

RESOLUTION NO. 4357

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT FOR PUBLIC UTILITIES:

Grantor

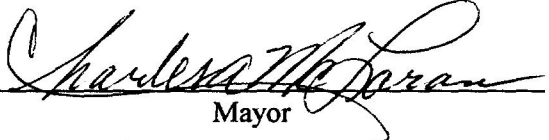
Timothy J. and Debra M. Rudzik

Purpose

A permanent 15-foot wide public water line easement and permanent 10-foot wide public service line easements more particularly described in the attached "EXHIBIT A", shown in the attached drawing "EXHIBIT B" and located in the attached Vicinity Map.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept these public water line easements.

DATED THIS 8TH DAY OF NOVEMBER 2000.



Mayor

ATTEST:



City Recorder Clerk

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 16th day of ~~Septe~~^{Oct}, 2000, by and between **Timothy J. and Debra M. Rudzik**, 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 permanent public water line easement described in the attached legal description labeled Exhibit A and as shown on the attached map labeled Exhibit B.
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 acknowledged by the Grantor and is in 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:

Timothy J. Rudzik
Timothy J. Rudzik
Debra M. Rudzik
Debra M. Rudzik

CITY OF ALBANY:

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

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 4357, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 8 day of November, 2000.

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

The foregoing instrument was acknowledged before me this 16th-day of October, 2000 by their voluntary act and deed.

Steve Bryant
City Manager



Kim Nelson
Notary Public for Oregon
My Commission Expires: Aug 4, 2002

ATTEST:
Ditty Langwell
City Recorder Clerk

Waterline Easement

Commencing at the Southeast corner of Lot 5 of Flatland Subdivision as recorded in C.S. 21703 in the Linn County Survey Records, said point also being on the Westerly right-of way of Columbus Street;

thence North 00°09'13" East, along the east line of the said Lot 5, a distance of 100.00 feet to the Point of Beginning of a 15.00 feet wide Waterline Easement, being 7.50 feet on each side of the following described centerline;

thence South 89°40'54" West a distance of 5.84 feet to a point hereinafter referred to as Point A;
thence continuing South 89°40'54" West a distance of 58.99 feet to a point hereinafter referred to as Point B;

thence continuing South 89°40'54" West a distance of 90.83 feet to a point hereinafter referred to as Point C;

thence continuing South 89°40'54" West a distance of 17.17 feet to a point hereinafter referred to as Point D;

thence continuing South 89°40'54" West a distance of 36.83 feet to a point hereinafter referred to as Point E;

thence continuing South 89°40'54" West a distance of 71.17 feet to a point hereinafter referred to as Point F;

thence continuing South 89°40'54" West a distance of 54.00 feet to a point hereinafter referred to as Point G;

thence continuing South 89°40'54" West a distance of 32.83 feet to a point hereinafter referred to as Point H;

thence continuing South 89°40'54" West a distance of 75.17 feet to a point hereinafter referred to as Point I;

thence continuing South 89°40'54" West a distance of 32.83 feet to a point hereinafter referred to as Point J;

thence continuing South 89°40'54" West a distance of 21.17 feet to a point hereinafter referred to as Point K;

thence continuing South 89°40'54" West a distance of 35.19 feet to a point;

thence continuing North 00°19'06" West a distance of 3.16 feet to a point hereinafter referred to as Point M;

thence continuing North 00°19'06" West a distance of 9.34 feet to a point;

thence continuing North 42°47'00" West a distance of 17.48 feet to a point hereinafter referred to as Point N;

thence continuing North 42°47'00" West a distance of 66.42 feet to a point;

thence North 00°19'06" West a distance of 66.93 feet to a point;

thence North 73°21'31" West a distance of 89.70 feet to a point;

thence North 89°41'01" West a distance of 99.71 feet to the point of ending of said centerline said point also being on the Easterly right-of way of Geary Street.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point A, thence South 00°09'49" East a distance of 25.65 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point B, thence South 00°09'49" East a distance of 17.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point C, thence North 00°09'49" West a distance of 27.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point D, thence South 00°09'49" East a distance of 17.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point E, thence North 00°09'49" West a distance of 27.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point F, thence South 00°09'49" East a distance of 17.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point G, thence South 00°09'49" East a distance of 17.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point H, thence North 00°09'49" West a distance of 27.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point I, thence South 00°09'49" East a distance of 17.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point J, thence North 00°09'49" West a distance of 27.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point K, thence South 00°09'49" East a distance of 17.00 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point M, thence South 32°31'51" West a distance of 49.06 feet to the point of ending of said centerline.

Also a 10.00 feet wide Waterline Easement, being 5.00 feet on each side of the following described centerline; beginning at the aforementioned Point N, thence South 60°55'01" West a distance of 29.52 feet to the point of ending of said centerline.

The sidelines of said easements are to be lengthened or shortened so as to intersect at all angle points and to terminate on the said east line of Lot 5, and the said Easterly right-of way of Geary Street. All being in Section 8, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon.

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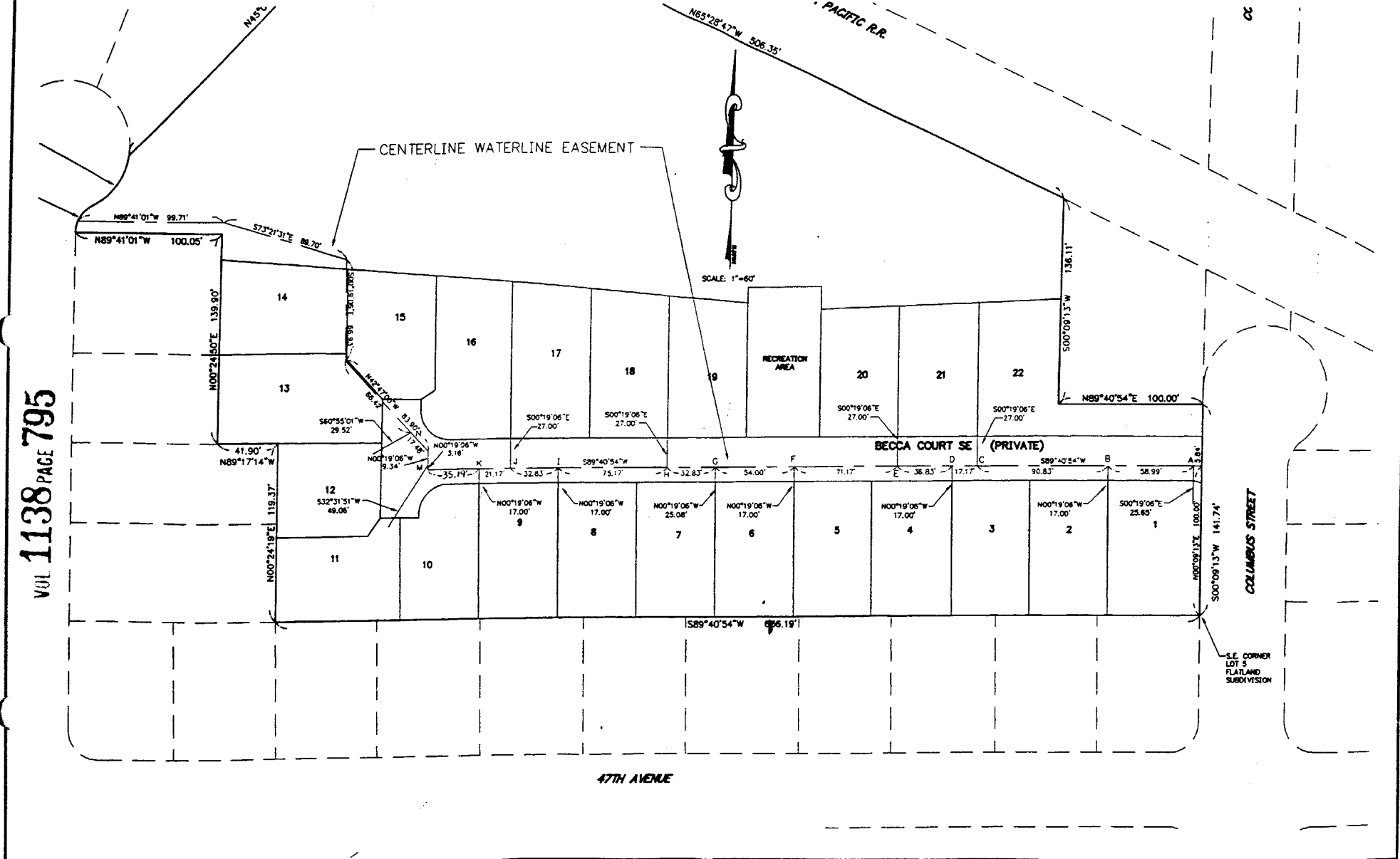
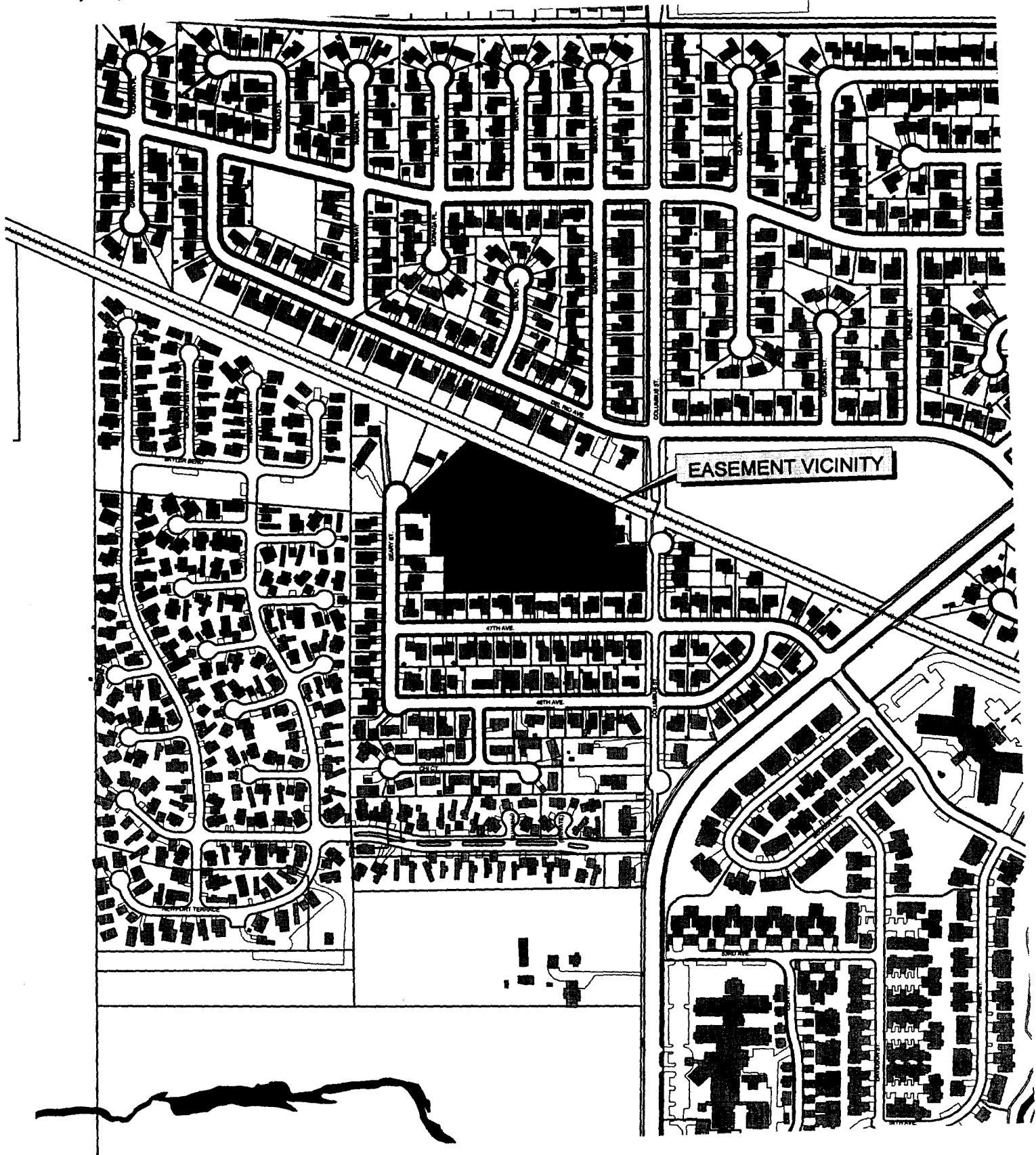


EXHIBIT B
NOT TO SCALE

Timothy J. and Debra M. Rudzik
SI-99-16, SARA VILLAGE
Easement Dedication



Vicinity Map



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

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By JD, Deputy PAGE 791

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