

AFTER RECORDING RETURN TO:

City Recorder, Leilani Bronson-Crelly  
P.O. Box 3040  
Oregon City, Oregon 97045-0304



\$46.00

07/13/2004 12:02:58 PM

D-E Cnt=1 Sm=2 BEV L  
\$25.00 \$11.00 \$10.00

Map No.: 3-2E-16B  
Tax Lots.: 700  
Planning No.: TP 02-06

Grantor: Danny D. Berge

## CITY OF OREGON CITY, OREGON PUBLIC UTILITY(S) EASEMENT

**KNOW ALL BY THESE PRESENTS, THAT DANNY D. BERGE**  
hereinafter called the GRANTOR, do(es) hereby grant unto the City of Oregon City, hereinafter called the CITY, its successors in interest and assigns, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain a public stormwater line on the following described land:

See attached Exhibit "A" Legal Description and attached

Exhibit "B" Sketch for Legal Description

**TO HAVE AND TO HOLD**, the above described easement unto the CITY, its successors in interest and assigns forever.

GRANTOR reserves the right to use the surface of the land for walkways, plantings, parking, driveways, and related uses. Such uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the subject easement area by the CITY. No future building or utility shall be placed upon, under, or within the property subject to the foregoing easement during the term thereof, however, without the written permission of the CITY.

Upon completion of the construction, the CITY shall restore the surface of the property to its original condition and shall indemnify and hold the GRANTOR harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is \$1.00, the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances (no exceptions) and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

*File*  
*12-16-03*

IN WITNESS WHEREOF, the GRANTOR has executed this 16 day of December, 2003; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

**NOTICE: No stamp or corporate seal is allowed over any typed information.**

Individuals, general partnerships

Corporation/limited partnership

Danny D. Berge

Signer's Name

*Danny D Berge*

Signer's Name

Corporation/Partnership Name

Signer's Name, Title

(if executed by a corporation  
affix corporate seal below)

Signer's Name, Title

Signer's Name, Title

*Wk*  
12-16-03

**NOTICE TO NOTARIES:** No notary stamp or corporate seal is allowed over any typed information.

Personal Acknowledgment

STATE OF OREGON )

County of CLACKAMAS ) ss.

Personally appeared the above named

DANNY D. BERGE

and acknowledged the foregoing instrument to be his voluntary act and deed.

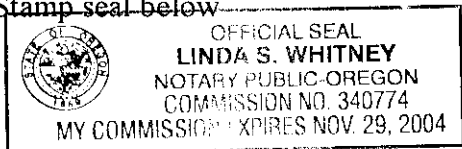
Before me:

NOTARY PUBLIC FOR OREGON

*Linda S. Whitney*  
Notary's signature

My Commission Expires: 11-29-04

Stamp seal below



Danny D. Berge

25071 S. Beeson Road

Beavercreek, OR 97004

(Grantor's Name and Address)

**City of Oregon City**

**P.O. Box 3040**

**320 Warner Milne Road**

**Oregon City, OR 97045-0304**

(Grantee's Name and Address)

Accepted on behalf of the City of Oregon City  
on the condition that the easement granted is  
free and clear from any taxes, liens, and  
encumbrances.

Mayor

*Alice Morris*

City Recorder

*L. Brennan Crelley*

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Corporate Acknowledgment

STATE OF OREGON )

County of \_\_\_\_\_ ) ss.

Personally appeared \_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_ who being duly sworn,  
each for himself and not one for the other did  
say that the former is the \_\_\_\_\_ president  
and that the latter is the \_\_\_\_\_ secretary  
of \_\_\_\_\_

\_\_\_\_\_, a corporation, and that the seal affixed  
to the foregoing instrument was signed and  
sealed in behalf of said corporation by  
authority of its board of directors; and each of  
them acknowledged said instrument to be its  
voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

\_\_\_\_\_  
Notary's signature

My Commission Expires: \_\_\_\_\_

Stamp seal below

*WLF*  
12-16-03

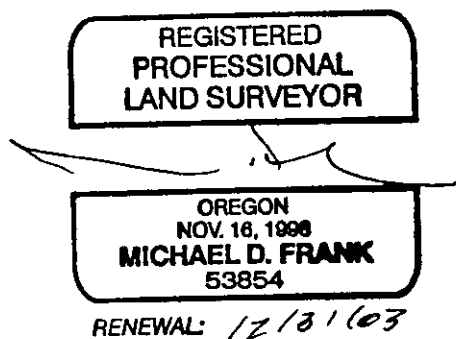
**EXHIBIT "A"**

**PUBLIC STORM SEWER EASEMENT**

BEING A 15.00 FOOT WIDE STRIP OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THAT CERTAIN TRACT OF LAND RECORDED AS DEED DOCUMENT NO. 97-052680 LYING WEST OF A LINE 45.00 FEET EAST OF AND PARALLEL WITH THE CENTERLINE OF MOLALLA AVENUE (STATE HIGHWAY 213), MEASURED PERPENDICULAR THERETO.

CONTAINS 3,297 SQUARE FEET OR 0.076 ACRES MORE OR LESS.

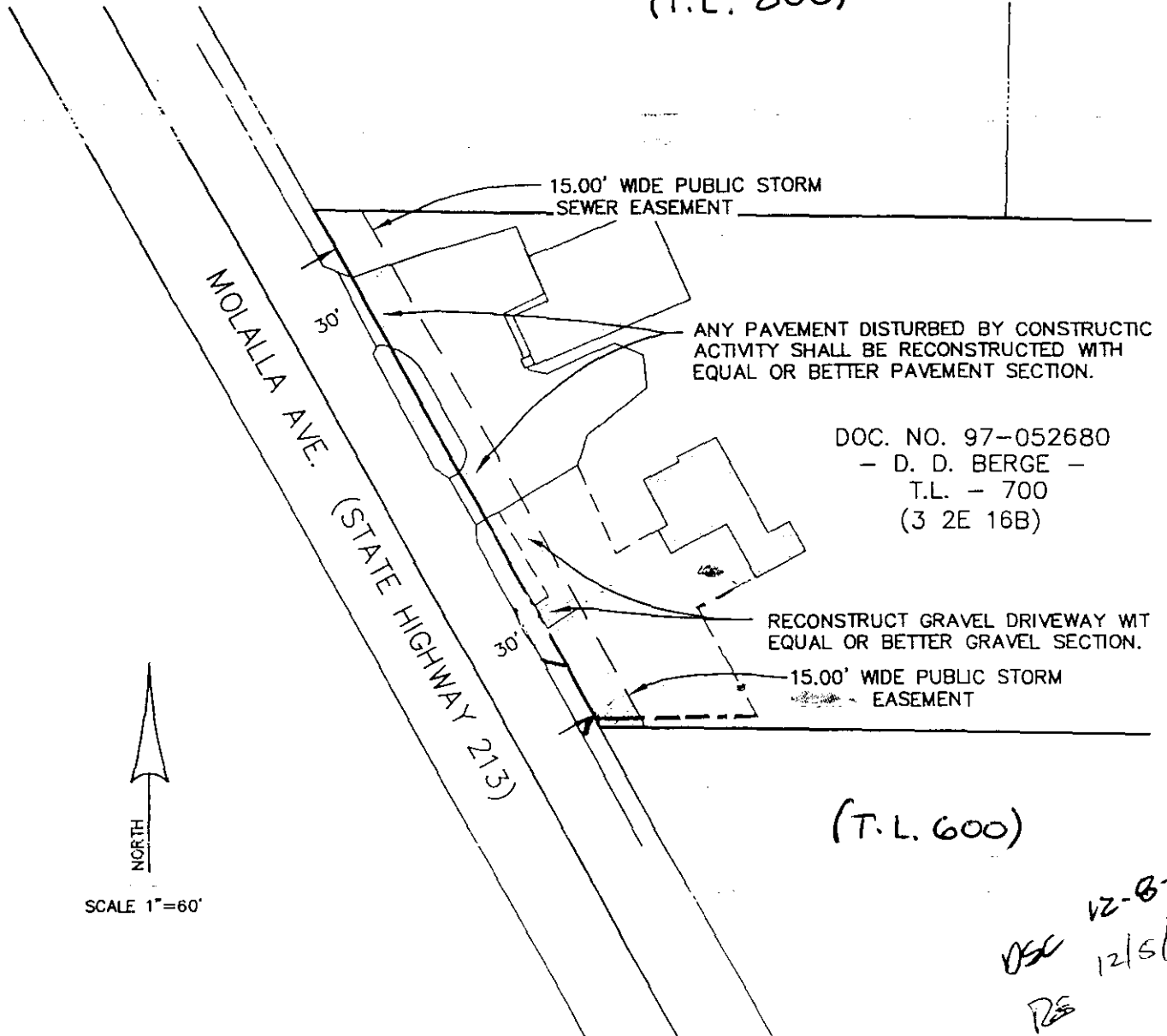


# EXHIBIT "B"

15' WIDE PUBLIC STORM SEWER EASEMENT  
A PORTION OF DEED DOCUMENT NO. 97-052680  
LOCATED IN THE NW 1/4 OF SECTION 16,  
IN T 3 S, R 2 E, WILLAMETTE MERIDIAN  
CLACKAMAS COUNTY, OREGON

DECEMBER 3, 2003

(T.L. 800)



(T.L. 600)

## LEGEND:

PUBLIC STORM SEWER EASEMENT  
3,297 SQUARE FEET  
0.076 ACRES

JOB NO. CEN2901 SHEET 1 OF 1

W R G

D E S I G N I N C

5415 SW WESTING DR, PORTLAND, OREGON 97221

TEL (503) 419-2500 FAX (503) 419-2600

PLANNERS ■ ENGINEERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS

5


with  
12-16-03

12-8-03  
12/5/03

12-16-03

**COMMISSION REPORT: CITY OF OREGON CITY**  
**TO THE HONORABLE MAYOR AND COMMISSIONERS**

320 Warner Milne Road---(503) 657-0891

 INCORPORATED 1844	<b>Agenda Item No.:</b> 3.6	<b>Topic:</b> Storm Drainage Public Utility Easements, On Tax Lots 900, 800, 700 & 600, For the Meadowood Subdivision  (TP02-06)
	<b>Report No.:</b> 04-100	
	<b>Agenda Type:</b> DISCUSSION/ACTION	
	<b>Meeting Date:</b> June 2, 2004	<b>Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Prepared By:</b> John Knapp	<b>Reviewed By:</b> Bob Cullison	<b>Approved By:</b> L. Patterson

**RECOMMENDATION:**

It is recommended that the City Commission adopt a motion accepting these Storm Drainage Public Utility Easements and authorize the Mayor and City Recorder to execute them.

**REASON FOR RECOMMENDATION:**

These public utility easements provide for the use of the described property for public storm drainage. The easement is attached for Commission review.

**BACKGROUND:**

On the June 2, 2004, agenda is the Storm Drainage Public Utility Easement for the Meadowood subdivision -- City Planning File No. TP02-06.

For: Map No. 3-2E-16A      Tax Lot 900      Meadowood subdivision  
(TP02-06)

Over: Map No. 3-2E-16B      Tax Lot 900,800,700 & 600      Properties along Molalla Avenue

**BUDGET IMPACT:** FY(s): N/A      Funding Source: N/A

Attachment1: Storm PUE -- Covel/Krause TL 900  
Attachment 2: Storm PUE -- Scholz -- TL 800  
Attachment 3: Storm PUE -- Berge -- TL 700  
Attachment 4: Storm PUE -- CT Leasing -- TL 600

*Approved*

Storm Easement

3-ZE-16B

TL 700

Berge, Danny D.

(Public Stormwater Line Easement  
TP02-06)

[Doc. 2004-064226]  
7/13/04

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Item #11