

515

AFTER RECORDING RETURN TO:

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

Map No.: 3-2E-8D

Tax Lot: 500

Planning No.: SP98-39 / LL00-03

RECORDED IN CLACKAMAS COUNTY
JOHN KAUFFMAN, COUNTY CLERK

2002-057860



\$46.00

00311653200200578600050055

06/21/2002 08:28:59 AM

D-E Cnt=1 Stn=1 DIANNAW

\$25.00 \$11.00 \$10.00

Grantor: Emmert, Terry W.
(Emmert Brundidge LLC)

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

KNOW ALL BY THESE PRESENTS, THAT Emmert Brundidge LLC 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 29 day of APRIL, 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



Signer's Name

Terry W. Emmert

Signer's Name

(if executed by a corporation
affix corporate seal below)

Corporation/limited partnership

Emmert / Brundidge LLC

Corporation/Partnership Name

Signer's Name, Title

Signer's Name, Title

Signer's Name, Title

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

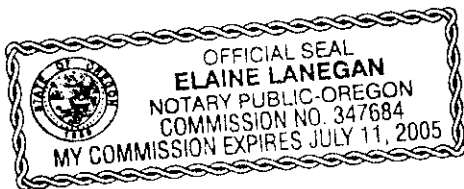
Personal Acknowledgment

STATE OF OREGON)
) ss.
County of Clackamas)

On this 29 day of April, 2002,
before me, Elaine Lanegan, the
undersigned Notary Public, personally appeared
Terry Emmet and
acknowledged the foregoing instrument to be
his/her voluntary act and deed.

NOTARY PUBLIC FOR OREGON

My Commission Expires: 7-11-05
Stamp seal below



(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)
) ss.
County of _____)

On this _____ day of _____, 20____,
before me, _____, the
undersigned Notary Public, personally appeared
_____ and
_____ who
being duly sworn, each for himself/herself 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.

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____
Stamp seal below

LEGAL DESCRIPTION
15 FOOT PUBLIC WATER LINE EASEMENT

Being a proposed 15 foot Public Water Line Easement in a portion of that tract of land as described by Exhibit B of deed recorded as Document No. 2000-046094, Clackamas County Deed Records, in the southeast one quarter of Section 8, Township 3 South, Range 2 East, of the Willamette Meridian, being more particularly described as follows:

Beginning at a point in the west line of said tract of land, which bears N50°01'59"E 1895.63 feet and S19°45'45"E 35.78 feet from the most southerly corner of the Samuel N. Vance Donation Land Claim No. 51;

Thence S19°45'45"E, along the said west line, 311.12 feet;

Thence leaving said west line, N70°14'15"E 15.00 feet to a point 15.00 feet easterly as measured at right angles to the said west line;

Thence N19°45'45"W, parallel to the said west line, 304.90 feet;

Thence N25°14'15"E 33.09 feet to a point 15.00 feet southerly as measured at right angles to the north line of said tract of land;

Thence N75°29'46"E, parallel to the said north line, 369.43 feet;

Thence N14°30'14"W 15.00 feet to a point in the said north line;

Thence S75°29'46"W, along the said north line, 376.47 feet;

Thence leaving said north line, S25°14'15"W 46.34 feet to the Point of Beginning.

Containing 10,810 square feet more or less.

This legal description and the basis of bearings thereof, is established from the legal description for that tract of land as described by Exhibit B of deed recorded as Document No. 2000-046094, Clackamas County Deed Records.

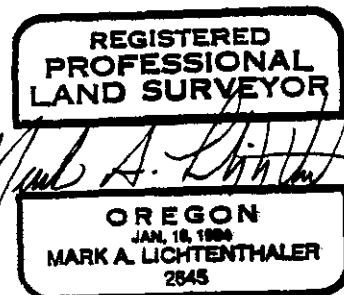


EXHIBIT "A"

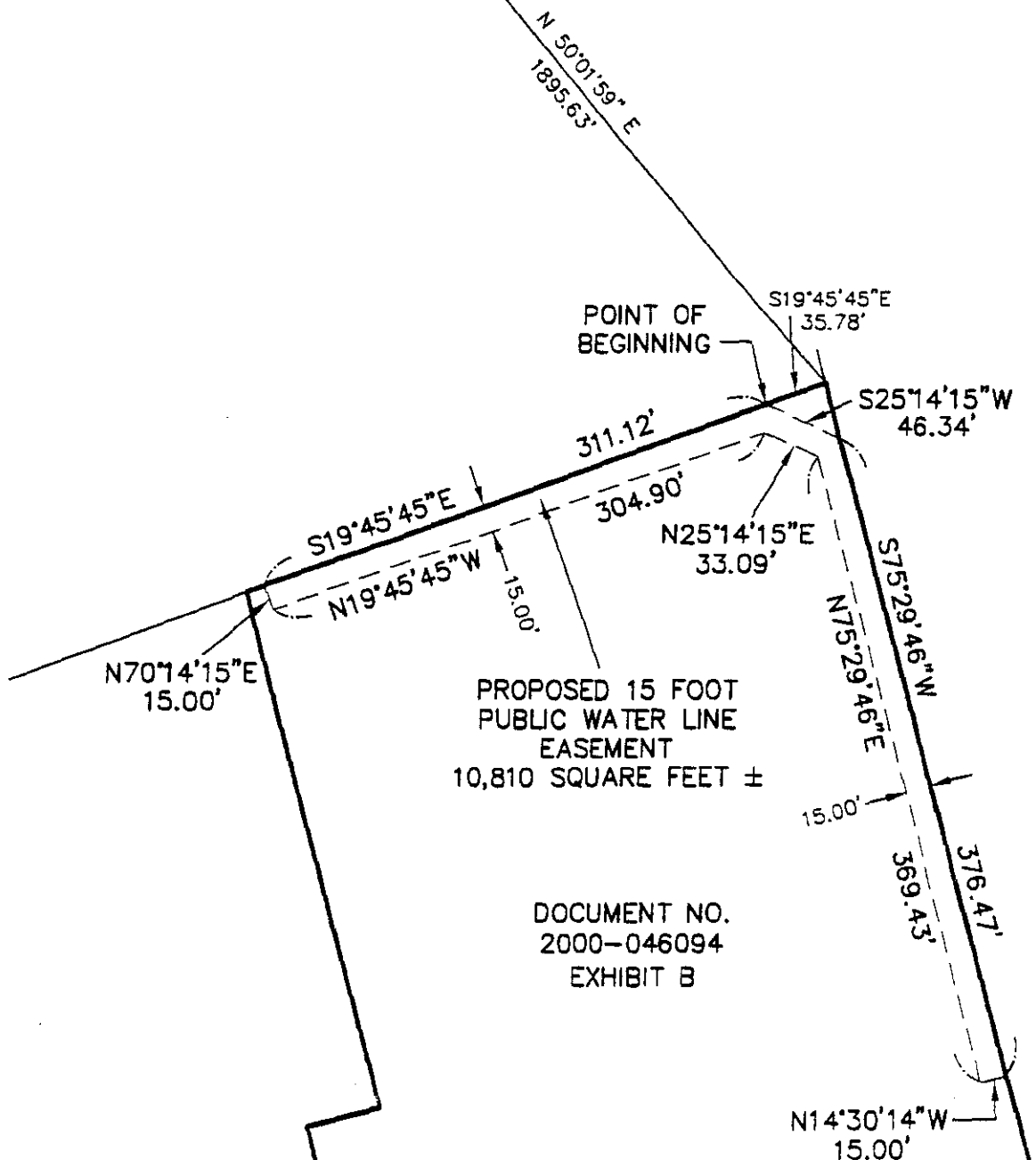
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EXHIBIT "B"

MOST SOUTHERLY CORNER OF
SAMUEL N. VANCE DONATION
LAND CLAIM




SCALE: 1" = 100'



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

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

 INCORPORATED 1844	Agenda Item No.: 5.3	Topic: Public Water Facilities Utility Easement for Trails End Market Place Development (SP98-39 & LL00-03)
	Report No.: 02-114	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: June 5, 2002	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prepared By: John Knapp	Reviewed By: Jay Toll	Approved By: B. Nakamura

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 Trails End Market Place project. The easement instrument is attached for Commission review.

BACKGROUND:

On the June 5, 2002, agenda is the Public Water Facilities Utility Easement Instrument for the Trails End Market Place project – City Engineering File No. SP98-39 & LL00-03.

Map No. 3-2E-8D

Tax Lot 500

Trails End Market Place Development
(SP98-39 & LL00-03)

BUDGET IMPACT: FY(s): N/A

Funding Source: N/A

approved

Public Utility Easement
(Public Water Facility)

3-2E-8D TL 500

Emmert, Terry W.

(Public Water Facilities SP98-39/
LL00-03)

[Doc. 2002-057860]

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ITEM #16

Env #

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