



AFTER RECORDING RETURN TO:

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

Map No.: 3S-2E-8D

Tax Lot No.: 402, 500, 502, 600, & 613

Planning No.: SP 98-39

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

KNOW ALL BY THESE PRESENTS, THAT Emmert and 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 storm water 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, 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 22 day of February, ~~19~~2000 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

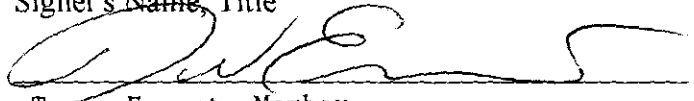
Signer's Name

Corporation/Partnership Name

Emmert and Brundidge LLC

Signer's Name

Signer's Name, Title



Terry Emmert, Member

Signer's Name, Title



Darrin Brundidge, Member

Signer's Name, Title

(if executed by a corporation
affix corporate seal below)

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

Personal Acknowledgment

STATE OF OREGON)

) ss.

County of _____)

Personally appeared the above named _____

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

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

Corporate Acknowledgment

STATE OF OREGON)

) ss.

County of Clackamas)

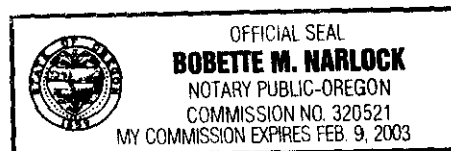
Personally appeared Terry Emmert and Darrin Brundidge who being duly sworn, each for himself and not one for the other did say that the former is ~~the~~ a ^{member} ~~president~~ and that the latter is ~~the~~ a ~~member~~ ~~secretary~~ of Emmert and Brundidge LLC, a corporation, and that the seal affixed 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:

Bobette M. Narlock

NOTARY PUBLIC FOR OREGON

My Commission Expires: 2/9/03



(Grantor's Name and Address)

City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045
(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 taxes, liens, and encumbrances.

Mayor

City Recorder

John F. Holliman Jr.
Leilani Brownson-Crelly

Legal Description
Proposed 20' Wide
Public Storm Easement

A tract of land being part of the Robert Caulfield Donation Land Claim No. 63, in Sections 8 and 9, Township 3 South, Range 2 East of the Willamette Meridian, in the City of Oregon City, County of Clackamas and State of Oregon, said tract lying 10.00 feet on each side of the following described centerline:

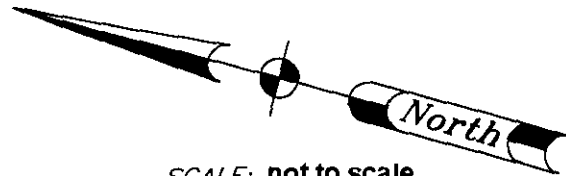
Beginning at a point lying North 75°30'14" East, 441.41 feet from the Northwest corner of that tract of land described in Fee No. 99-061178, recorded 6-16-99, Clackamas County Deed Records; thence leaving the North line of said tract, South 18°08'15" East, 15.77 feet; thence South 11°56'06 East, 46.82 feet; thence South 14°27'56" East, 155.50 feet; thence South 03°54'08" West, 262.10 feet; thence South 31°40'48 East, 43.34 feet; thence South 01°45'30" West, 65.76'; thence South 74°05'17" West, 74.41 feet to the South line of said tract of land.

The sidelines of said strip are to be prolonged and/or shortened so as to terminate in the boundary of said tract of land described in Fee No. 99-061178.

Contains 0.30 acres, more or less.

EXHIBIT "A"

LOCATED IN THE ROBERT CAULFIELD
DONATION LAND CLAIM NO. 63
IN SECTIONS 8 AND 9, T3S, R2E, WM
CITY OF OREGON CITY
CLACKAMAS COUNTY, OREGON



SCALE: not to scale

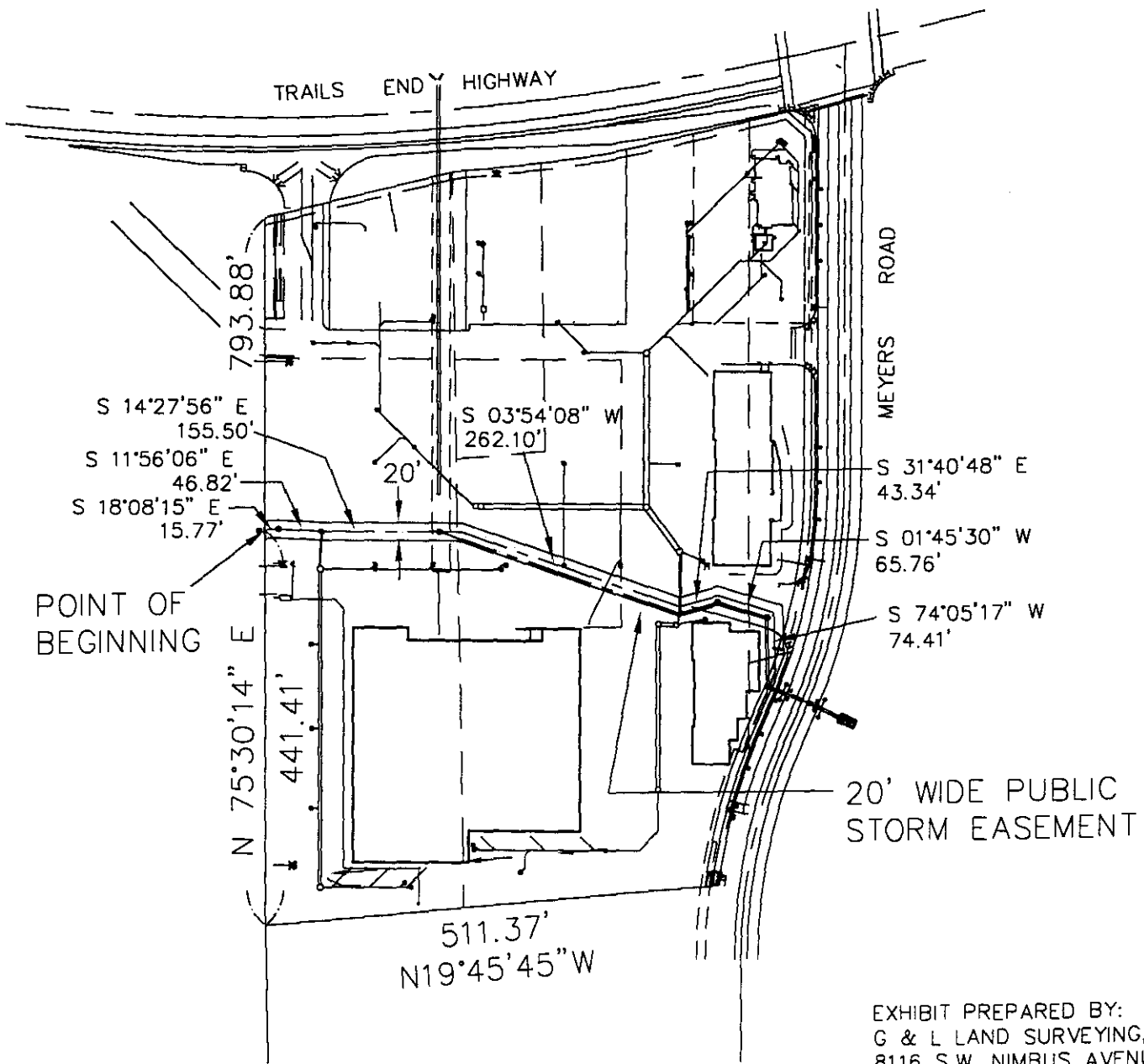


EXHIBIT "B"

EXHIBIT PREPARED BY:
G & L LAND SURVEYING, INC
8116 S.W. NIMBUS AVENUE
BEAVERTON, OREGON 97008
(503) 641-0308
JOB NO. 2047 PWP

P.U.E. Storm water Line

3-ZE-8D TL 402,500,502,
600, & 613
Emment & Brundidge LLC

[Doc. 2000-022305]

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ITEM #17 & #19

ENV#
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