

515

RECORDED IN CLACKAMAS COUNTY
ARDIS STEVENSON, COUNTY CLERK

2002-092900

AFTER RECORDING RETURN TO:

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



\$46.00

09/30/2002 03:25:43 PM

D-E Cnt=1 Stn=1 DIANNAW
\$25.00 \$11.00 \$10.00

Map No.: 3-2E-8BD
Tax Lot: 4200
Planning No.: SP01-08
Project: Gaffney Lane Elementary Addition

Grantor: Oregon City School District No. 62
(Rezac, Kenneth W.)

CITY OF OREGON CITY, OREGON PUBLIC WATERLINE EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Oregon City School District No. 62 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 Public Water Facilities 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, 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 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.

IN WITNESS WHEREOF, the GRANTOR has executed this 28th day of August, 2002; 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

Signer's Name

Corporation/Partnership Name



Signer's Name

Signer's Name, Title

(if executed by a corporation
affix corporate seal below)

Signer's Name, Title

Signer's Name, Title

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
Ken Rezac

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

Before me: Kelli D. Grant

NOTARY PUBLIC FOR OREGON

Kelli D. Grant
Notary's signature
My Commission Expires: 9-26-03
Stamp seal below



Ken Rezac
Oregon City School District No. 62

(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 John F. Williams, Jr.

City Recorder Leilani Bronson-Crelly

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

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LEGAL DESCRIPTION
WATERLINE EASEMENT
GAFFNEY LANE
FOR OREGON CITY SCHOOL DISTRICT

JOB NO. 4877.1
10/19/01 MAR

EXHIBIT "A"

A STRIP OF LAND, 15.00 FEET WIDE, IN THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, THE CENTERLINE OF WHICH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4 INCH IRON PIPE AT THE MOST SOUTHERLY CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO OREGON CITY SCHOOL DISTRICT NO. 62, RECORDED NOVEMBER 16, 1961, IN BOOK 595, PAGE 370, CLACKAMAS COUNTY DEED RECORDS, SAID POINT BEING ON THE NORTHWEST RIGHT-OF-WAY LINE OF GAFFNEY LANE (COUNTY ROAD NO. 526)(20.00 FEET FROM CENTERLINE); THENCE N.46°48'00"W., 10.01 FEET; THENCE N.40°48'00"E., 447.47 FEET TO THE TRUE POINT-OF-BEGINNING; THENCE N.49°10'29"W., 347.00 FEET TO THE TERMINUS OF SAID CENTERLINE, CONTAINING 5,205 SQUARE FEET, MORE OR LESS.



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

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

 <p align="center">INCORPORATED 1844</p>	Agenda Item No.: 6.4	Topic: Public Water Facilities Utility Easement for the Gaffney Lane Elementary School Addition Project (SP01-08)
	Report No.: 02-197	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: September 4, 2002	
Prepared By: John Knapp	Reviewed By: Dean Norlin	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Approved By: B. Nakamura <i>BSN</i>

RECOMMENDATION:

It is recommended that the City Commission adopt a motion accepting this public water facilities utility easement and authorize the Mayor and City Recorder to execute it.

REASON FOR RECOMMENDATION:

This instrument provides the needed public easement for public water facilities installed for the Gaffney Lane Elementary School Addition project. The easement instrument is attached for Commission review.

BACKGROUND:

On the September 4, 2002, agenda is the Public Water Facilities Utility Easement Instrument for the Gaffney Lane Elementary School Addition project – City Engineering File No. SP01-08.

Map No. 3-2E-8BD

Tax Lot 4200

Gaffney Lane Elementary School Addition
(SP01-08)

BUDGET IMPACT: FY(s): N/A

Funding Source: N/A

Approved

FOUND 5/8" IRON ROD WITH ALUMINUM CAP INSCRIBED "CITY OF OREGON CITY" IN MONUMENT BOX

FALCON DRIVE

15' WATER LINE EASEMENT

30'

25'

N49°10'29"W 347.00'

7.5'

POINT-OF-BEGINNING

PUBLIC ROAD

GAFFNEY LANE SCHOOL
TAX LOT 4200
DEED BOOK 595, PAGE 370

N40°48'00"E 447.47'

N40°48'00"E 1118.15'

GAFFNEY LANE (COUNTY ROAD NO. 526)

30'

20'

N46°48'00"W 10.01'

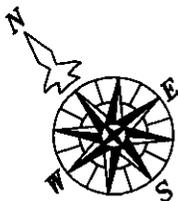
TAX LOT 4300

20.00'

FOUND 3/4"

GLENVIEW

COURT



SCALE: 1" = 60'

Water Easement

3-ZE-8BD

TL 4200

Rezac, Kenneth W.

(Oregon City School District No. 62)

(SP01-08)

[Doc. 2002-092900]

9/30/02

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