

RESOLUTION NO. 5493

A RESOLUTION GRANTING THE FOLLOWING GAS PIPELINE EASEMENT:

Grantor: **CITY OF ALBANY**

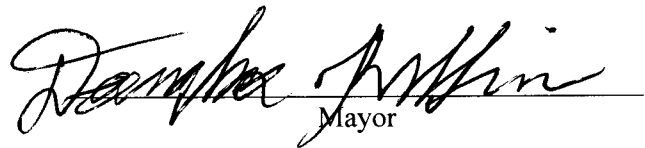
Purpose

Grantee: **Northwest Natural Gas Company**

A 10-foot wide Gas Pipeline Easement across
Bryant Park

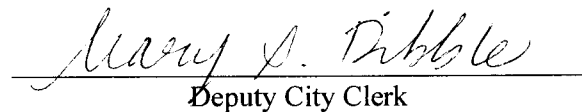
NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby grant this gas pipeline easement.

DATED AND EFFECTIVE THIS 10th DAY OF OCTOBER 2007.



Mayor

ATTEST:



Deputy City Clerk

GAS PIPELINE EASEMENT

THIS EASEMENT, granted this 10 day of October 2007 by the **City of Albany**, a Municipal Corporation, herein called "Grantor," to **NORTHWEST NATURAL GAS COMPANY**, herein called "Grantee."

WITNESSETH:

The Grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the Grantee, easement and right-of-way, including the right to enter upon the real property hereinafter described, and to install, operate, maintain, repair, replace, and change the size of a gas pipeline or pipelines and related equipment.

This agreement is subject to the following terms and conditions:

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

A 10-foot wide easement across Bryant Park, more particularly described in attached EXHIBIT "A" and shown in attached EXHIBIT "B."
2. The easement described herein grants to the grantee, the right to enter and use the above described property to do or to take any of the actions described in this document.
3. Grantee will install the pipeline with the least amount of disturbance to Grantor's property as possible and will, to the extent practical, restore Grantor's property to the condition existing prior to Grantee's construction. Grantee will reimburse Grantor for any damage to Grantor's property caused by Grantee during use of the easement.
4. Grantor agrees that no buildings or other structures or potentially large growing trees will be placed upon the easement and that no actions will be allowed that would jeopardize or interfere with the safe operation of the pipeline.
5. The easement granted is in consideration of \$6,500.00, receipt of which is acknowledged by the Grantor.

~~After recording return to:
Northwest Natural Gas Co.
Risk and Land Department
220 NW Second Avenue
Portland OR 97209~~

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year above written.

GRANTOR:
City of Albany

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

By:

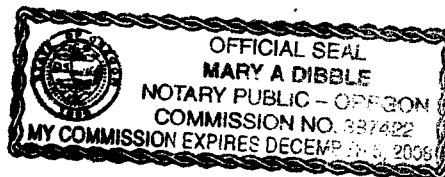
Stewart Taylor
Stewart Taylor, Finance Director

The instrument was acknowledged before me this
24 day of Oct 2007 by Stewart Taylor,
Finance Director, City of Albany.

Mary A. Dibble
Notary Public for Oregon
My Commission Expires: 12/5/08

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

I, Wes Hare as City Manager of the City of Albany,
Oregon, pursuant to Resolution Number 5493, do
hereby grant on behalf of the City of Albany, the above
instrument pursuant to the terms thereof this
24 day of October 2007.



Wes Hare
City Manager

Mary A. Dibble
Notary Public for Oregon
My Commission Expires: 12/5/2008

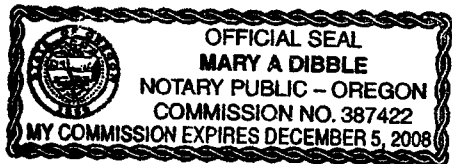


Exhibit "A"

Legal Description for 10-foot wide NW Natural Gas Line Easement:

A 10.00 foot wide gas pipeline easement whose Centerline is located on that tract of land that is within the boundary of the City of Albany and described in deed recorded in Book 116, Page 346, located in the Northeast quarter of Section 12, Township 11 South, Range 4 West, Willamette Meridian, Linn County, Oregon and being more particularly described as follows:

Beginning at a point on the North right-of-way line of Highway 20 that is North 83° 29' 10" East 97.11 feet of the Southwest corner of that First Church of God Tract described by deed recorded in M-277431-99 in the Benton County Deed Records; thence South 03° 59' 18" West 1290.49 feet; thence South 04° 05' 31" West 565.78 feet; thence South 32° 50' 57" East 492.04 feet; thence South 58° 26' 30" East 280.76 feet; thence North 72° 22' 39" East 52.87 feet; thence South 78° 59' 18" East 80.53 feet to a point on the North right-of-way line of Bryant Way, the terminus of the above described strip being the north right-of-way line of Bryant Way.

as shown on the attached map labeled Exhibit "B".

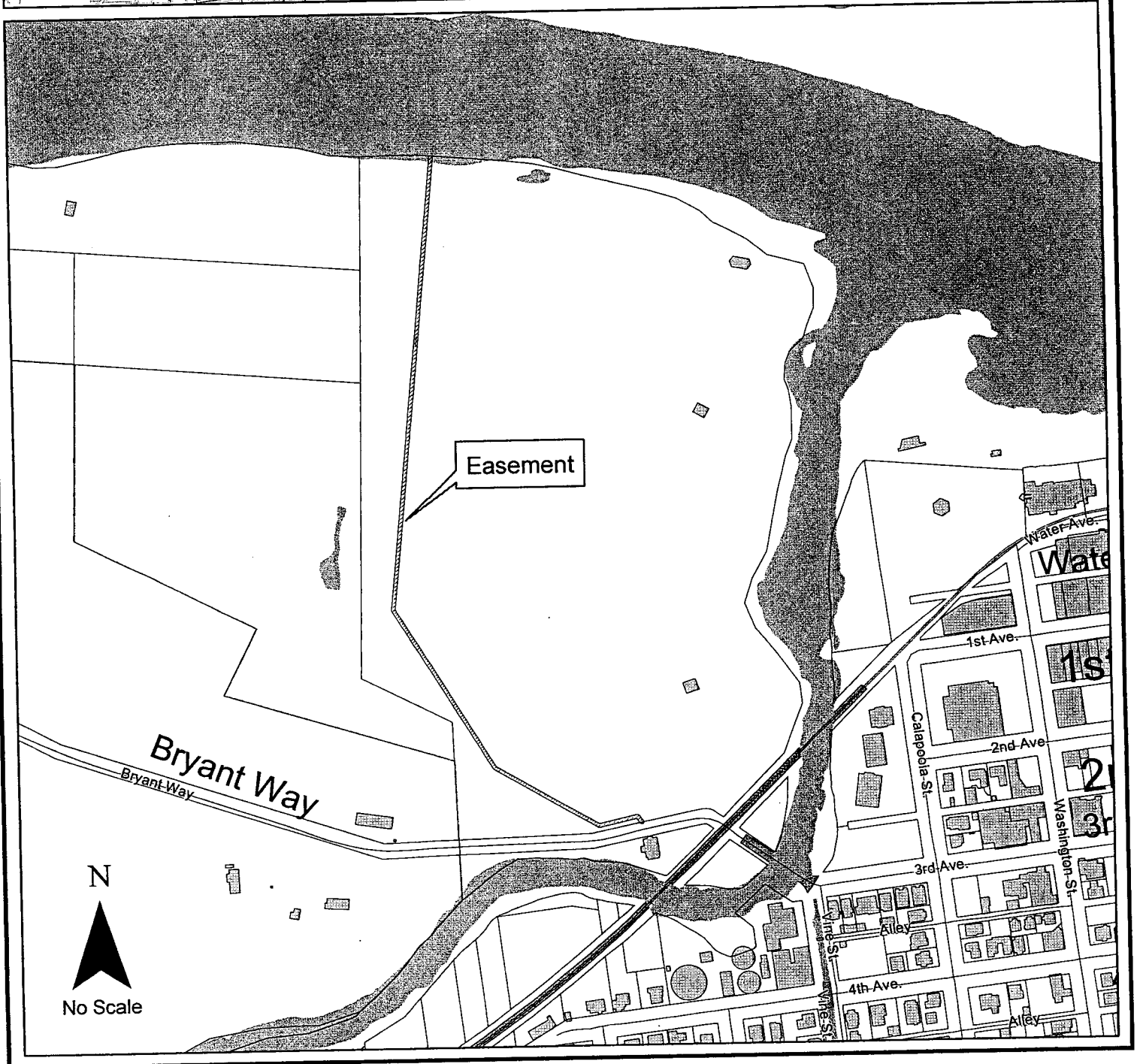
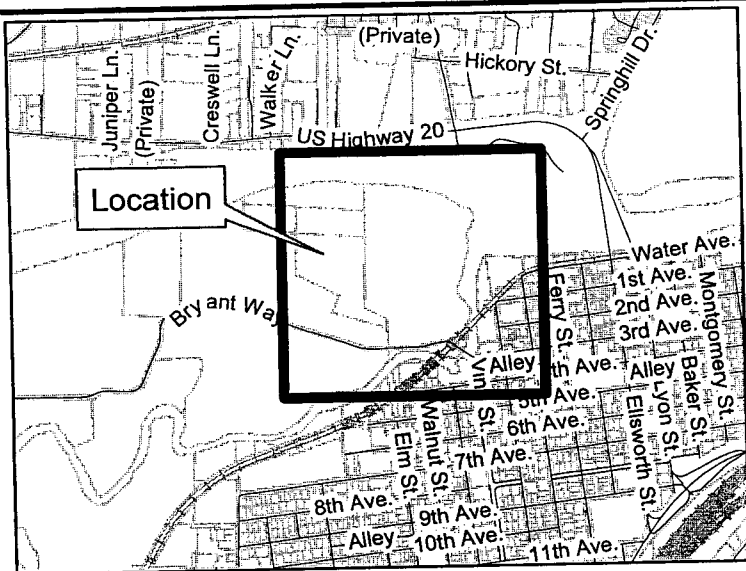
EXHIBIT B

11SO4W12 00100

A 10-foot wide gas pipeline easement.



Geographic Information Services



LINN COUNTY
Recording Cover Sheet
All Transactions, ORS: 205.234

LINN COUNTY, OREGON **2007-26439**
E-EAS
Cnt=1 Stn=7 M. FISHER 11/08/2007 02:16:05 PM
\$25.00 \$11.00 \$10.00 **\$46.00**



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



After Recording Return To:

City of Albany City Clerk _____

PO Box 490 _____

Albany, OR 97321 _____

All Tax Statements Should Be Sent To:

Exempt _____

1. Name/Title of Transaction - by ORS 205.234 (a)

GAS PIPELINE EASEMENT

2. Grantor/Direct Party - required by ORS 205.125(1)(b) and ORS 205.160

City of Albany

3. Grantee/Indirect Party - required by ORS 205.125(1)(a) and ORS 205.160

Northwest Natural Gas Company

4. True and Actual Consideration (if there is one), ORS 93.030

\$6,500.00

Resolution No. 5493

Recorded Document Recorder File No. 4994