

RESOLUTION NO. 3612

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

Grantor

Allen F. Campbell and Vernita M. Campbell
Co-Trustees of the Campbell Family Trust utd
11/30/89

Purpose

A 15 foot wide permanent utility easement across that
property in Linn County deed reference MF Volume
515, page 736.

DATED this 13th day of March 1996.



Mayor

ATTEST:



City Recorder

FEB 21 1996

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 19 day of Feb, 1996, by and between ALLEN F. CAMPBELL and VERNITA M. CAMPBELL, Co-Trustees of the CAMPBELL FAMILY TRUST utd 11/3/89, 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 15.0-foot wide permanent utility easement across the property conveyed to Allen F. Campbell and Vernita M. Campbell, Co-Trustees of the Campbell Family Trust utd 11/3/89, in Volume MF 515, Page 736, Linn County microfilm deed records, more particularly described as follows and as shown on the attached map labeled EXHIBIT A:

COMMENCE AT A 2" IRON PIPE WHICH BEARS SOUTH 00° 32' 11" WEST 435.42 FEET FROM THE INITIAL POINT ON THE "FIRST ADDITION TO COLLEGE GREEN" A SUBDIVISION OF RECORD IN LINN COUNTY, OREGON LOCATED IN THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 11 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN; THENCE SOUTH 00° 31' 30" WEST 1283.85 FEET TO A 2 INCH IRON PIPE; THENCE CONTINUE SOUTH 00° 31' 30" WEST 40.00 FEET; THENCE SOUTH 89° 14' 32" EAST 62.86 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89° 14' 32" EAST 15.35 FEET; THENCE SOUTH 11° 32' 11" EAST 85.77 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY OF LOONEY LANE; THENCE ON THE ARC OF A 517.46 FOOT RADIUS CURVE TO THE LEFT AND THE NORTHWESTERLY RIGHT-OF-WAY OF SAID LOONEY LANE (CHORD BEARS SOUTH 45° 28' 59" WEST 17.88 FEET) A DISTANCE OF 17.88 FEET; THENCE NORTH 11° 32' 11" WEST, LEAVING SAID NORTHWESTERLY RIGHT-OF-WAY, 98.78 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING .032 ACRES OF LAND, MORE OR LESS. THE BASIS OF BEARINGS OF THE ABOVE DESCRIBED PARCEL IS LINN COUNTY SURVEY NO. 13207.

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.

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P.O. Box 400, Albany, OR 97321

- 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 construction of the original improvement and 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:

Campbell Family Trust UTD 11/3/89

By Allen F. Campbell
Allen F. Campbell, Trustee

By Vernita M. Campbell
Vernita M. Campbell, Trustee

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

The foregoing instrument was acknowledged before me this 19th day of Feb., 1996, by Allen F. Campbell and Vernita M. Campbell as their voluntary act and deed.

Petra Davis
Notary Public for Oregon

My Commission Expires: 11-27-99

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 3612, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this 13 day of March, 1996.

Steve Bryant
City Manager

ATTEST:

[Signature]
City Recorder

camp1 eas.147



AD TO
GREEN

703
21A

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SE Cor. DLC 77

Robert E. Harman

(381.74)

1124.87

(20.00 Ch.)

1845.76

40.17 Ch.

NE Cor. DLC 76

Francis Simpson

1200
73.88 A

L. B. C. C.



ALLEN 40' LN-

270

1.22A
1100

1300
12.08 A

1400
510A

1500 1.00A	1600 0.69A	1700 0.6
1900 1.69A		
2000 3.70A		
2001 0.96A		45

228.97'
2101
200A
225'
268.25'
351.62'

1288.82

26.66 Ch.

DEDICATION DEEDS
MF561-752 & 754

2102
49.26 A

LOONEY LN.

N 0° 32' 00" E
1704.23

15 11-10-10 300

1278

EXHIBIT A
Sec. 25 T.11S. R.4W. W.M

1/4 Cor.

1" = 400'

25

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 [Signature], Deputy

M
R 75
S 10

APR 9 12 42 PM '96

A
O

MF 796

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Recorded Document Recorder File No. 2733