

5/5
AFTER RECORDING RETURN TO:

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



\$46.00

00289976200200409640050053

04/30/2002 09:59:56 AM

D-0D Cnt=1 Stn=2 MIKE

\$25.00 \$11.00 \$10.00

Map No.: 3-2E-7A

Tax Lots: 4400,4500,4600,4700 & 4800

Engineering No.: Misc02-01

Grantor: Derusha, Deborah E. & Craig M.

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

KNOW ALL BY THESE PRESENTS, THAT Deborah E. Derusha & Craig M. Derusha 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 Utilities 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 7th day of March, 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

Scott E. DeRusha

Signer's Name

Craig M. DeRusha

Signer's Name

Corporation/limited partnership

Corporation/Partnership 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.

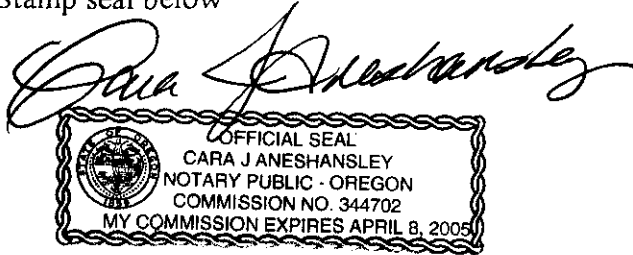
Personal Acknowledgment

STATE OF OREGON)
County of Clackamas) ss.

On this 7th day of March, 2002,
before me Cara J Aneshansley, the
undersigned Notary Public, personally appeared
Deborah & Craig DeRusha and
acknowledged the foregoing instrument to be
his/her voluntary act and deed.

NOTARY PUBLIC FOR OREGON

My Commission Expires: 4-8-05
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
City Recorder Leilani Bronson-Crelly

Corporate Acknowledgment

STATE OF OREGON)
County of _____) ss.

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

Exhibit A



Centerline Concepts, Inc.

February 14, 2002
Craig Derusha

PUBLIC UTILITY EASEMENT

BEGINNING at the SW corner of Lot 5, Block 1, Leland Haven, in Section 7, T.3S., R.2E., W.M., City of Oregon City, Clackamas County, Oregon; thence, on the west line of Lots 5, 4, 3 & 2 of Block 1, Leland Haven, N46°45'00"W 265.00 feet to a point when measured at right angles is 10.00 feet north of the south line of said Lot 2; thence, 10.00 feet north of and parallel with said south line, N43°11'00"E 84.00 feet to the west line of Lot 1, Block 1, Leland Haven; thence, on said west line, S46°45'00"E 10.00 feet to the SE corner of said Lot 1; thence, on the south line of said Lot 1, S43°11'00"W 74.00 feet to a point when measured at right angles is 10.00 feet east of the west line of said Lot 3; thence, 10.00 feet east of and parallel with the west line of said Lots 3, 4 and 5, S46°45'00"E 255.01 feet to the south line of said Lot 5; thence, on said south line S43°11'00"W 10.00 feet to the POINT OF BEGINNING.

Subject to easements of record.

Q:\DOCS\LGLDESC\Derusha-Craig.wpd

Page 4

Precise Boundary Surveys

640 82nd Drive Gladstone, Oregon 97027
503 650-0188 fax 503 650-0189

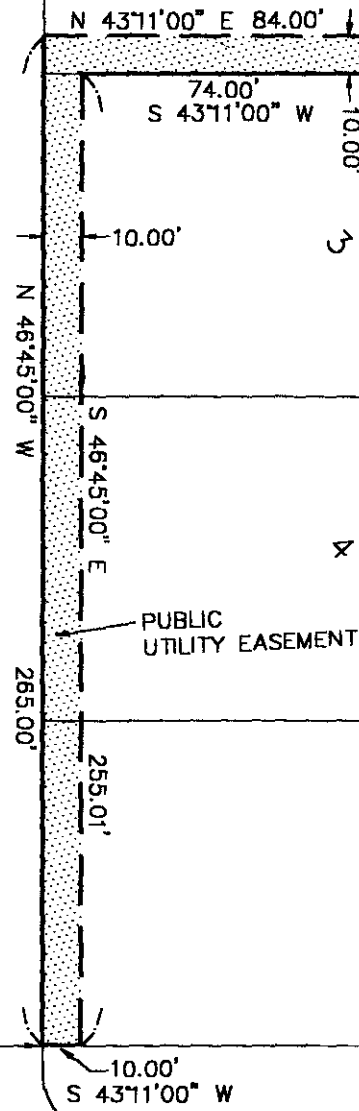
EXHIBIT A

4

Exhibit B

HAVEN ROAD

S.W. CORNER -
LOT 5, BLOCK 1,
"LELAND HAVEN"



SCALE DRAWING

SECTION 7, T.3S., R.2E., W.M.

CITY OF OREGON CITY

CLACKAMAS COUNTY, OREGON

FEBRUARY 14, 2002

DRAWN BY: MPW CHECKED BY: WGDIII

SCALE 1"=50' ACCOUNT #150-4330

M: \MU\LI-5B1LH

LOTS 1 - 5, BLOCK 1,
"LELAND HAVEN"

EXHIBIT B


Centerline Concepts Inc.

640 82nd Drive Gladstone, Oregon 97027
503 650-0188 fax 503 650-0189

COMMISSION REPORT: CITY OF OREGON CITY

TO THE HONORABLE MAYOR AND COMMISSIONERS

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

 INCORPORATED 1844	Agenda Item No.: 6.3	Topic: Public Utility Easement For The Derusha Properties (Leland Haven Lots 1-5, established lots of record) (Misc02-01)
	Report No.: 02-053	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: March 20, 2002	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prepared By: John Knapp	Reviewed By: Bob Cullison	Approved By: B. Nakamura

RECOMMENDATION:

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

REASON FOR RECOMMENDATION:

This instrument provides the customary public utility easement for future utilities along the frontage of Haven Road (Prospector Terrace). The easement instrument is attached for Commission review.

BACKGROUND:

On the March 20, 2002, agenda is the Public Utility Easement Instrument for the Derusha Properties (legal lots 1-5 of the Leland Haven subdivision) – City Engineering File No. Misc02-01.

Map No. 3-2E-7A Tax Lots 4400,4500,4600 & 4800 Derusha properties (Leland Haven lots 1-5)
(Misc02-01)

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

Approved

P. U. E.

32E7A TL 4400, 4500, 4600, 4700 & 4800

DERUSHA, DEBORAH E. & CRAIG M.

O.C. Page 1611
Item # 5

CLACKAMAS Co. Doc # 2002-040964

Env. 440