

RESOLUTION NO. 3505

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

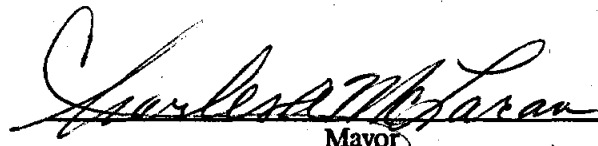
Grantor

Larry Lassen Chevrolet - Toyota, Inc.

Purpose

A 15-foot-wide permanent public utility easement and right-of-way across that property, 1205 Price Road SE, Albany, for the purpose of maintaining and repairing public utilities.

DATED this 26th day of April 1995.



Mayor

ATTEST:



Deputy City Recorder

RELASSEN.EAS

File: SI-94-26



EASEMENT FOR PUBLIC UTILITIES

Return to: City of Albany - Recorder
P.O. Box 490, Albany, OR 97321

THIS AGREEMENT, made and entered into this 12 day of April, 1995, by and between Larry Lassen Chevrolet - Toyota, 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, 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 fifteen-foot wide permanent public utility easement across that property conveyed to C. M. Oregon Corporation by deed recorded in Volume 489, Page 030, Linn County Microfilm Deed Records, said easement being more particularly described as follows and as shown on the attached map labeled Exhibit A:

Beginning at the northwest corner of said deed Volume 489, Page 030, said point being on the east right-of-way line of Price Road; thence, along the north line of said deed Volume 489, Page 030, East 15.00 feet; thence leaving the north line of said deed Volume 489, Page 030, running southerly, parallel with and 15.00 feet east of the east right-of-way line of Price Road to a point on the south line of said deed Volume 489, Page 030; thence, along the south line of said deed Volume 489, Page 030, North 78° 46' 48" West 15.29 feet, more or less, to a point on the east right-of-way line of Price Road; thence northerly on said east right-of-way line of Price Road to the Point of Beginning.

Containing 0.027 acre of land, 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.

IN WITNESS WHEREOF, the Grantors have hereunto fixed their hands and seals the day and year above written.

GRANTOR:

Larry Lassen Chevrolet - Toyota, Inc.

By: [Signature]
President

By: [Signature]
Secretary

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

The foregoing instrument was acknowledged before me this 13th day of APRIL, 1995, by Larry Lassen, president, and by Jim Doran, secretary, of Larry Lassen Chevrolet - Toyota, Inc., an Oregon corporation, on behalf of the corporation.

[Signature]
Notary Public for Oregon

My Commission Expires: 4-13-97

CITY OF ALBANY:

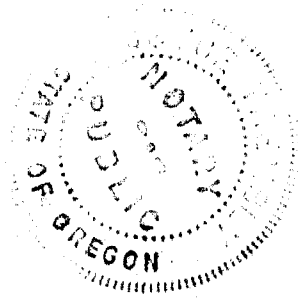
STATE OF OREGON)
County of Linn) ss.
City of Albany)

I, Steve Bryant as City Manager of the City of Albany, Oregon, pursuant to Resolution Number 3505 do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 26th day of April, 1995.

[Signature]
City Manager

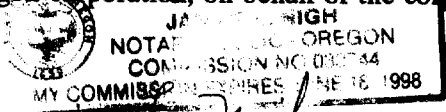
ATTEST:

[Signature]
City Recorder - Deputy



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

The foregoing instrument was acknowledged before me
this 13 day of April, 19 95, by Jim
Doran, secretary, of ~~Larry Lassen-Chevrolet~~ Toyota,
Inc., an Oregon corporation, on behalf of the corpora-
tion.



Jamie L. Neigh
Notary Public for Oregon

EAST 38.00'

N 33° 00' 00" EAST 200.00'

N 55° 00' 00" E 300.00'

CLARK MF 716 - 792

N 72° 00' 00" E 118.14'

NORTH 70.51'

11-3W-98, #101

NE CORNER
BOOK 133 - 529
33.15 CH WEST &
13.125 CH NORTH
OF SE COR OF
JESSE B. PARRISH D.L.C.

WEST 508.00'

20' 20"

20' 30"

TO SANTIAM HWY (U.S. HWY 20)

SOUTH 575.44'

CLARK MF 716 - 795
11-3W-98, #201

WEST 3 CHAINS

POINT OF BEGINNING

15' WIDE EASEMENT

33.15 CH WEST,
305.0' NORTH, &
20.0' S 89° 54' E
OF SE COR OF
JESSE B. PARRISH D.L.C.

C. M. OREGON CORPORATION
MF 489 - 030
LARRY LASSEN CHEVROLET - TOYOTA, INC.
MF 692 - 529C

NORTH 610.44'

11-3W-9A, #1800

S 78° 46' 48" E, 181.47'

NORTH 442.50'
PRICE ROAD

SCALE: 1" = 100'

CITY OF ALBANY, OREGON
PUBLIC WORKS DEPARTMENT
ENGINEERING/UTILITIES DIVISION/JANUARY 1995

EXHIBIT A:
PUBLIC UTILITY EASEMENT (waterline) FROM
LARRY LASSEN CHEVROLET - TOYOTA, INC.
TO THE CITY OF ALBANY, OREGON

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 PA, Deputy

M
R-20
S/10
A
O

745
MF
782
PAGE

8:30 O'clock a.m.

MAY 02 1995

30

Resolution No. 3505

Recorded Document Recorder File No. 2592