

RESOLUTION NO. 2018-56

A Resolution granting an easement to McMinnville Water & Light for the purpose of installing an electric distribution system to service Verizon tower lease space.

RECITALS:

On January 23, 2018, the City Council passed Resolution 2018-06, approving an Option and Tower Lease Agreement (Agreement) for Verizon to lease space on the City's emergency communications tower located at the City's Fire Station.

The Agreement provides that the City will grant a right-of-way easement to a public utility, if necessary, to allow the utility to install and maintain equipment necessary to service the equipment installed by Verizon within the leased space.

McMinnville Water and Light has indicated that an easement will be required from the City to related to the installation and maintenance electronic distribution equipment and related equipment, including conduit, transformers, vaults, primary conductors, secondary conductors and meters.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMINNVILLE, OREGON as follows:

1. An Easement is granted to McMinnville Water & Light, in the form attached hereto as Exhibit 1.
2. The City Manager is authorized to execute the Easement.
3. This Resolution will take effect immediately upon passage.

Adopted by the Common Council of the City of McMinnville at a regular meeting held November 13, 2018 by the following votes:

Ayes: Drabkin, Garvin, Menke, Peralta, Ruden, Stassens

Nays: \_\_\_\_\_

Approved this 13<sup>th</sup> day of November, 2018.

  
MAYOR

Approved as to form:

  
CITY ATTORNEY

After recording, return to:  
McMinnville Water & Light  
P.O. Box 638, 855 Marsh Lane  
McMinnville, OR 97128

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

201816982



\$91.00

Send Tax Statements to:  
No change.

DMR-EDMR Cnt=1 Stn=2 MILLSA  
\$15.00 \$5.00 \$11.00 \$60.00

12/03/2018 09:39:44 AM

### EASEMENT

THIS EASEMENT, made and entered into this 29 day of Nov., 2018, by and between the City of McMinnville, a municipal corporation of the State of Oregon, ("the City") and the City of McMinnville, a Municipal Corporation of the State of Oregon, acting by and through its WATER and LIGHT COMMISSION ("MW&L");

WHEREAS: The City is the record owner of the following described real estate in Yamhill County, State of Oregon, to-wit:

Lots 5, 6, 7 and 8, Block 4, Original Town of McMinnville, Yamhill County, State of Oregon and has the right to grant the easement hereinafter described relative to said real estate;

THEREFORE, for good and valuable consideration, which in terms of dollars is \$0.00-(None), the City does hereby grant and convey unto MW&L: a perpetual easement to construct, maintain, re-construct, improve, repair and replace, operate, and make connections to an electric distribution system and related equipment, including but not limited to: conduit, transformers, vaults, primary conductors, secondary conductors, and meters.

Easement is for a right-of-way over, under, and across the City's real estate described above and said easement more particularly described as follows:

A STRIP OF LAND LYING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON, BEING ALSO A PORTION OF LOTS 5, 6, 7 AND 8, BLOCK 4, OF THE ORIGINAL TOWN OF MCMINVILLE, YAMHILL COUNTY, STATE OF OREGON, DESCRIBED AS FOLLOWS:

SAID STRIP BEING 10-FEET WIDE, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A FOUND CASED MONUMENT AT THE INTERSECTION OF BAKER STREET WITH FIRST STREET, FROM WHICH POINT A FOUND CASED MONUMENT AT THE INTERSECTION OF BAKER STREET WITH LINCOLN STREET BEARS SOUTH 01°49'32" WEST 438.99 FEET;  
THENCE CONTINUING ALONG NORTH EXTENSION OF THE MONUMENT LINE, NORTH 01°49'32" EAST 90.88 FEET;  
THENCE NORTH 88°13'51" WEST 119.73 FEET TO THE NORTHEAST CORNER OF THE LEASE AREA BEING SERVED BY THIS EASEMENT;  
THENCE ALONG THE EAST LINE THEREOF, SOUTH 01°46'09" WEST 15.50 FEET TO THE SOUTHEAST CORNER THEREOF;  
THENCE ALONG THE SOUTH LINE THEREOF, NORTH 88°13'51" WEST 5.74;  
THENCE SOUTH 39°13'31" WEST 50.68 FEET TO THE POINT OF BEGINNING;  
THENCE NORTH 88°10'28" WEST 19.77 FEET ON THE END OF THIS CENTERLINE DESCRIPTION.

THE ATTACHED EXHIBIT "A" ENTITLED "UTILITY EASEMENT" SHOWS THE EASEMENT AREA (Map).

