

RESOLUTION NO. 3940

A RESOLUTION GRANTING THE FOLLOWING EASEMENT:

Grantor

City of Albany, Oregon

Purpose:

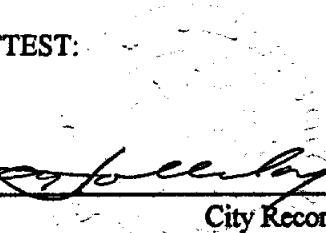
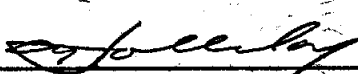
A 10-foot wide perpetual utility easement to PacifiCorp.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council grants this easement to PacifiCorp, an Oregon corporation.

DATED THIS 22ND DAY OF APRIL 1998.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

K:\CONTRACT\PACIFICR.EAS

Repealed by Resolution #3941

Return to:  
Dan Rodriguez  
PacifiCorp  
P.O. Box 248  
Albany, OR 97321

RC 48080  
WO 01363601

### UNDERGROUND EASEMENT

City of Albany, Grantor(s), for value received, hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, Grantee, a perpetual easement 10 feet in width for the erection, operation, maintenance, repair, alteration, enlargement, inspection, relocation and replacement of underground transmission lines, distribution lines, communication lines and fiber optics, of one or more wires or fibers, and all necessary or desirable appurtenances, including but not limited to the installation of vaults, conduits, surface or subsurface-mounted transformers with pads, surface-mounted connection boxes, equipment cabinets, and other supports, along the general course located or constructed by Grantee over, under, across the following described real property located in Linn County, State of Oregon, to wit:

A fractional part of the section, SE ¼ of Section 1, Township 11 South,  
Range 4 West, Willamette Meridian.

The location and course of said easement and right-of-way are approximately as shown on the sketch attached as Exhibit(s) "A" and by this reference made a part hereof.

The within easement shall include: Necessary and reasonable right to excavate and refill ditches and trenches for the location, installation, and repair, and removal of said facilities.

Together with all right of ingress and egress over lands of the Grantor necessary or convenient for the full and complete use, occupation and enjoyment of the easement hereby granted and all rights and privileges incident thereto, including the present and future right to clear and cut timber, trees, brush, overhanging branches, fire hazards, structures and other obstructions which may injure or interfere with the Grantee's use, occupation, or enjoyment of this easement. The title to trees and merchantable timber cut and cleared by the Grantee hereafter growing within said easement shall become the property of the Grantee.

At no time shall any fires be permitted, nor flammable material be placed or stored within the right of way, provided, however, that vegetative fire hazards shall not include agricultural crops.

At no time shall any permanent buildings or structures of any kind be placed or erected within the boundaries of said easement.

19 98 WITNESS the hand(s) of the Grantor(s) this 23 day of April

Steve Bryant  
Steve Bryant

ACKNOWLEDGMENT

STATE OF Oregon  
County of Linn

On this 23 day of April, in the year of 1998, before me personally appeared Steve Bryant who being personally known to me or proved to me on the basis of satisfactory evidence and being first duly sworn, declared that (s)he is [A] City Manager of [B] the City of Albany and that (s)he executed the within and foregoing instrument and that the statements therein contained are true, and acknowledged said instrument to be the free and voluntary act and deed of [C] casement for the uses and purposes therein mentioned and that (s)he was authorized to execute said instrument for and on behalf of [D] the City of Albany

WITNESS my hand and official seal as of the date first written above.

Margaret Langwell  
Notary Public

My commission Expires 9-2-2000  
Residing at Oregon



Notes:

[A] For corporate officers, partners, members, attorneys-in-fact, trustee, guardians, conservators, executors or other persons acting in representative capacities insert the title or capacity of the individual. For individuals acting in an individual capacity, insert the name of the individual.

[B] For corporations, partnerships, trusts, limited liability companies, proprietorships or other entities, insert the official name of the entity, including the state wherein registered, i.e., "PacifiCorp, an Oregon corporation"; "Smith Homes of Utah, L.P., a Utah limited partnership". For individuals insert the address of the individual.

[C] For corporations, partnerships, trusts, limited liability companies, proprietorships or other entities, insert the official name of the entity, including the state where registered. For individuals insert the name of the individual.

[D] For corporations, partnerships, trusts, limited liability companies, proprietorships or other entities, insert the official name of the entity, including the state where registered. For individuals insert the word "herself", "himself, or "themselves".

EXHIBIT "A" MONTEITH PARK

GRANTOR: CITY OF ALBANY  
SE 1/4, SEC 1, T.11S, R.11W,  
WILLAMETTE MERIDIAN.

CUSTOMER TO PROVIDE + INSTALL CONCRETE PAD + VAULT.

X219181 25KVA - 1P 4Ø  
019182 25KVA - 1P 3Ø

12Ø/240V, 3PHASE  
2-200 AMP  
METER BUSES

DEPTH 7.29  
INV 189.03  
MH

DEPTH 7.29  
INV 189.03

RAW CITY OF ALBANY  
INSTALL 25" Ø / 2" MC / 10AL

PAVED PARKING

ALBANY SENIOR CENTER

EXISTING 4" CONCRETE PIPE SAN. SEWER

GAZEBO

X-49357

WATER AVE

4M16 37

4M15

BCA

RR

90° STEEL SWEEP AT POLE

MH

PAVED PARKING

ST

PAVED PARKING

MH

WASHINGTON

WOT 01363601  
MAP# 13-11-04-1D  
4-6-98

SCALE 1" = 60'

