



RESOLUTION NO. 6919

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT

Grantor

Target Corporation

Purpose

Accepting a 6-foot x 80-foot sidewalk easement, as part of SI-19-24, Target Distribution Loading Zone project.
11S04W25 0215



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

DATED AND EFFECTIVE THIS 12TH DAY OF AUGUST 2020



Mayor

ATTEST

City Clerk

EASEMENT FOR PUBLIC SIDEWALK

THIS AGREEMENT, made and entered into this _____ day of _____, 2020, by and between **Target Corporation**, hereinafter called Grantor, 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 has this day granted unto the City of Albany, an easement, including the right to enter upon the real property hereinafter described, and to maintain and repair public sidewalk for the purpose of providing pedestrian access across and through the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public sidewalk and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public sidewalk

This agreement is subject to the following terms and conditions

- 1 The easement hereby granted consists of

See legal description on attached Exhibit A and easement maps on attached Exhibits B and C
- 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, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom
- 4 The Grantor does 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.

IN WITNESS WHEREOF, the Grantors have hereunto fixed their hand and seal the day and year written below

GRANTOR: Target Corporation

Rick Fink

Name/Title Lead Program Manager

STATE OF Minnesota

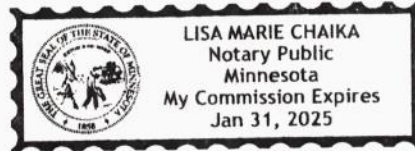
County of Hennepin

The foregoing instrument was acknowledged before me this 9th day of July 2020,

by Rick Fink, on behalf of Target Corporation as his/her voluntary act and deed.

Lisa Chaika

Notary Public - State of Minnesota



CITY OF ALBANY:

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

I, Peter Troedsson as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 6919, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this _____ day of _____ 2020.

City Manager

ATTEST:

City Clerk

EXHIBIT A

Legal Description

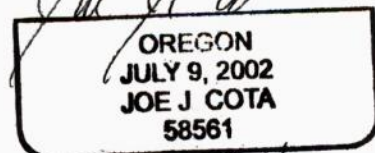
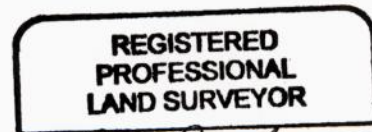
Sidewalk Easement

Located over Parcel 1 of Partition Plat 1995-32

Tax Lot 2105 of Assessor Map 11S-4W-25

A strip of land for easement purposes located over Parcel 1 of Partition Plat 1995-32, a partition recorded in Linn County, Oregon, said strip of land being more particularly described as follows.

Beginning at a point on the south line of said Parcel 1 that is South 67°48'46"
West 735.64 feet of the most easterly northeast corner of said Parcel 1, thence
North 87°44'48" West, along said south line, 80.00 feet, thence North
02°12'38" East 6.00 feet; thence South 87°44'48" East 80.00 feet, thence South
02°12'38" West 6.00 feet to the Point of Beginning.



RENEWS: 12/31/21

July 2, 2020

SIDEWALK EASEMENT

(19-35) JJC ls

File Ref z/projects/2019/19-35/surveying/documents/easement legal.doc

LEGEND:


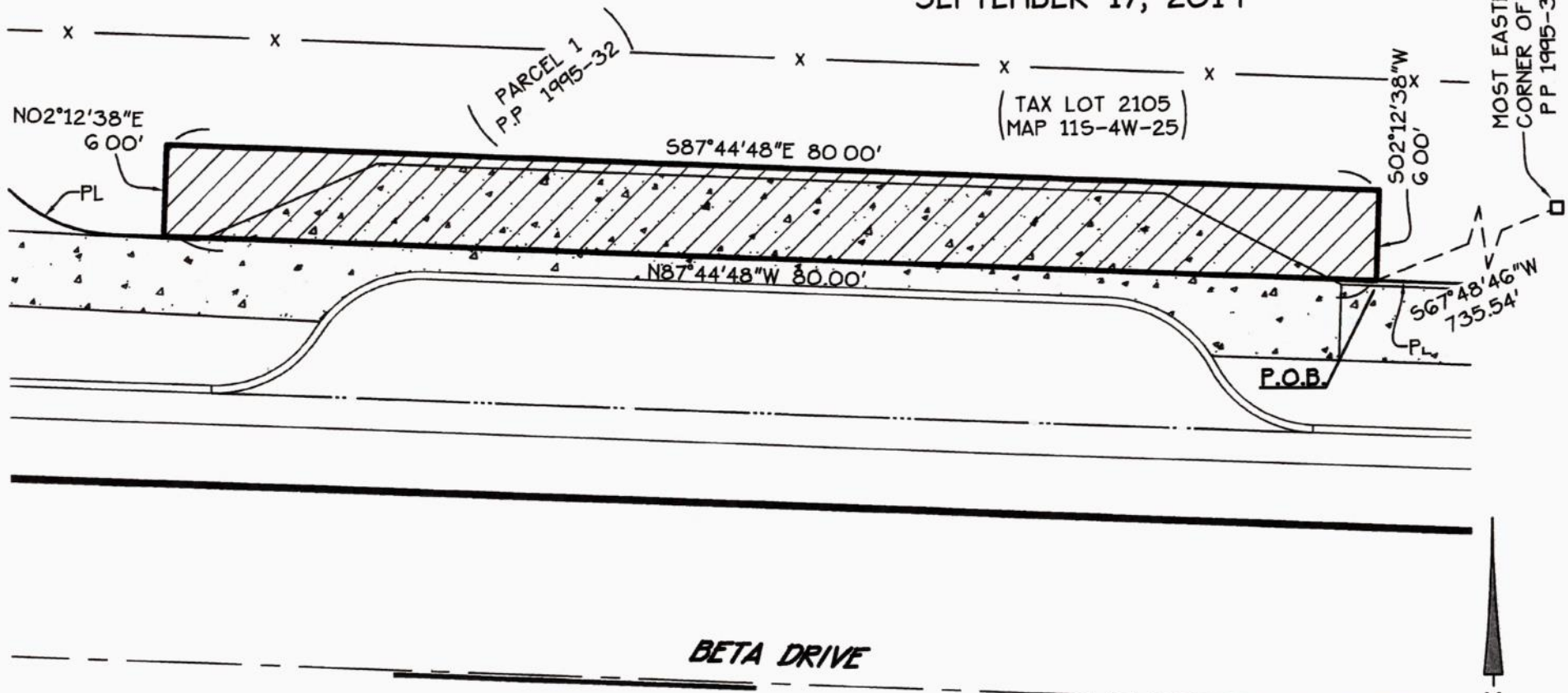
- CALCULATED POINT
- X — EXISTING FENCE
-  SIDEWALK EASEMENT, 480 SF
- PL PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- P.P. PARTITION PLAT

EXHIBIT "B"
SIDEWALK EASEMENT TO CITY OF ALBANY
 LOCATED OVER
"TARGET CORPORATION" PROPERTY

DEED REFERENCE MF VOL. 748, PG. 762
 PARCEL 1 OF PARTITION PLAT 1995-32
 TAX LOT 2105, MAP 115-4W-25
 CITY OF ALBANY, LINN COUNTY, OREGON
 SEPTEMBER 17, 2019



BETA DRIVE

Date: 9/18/2019 Time: 8:13
 Scale: 1"=10'
 File: dwg\2019\19-35\19-35_ease.dwg (George)



K & D ENGINEERING, Inc.
 276 N.W. Hickory Street P.O. Box 725
 Albany, Oregon 97321
 (541) 928-2583



SCALE: 1" = 10'



EXHIBIT C

11S04W25 0215

A six feet x 80 feet sidewalk
easement, as part of the
Target Loading Zone Project
SI-19-24



Geographic Information Services

