

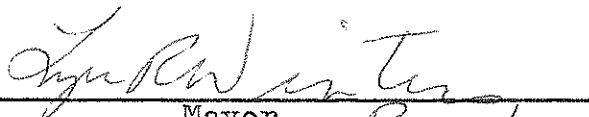
A RESOLUTION ACCEPTING EASEMENT)
FOR PUBLIC UTILITY.)

RESOLUTION NO. 52
for 1976

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF LEBANON
AS FOLLOWS:


Section 1. That the City of Lebanon accepts that certain
easement for public utilities set forth in the agreement executed
by Daniel O. Stutzman, et ux, dated the 30th day of ^{August} ~~October~~, 1976,
covering certain premises located in the Downing Addition, revised,
in the City of Lebanon, Linn County, Oregon.

Passed by the Council by a vote of 5 for and 0 against,
and approved by the Mayor this 27th day of October, 1976.



Mayor *Pro-Tam*

ATTEST:



Recorder

EASEMENT FOR PUBLIC UTILITY

THIS AGREEMENT, made and entered into this 30th day of ~~October~~ August, 1976, by and between DANIEL O. STUTZMAN and RACHEL STUTZMAN, husband and wife, herein called grantors, and the CITY OF LEBANON, a municipal corporation, herein called "City"

WITNESSETH:

That for and in consideration of the sum of One Dollar and other good and valuable consideration ~~DOLLARS~~ (\$1.00) cash in hand paid, the receipt of which is hereby acknowledged, the grantors have this day bargained and sold and by these presents do bargain, sell, convey and transfer unto the City of Lebanon a permanent easement and right-of-way, including the perpetual right to enter upon the real property hereinafter described at any time that it may see fit, and to construct, maintain and repair PUBLIC UTILITY lines for the purpose of conveying service 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 said services and the further right to remove trees, bushes, undergrowth and other obstructions interfering with the location, construction and maintenance of the said services, said easement being particularly described as follows:

The North 5 feet of Lot 1 Block 4, the North 5 feet of Lots 1, 8 of Block 3 and the West 5 feet of Lots 8, 7, 6 and 5 of said Block 3, the North 5 feet of Lots 1, 8 of Block 2 and the West 5 feet of Lots 8,7,6 and 5 of said Block 2, the North 5 feet of Lot 1 Block 1 and the West 5 feet of Lots 1, 2,3,4,5 and 6 of said Block 1, the North 5 feet of Lots 1,2, 3,4,5,6 and 7 of Block 5, All being located in the Downing Addition revised to the City of Lebanon, Linn County, Oregon.

TO HAVE AND TO HOLD the said easement and right-of-way unto the City of Lebanon and unto its successors and assigns forever.

The City covenants that should it become necessary subsequent to the original construction of the said service to enter in and upon the property for the purpose of maintenance, that the property will be restored to that condition that it was prior to the undertaking of the maintenance.

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.

IN WITNESS WHEREOF, the grantors have hereunto fixed their hands and seals the day and year first hereinabove written.

Daniel O. Stutzman
Rachel Stutzman

Until further notice is given, tax statements should be mailed to:
City of Lebanon, Oregon, P. O. Box 86, Lebanon, OR 97355

EASEMENT FOR PUBLIC UTILITY

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

On this 30 day of August, 1976, personally
appeared the above named Daniel & Rachel Stutzman,
and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 30 day of August,
19 76.

Naomi Taylor
Notary Public for Oregon

My Commission expires: Aug 16, 1980

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

I, Lyle Winters ^{pro-tem} as Mayor of the City of Lebanon, Oregon,
pursuant to Resolution Number 52, do hereby accept on behalf of the
City of Lebanon the above easement pursuant to the terms thereof.

Dated: October 27, 19 76.

CITY OF LEBANON, OREGON

[Signature]
Mayor

[Signature]
Recorder

After recording return to:

City of Lebanon, Oregon
P. O. Box 86
Lebanon, OR 97355

EXHIBIT "A"

DOWNING ADDITION REVISED TO LEBANON, LINN COUNTY, OREGON

