

RESOLUTION NO. 3180

BE IT RESOLVED BY THE ALBANY CITY COUNCIL that it does hereby accept the following easement:

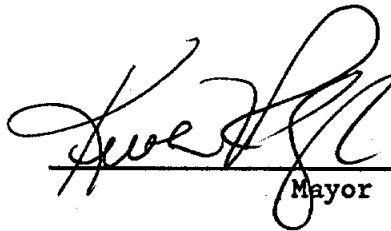
Grantor

FSM Precision Manufacturing, Inc.

Purpose

A fifteen-foot wide permanent public utility easement for operation, maintenance and repair of fire hydrant and associated water line.

DATED this 8th day of July, 1992.



Mayor

ATTEST:




Deputy City Recorder

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 3 day of June, 1992, by and between FSM Precision Manufacturing, Inc., 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, undergrowth, 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 fifteen-foot wide permanent public utility easement, lying on that certain tract conveyed to FSM Precision Manufacturing, Inc. per Microfilm Volume 577, Page 974, Deed Records of Linn County, and lying in the Southwest 1/4 of Section 18, T11S, R4W, W.M., City of Albany, Linn County, Oregon; the perimeter of this easement being described as follows, and as shown on the attached map labelled EXHIBIT A:

Beginning at a point on the Westerly right-of-way of Marion Street, said point being South 1°24'35" East 25.50 feet from the most Easterly Northeast corner of Parcel "B" of Partition Plat 1991-26 Linn County Records; thence South 88°35'25" West 22.50 feet; thence South 1°24'35" East 15.00 feet; thence North 88°35'25" East 22.50 feet; thence North 1°24'35" West 15.00 feet to the point of beginning.

Containing 338 sq. ft., more or less.

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

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P.O. Box 490, Albany, OR 97321

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 hands and seals the day and year above written.

GRANTOR:

FSM Precision Manufacturing, Inc.

By: Debra L. Bowling
President

By: William E. Bowling
Secretary

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

The foregoing instrument was acknowledged before me this 3 day of June, 1992, by Debra L. Bowling, president, and by William E. Bowling, secretary, of FSM Precision Manufacturing, Inc., an Oregon corporation, on behalf of the corporation.

Sylvia C. Donovan
Notary Public for Oregon

My Commission Expires: 5/17/95



CITY OF ALBANY:

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 3180 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 9th day of July, 1992.

Steve Bryant
City Manager

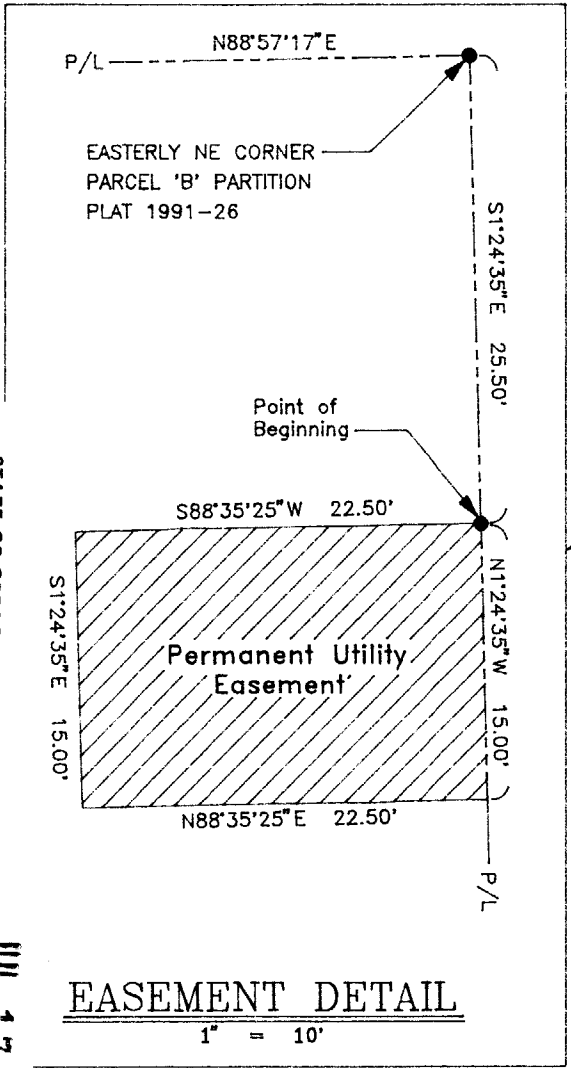
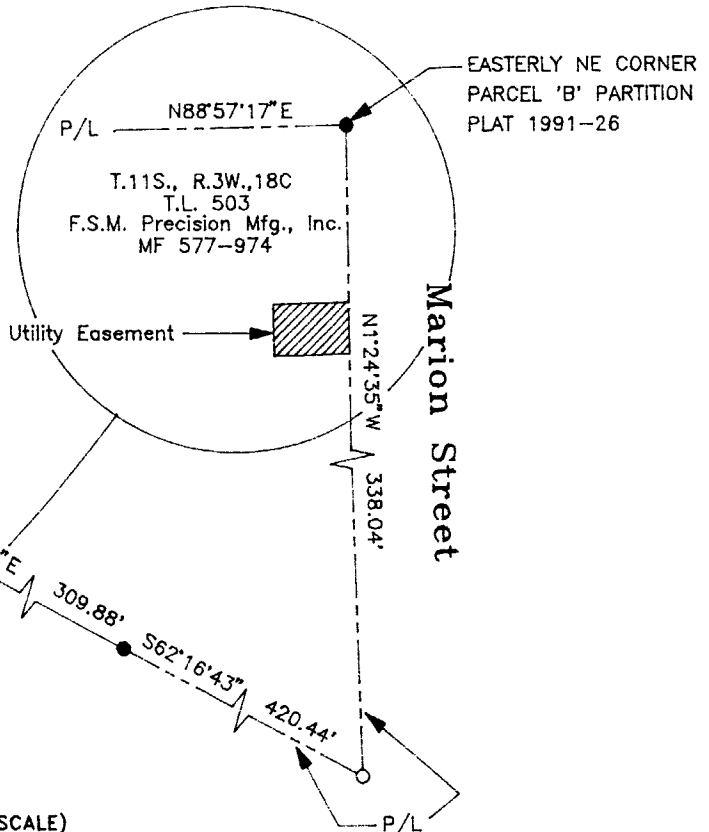
ATTEST:

Norm C. Wilkman
City Recorder - Deputy



34th Ave.
(centerline)

S.W. Corner
Hiram N. Smead
D.L.C. #53 C.S. 17373



EASEMENT DETAIL
1" = 10'

(NOT TO SCALE)

CITY OF ALBANY, OREGON
PUBLIC WORKS DEPARTMENT
ENGINEERING/UTILITIES DIVISION

EXHIBIT "A"
15-ft. Wide Permanent Public
Utility Easement from
FSM Precision Mfg., Inc.
to the City of Albany
4/27/92

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

MF 606
PAGE 010

By *[Signature]*, Deputy

JUL 17 1992
2:38 p.m.

Resolution No. 3180

Recorded Document Recorder File No. 2198