

RESOLUTION NO. 3924

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

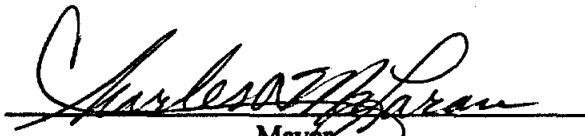
Goeco, Inc.

Purpose

A permanent public utility easement 15 feet in even width.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council hereby accepts this easement.

DATED THIS 11TH DAY OF MARCH 1998.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 13th day of FEB, 1998, by and between **Goeco, 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 public utilities for the purpose of conveying public utilities services 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 utilities and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

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

A fifteen feet wide strip of land, 7.5 feet on each side of the 55 feet long dividing line between lots 4 and 10 and southern 10 feet of the dividing line between lots 3 and 11 of Block 2, Supplemental Plat of Burkhart Addition, City of Albany, Linn County, Oregon. The 15-foot wide by 65-foot long strip of land contains 975 square feet, more or less.

See map on attached Exhibit "A"

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 and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
4. 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.
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.

Return to: City of Albany - Recorder
P.O. Box 400, Albany, OR 97321

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

GRANTOR:

Goeco, Inc.

By: Paul M Goebel
Paul M. Goebel

By: Phyllis A. Goebel
Phyllis A. Goebel

CITY OF ALBANY:

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

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3924 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 11 day of March, 1998.

Steve Bryant
City Manager

STATE OF OREGON)
County of ~~Linn~~ KLAMATH) ss.
City of ~~Albany~~ KLAMATH FALLS)

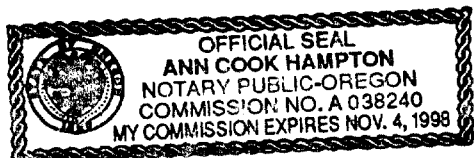
The foregoing instrument was acknowledged before me this 13th day of Feb, 1998, by Paul M. And Phyllis A. Goebel, of Goebel, Inc., an Oregon corporation, on behalf of the corporation.

ATTEST:

[Signature]
City Recorder

Ann Cook Hampton
Notary Public for Oregon
My Commission Expires: 11-04-98

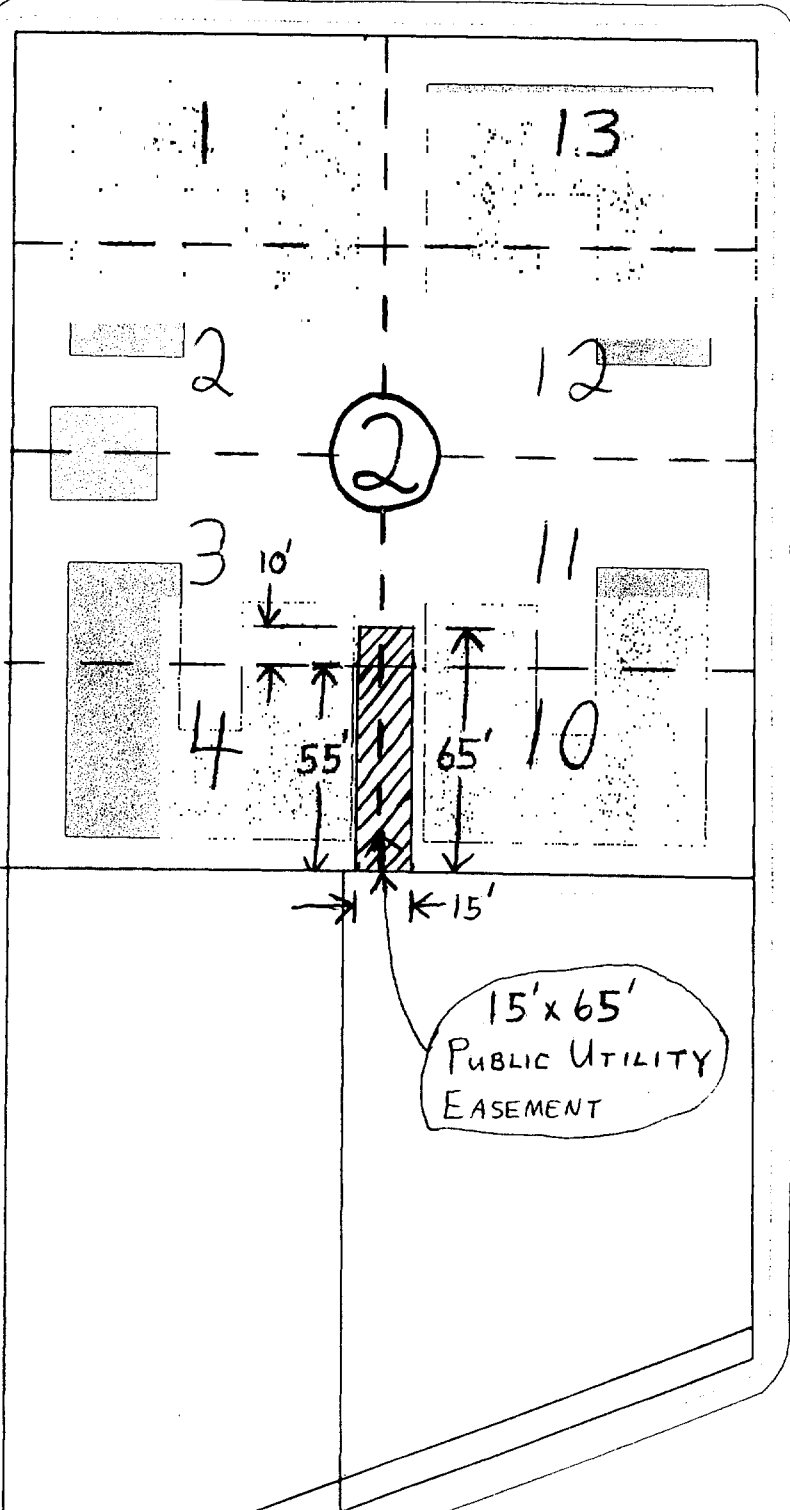
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4TH AVE.

DAVIDSON ST.

ERMINE ST.



PACIFIC BLVD

STATE OF OREGON
County of Linn

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

STEVE DRUCKENMILLER
Linn County Clerk

By RJ, Deputy

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