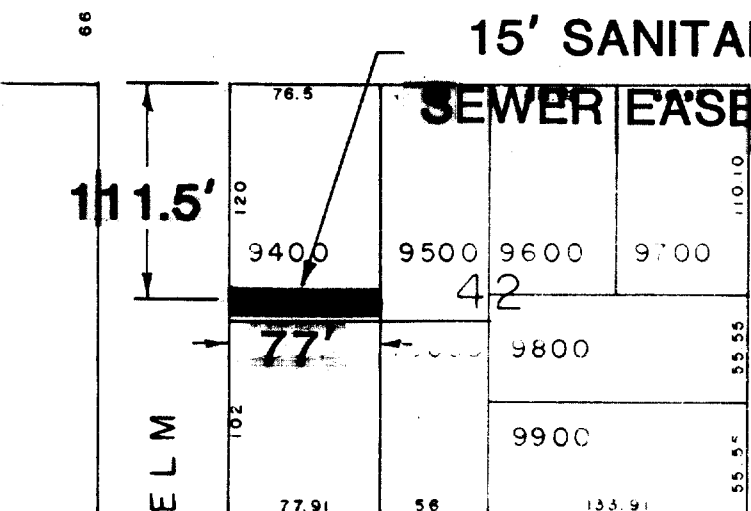
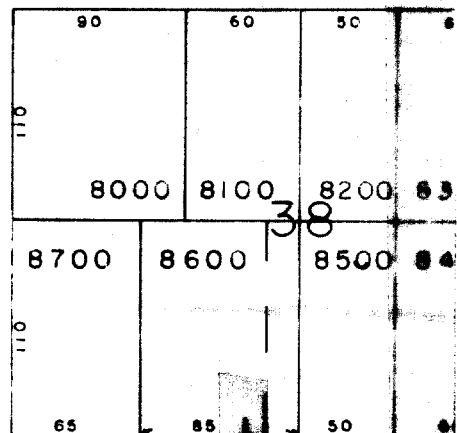


FIFTH



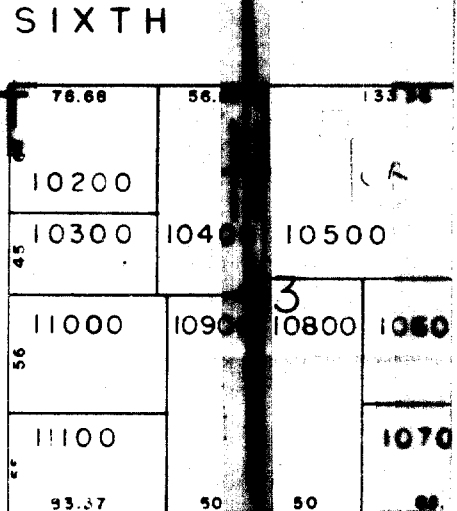
STREET

WALNUT

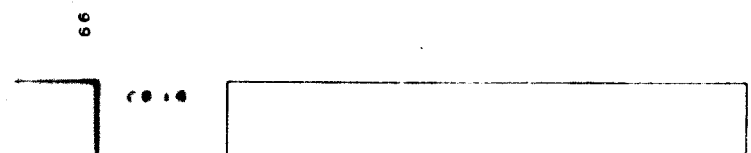


15' SANITARY SEWER EASEMENT

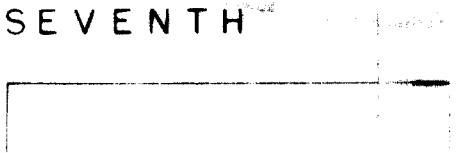
ELM



SIXTH



STREET



SEVENTH

11-4W-12AA

DESCRIPTION

A 15 foot wide sanitary sewer easement, 7.5 feet on either side of a center line more particularly described as follows:

Beginning at a point on the west line of Block 42, City of Albany Addition, in the northeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian, City of Albany, Linn County, Oregon, said point being S 8° 16' E, 111.5 feet from the northwest corner of said Block 42; thence N 81° 49' E, 77 feet plus or minus to the ending point of the herein described easement.

Basis of bearings and distances:
C.S. 18649

Cascade West Health System
Inc. to
City of Albany
Exhibit "A"

ENTERED MAR 26 1986

At 8:30 O'clock a.m.

DEL W. RILEY
Linn County Clerk

STATE OF OREGON
County of Linn

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

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By *[Signature]*, Deputy

City of Albany
P.O. 490
2-2-86

Resolution No. 2606

Recorded Document Recorder File No. 1154