

RESOLUTION NO. 4385

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT FOR PUBLIC UTILITIES:

Grantor

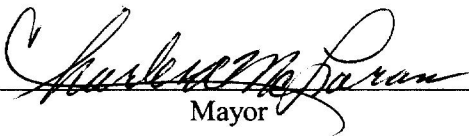
Bessie L. Hooker

Purpose

A permanent 10-foot wide public utility easement more particularly described in the legal description on attached Exhibit "A", shown on map on attached Exhibit "B" and located on attached Vicinity Map.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this public utility easement.

DATED THIS 10TH DAY OF JANUARY 2001.



Mayor

ATTEST:



City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 14th day of December, 2000, by and between **BESSIE L. HOOKER**, herein called Grantor(s), 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 grantor(s) 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:

See legal description on attached Exhibit "A" and map on attached 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 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 490, Albany, OR 97321

IN WITNESS WHEREOF the Grantor(s) have officially approved the foregoing and acknowledged the same by the signature set forth below.

GRANTOR:

CITY OF ALBANY:

Bessie L. Hooker
BESSIE L. HOOKER

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 4385 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 24 day of January, 2001.

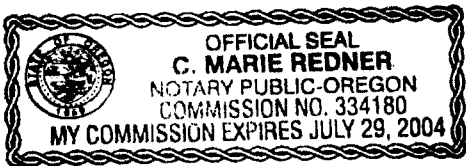
STATE OF OREGON)
County of Linn) ss.
City of Albany)

Steve Bryant
City Manager

The foregoing instrument was acknowledged before me this 14th day of December 2000 by Bessie L. Hooker.

ATTEST:
Debbie Langmuir
City Recorder

C. Marie Redner
Notary Public for Oregon
My Commission Expires: July 29, 2004



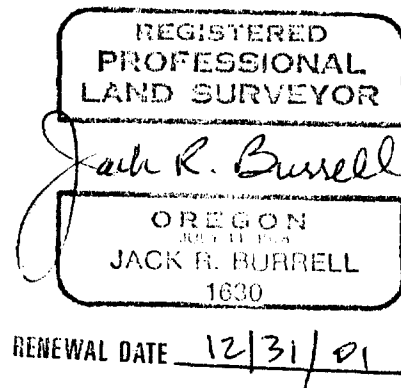
K & D ENGINEERING, Inc.

Engineers • Planners • Surveyors

EXHIBIT "A"
(P.U.E. over Hooker Tract)

A strip of land for public utility easement purposes located in a portion of that Hooker Tract described by deed recorded in Volume MF 352, Page 467 of the Linn County Deed Records on February 1, 1984 that is more particularly described as follows:

Beginning at the southwest corner of Lot 2, Block 21, of the "Daly and Kelly Supplemental Plat to Hollywood Acres", a subdivision of record in Linn County, Oregon; thence North 89°04'00" East, along the south line of said Lot 2, a distance of 17.34 feet; thence South 00°56'00" East 10.00 feet; thence South 89°04'00" West 45.00 feet to a point on the west line of said Hooker Tract; thence North 01°14'00" West 10.00 feet to the northwest corner of said Hooker Tract; thence North 89°04'00" East, along north line of said Hooker Tract, a distance of 27.71 feet to the Point of Beginning.



December 13, 2000
 EXHIBIT "A"
 HOOKER PUE
 (00-102-A) JRB:nm
 File: nm\city-alb\00-102\hooker exh a

PUBLIC UTILITY EASEMENT MAP

FOR

CITY OF ALBANY

LOCATED IN

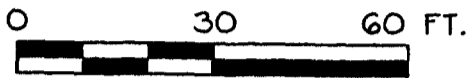
TAX LOT 5100, MAP 11-3W-18AA

LOT 3, BLOCK 21 OF

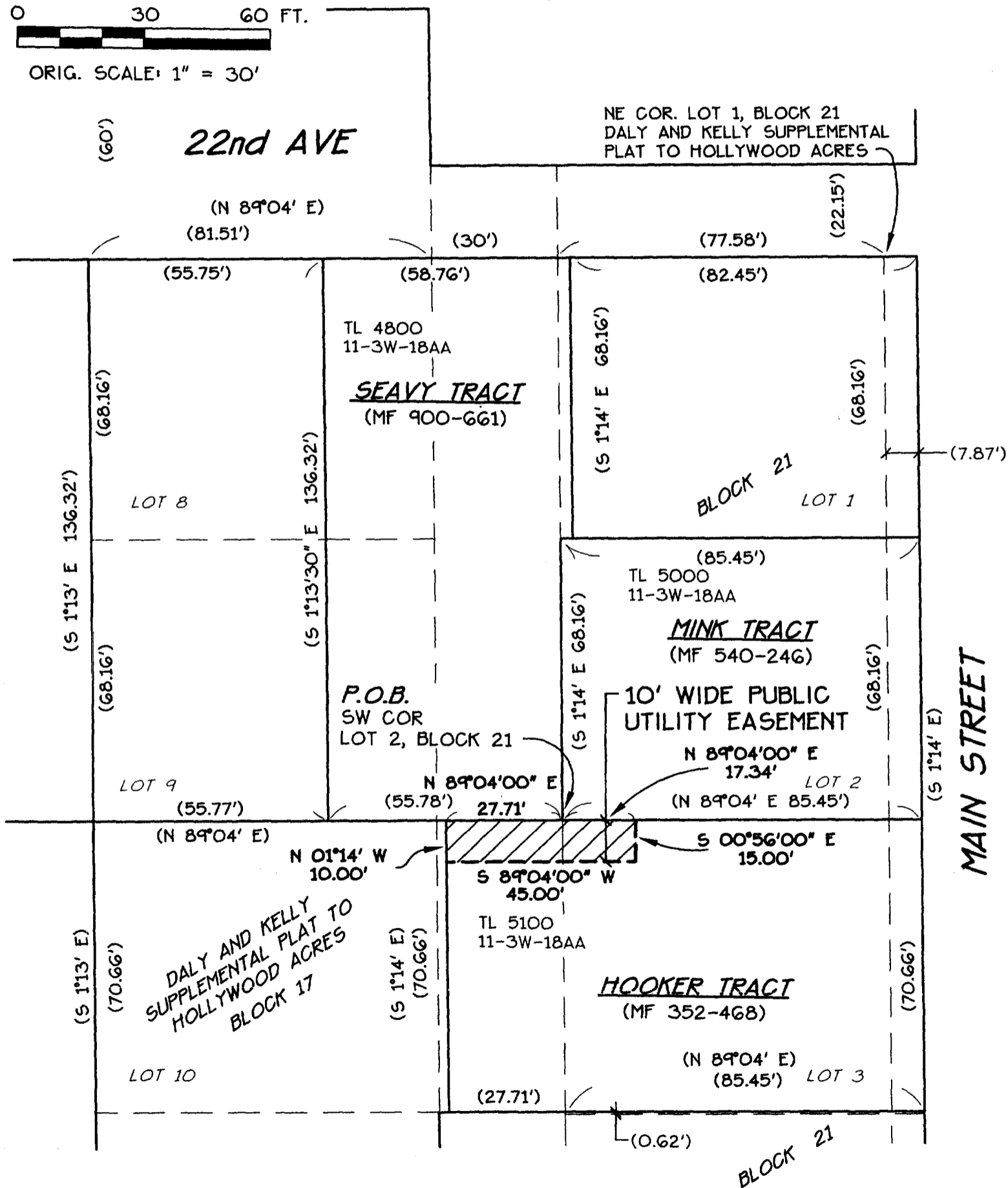
"DALY AND KELLY SUPPLEMENTAL PLAT TO HOLLYWOOD ACRES" OF

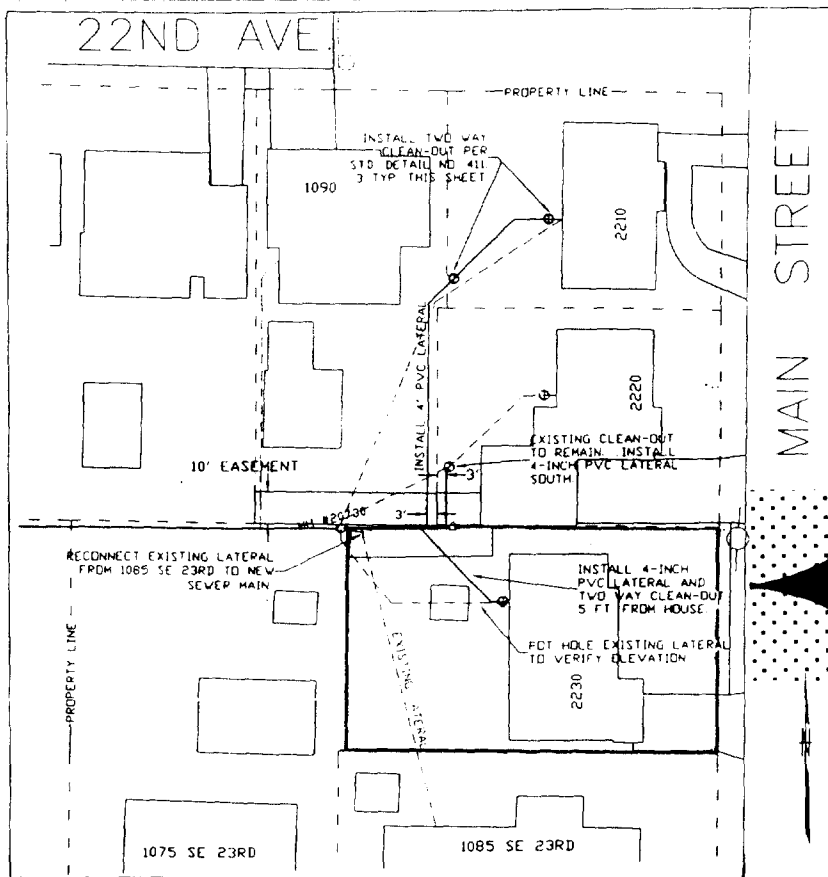
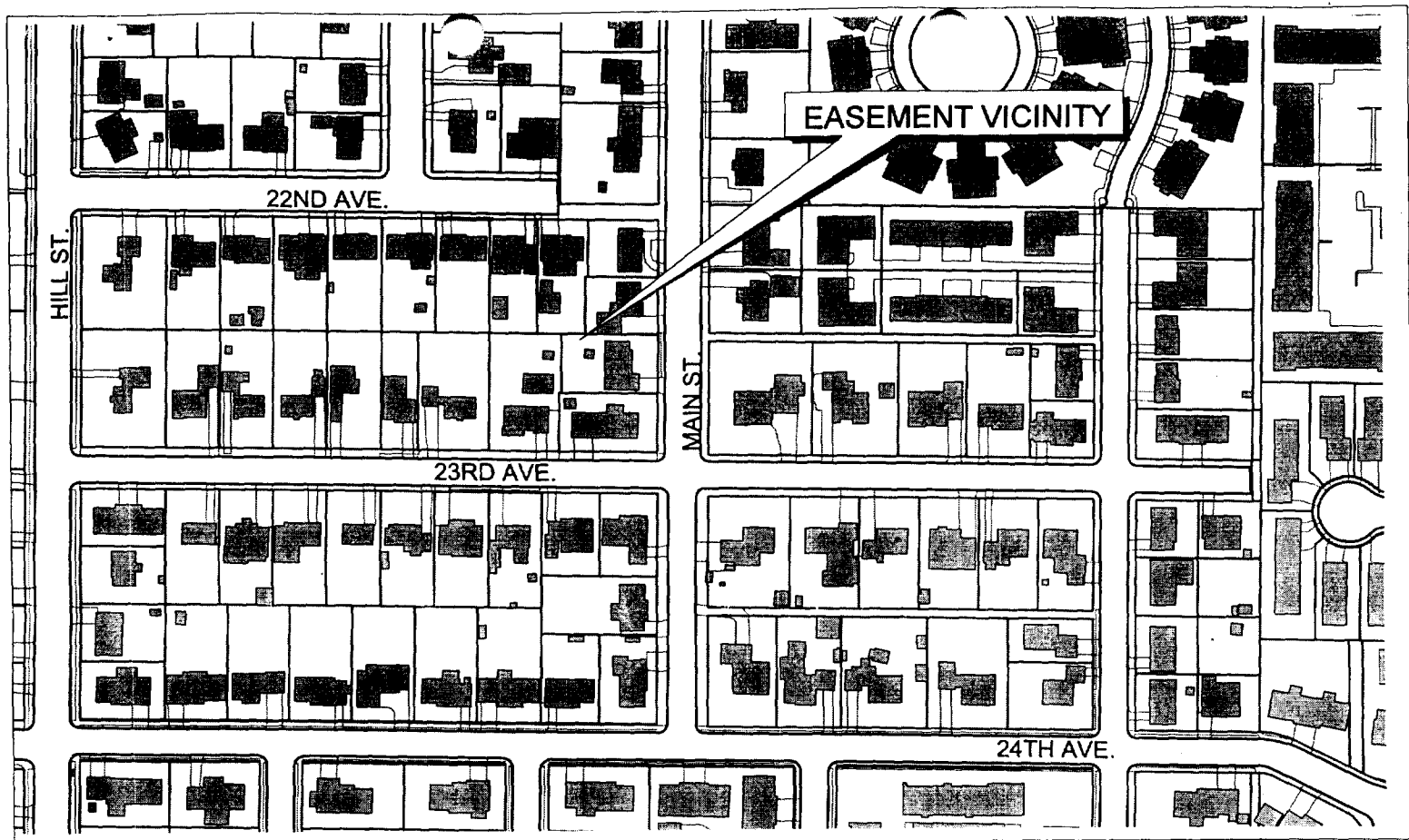
NE 1/4 SECTION 18 T. 11 S., R. 3 W., W.M. ALBANY, OREGON

DECEMBER 12, 2000



ORIG. SCALE: 1" = 30'





Vicinity Map

Bessie L. Hooker
 Easement Dedication
 11S-03W-18AA-05100

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 SR, Deputy

M
R 25
S 10
A 11
O

MF 1151

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Recorded Document Recorder File No. 3748