

RESOLUTION NO. 3202

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

Grantor

Dennis A. and Vicki L. Ropp

Purpose

a fifty-foot wide permanent public utility easement across that property located at 600 Marilyn Street NE for sanitary sewer purposes

DATED this 14 day of October, 1992.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Deputy City Recorder



## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 17 day of Sept., 1992, by and between Dennis A. Ropp and Vicki L. Ropp, husband and wife, 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 fifty-foot wide permanent public utility easement across a portion of that parcel conveyed to Dennis A. Ropp and Vicki L. Ropp in MF Volume 595, Page 493, Linn County Microfilm Deed Records, more particularly described as follows and as shown on the attached map labeled EXHIBIT A:

Beginning at a the Northeast corner of Draper's Subdivision as filed in the Linn County Record of Plats and being in Section 34, Township 10 South, Range 3 West, of the Willamette Meridian, in Linn County, Oregon; and running thence West 40.0 feet to the Southwest corner of said Ropp parcel; thence North along the West line of said parcel 275.00 feet; thence East 450.78 feet to the East line of said property, thence South 0° 02' 58" East along the East line of said parcel 50.00 feet; thence West 400.81 feet; thence South 225.00 feet to the North line of Santa Maria Avenue; Thence West 10.0 feet to the point of beginning.

Containing 0.776 acres, 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 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 Grantors have hereunto fixed their hands and seals the day and year above written.

GRANTOR:

Dennis A. Ropp  
Dennis A. Ropp

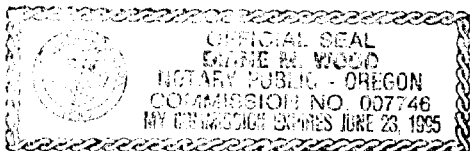
Vicki L. Ropp  
Vicki L. Ropp

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

The foregoing instrument was acknowledged before me this 17 day of Sept, 1992, by grantor(s) as his/her/their voluntary act and deed.

Liane M Wood  
Notary Public for Oregon

My Commission Expires: 6-23-95



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 3202, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 15<sup>th</sup> day of October, 1992.

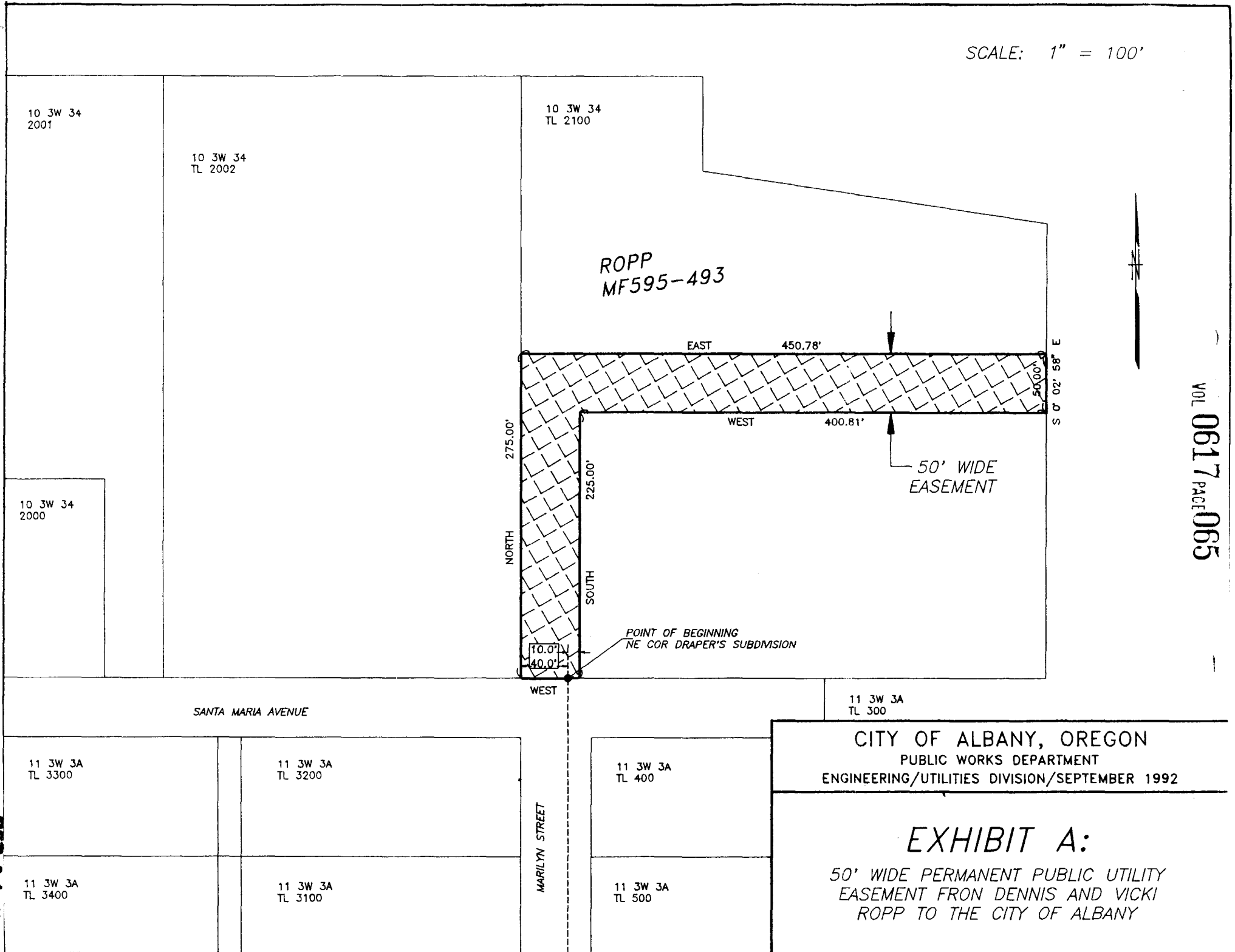
Steve Bryant  
City Manager

ATTEST:

[Signature]  
City Recorder



SCALE: 1" = 100'



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STATE OF OREGON  
 County of Linn

I hereby certify that the attached was received and duly recorded by me in Linn County records.

STEVE DROCKENMILLER  
 Linn County Clerk

MF 617  
 BY *[Signature]*, Deputy PAGE 63

OCT 21 1992 8:30 O'clock a.m.

CITY OF ALBANY, OREGON  
 PUBLIC WORKS DEPARTMENT  
 ENGINEERING/UTILITIES DIVISION/SEPTEMBER 1992

**EXHIBIT A:**  
 50' WIDE PERMANENT PUBLIC UTILITY  
 EASEMENT FROM DENNIS AND VICKI  
 ROPP TO THE CITY OF ALBANY

Resolution No. 3202

Recorded Document Recorder File No. 2239