

598
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25.00
10.00

AFTER RECORDING RETURN TO: City Recorder; ATTN: Jean Elliott, City of Oregon City; 320 Warner Milne Road; Oregon City, Oregon 97045

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

Map No.: 3-1E-12DB

Tax Lot No.: Hazel Grove 4 Plat # 3417, Tax Lot 3200

Planning No.: TP 96-04

KNOW ALL BY THESE PRESENTS, THAT ROBERT W. SWELLAND, JR., OF R S CUSTOM HOMES 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 SANITARY SEWER LINES 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.

99-100379

IN WITNESS WHEREOF, the GRANTOR has executed this 21 day of SEPTEMBER, 1999, 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

Robert W. Smith

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
Robert W. Swallow, Jr.
and acknowledged the foregoing instrument to be his
voluntary act and deed.

Before me: Judy A. Bradshaw

NOTARY PUBLIC FOR OREGON

My Commission Expires: 7/26/03



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

My Commission Expires: _____

(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 John F. Williams, Jr.
City Recorder 10-6-99
Jean K. Elliott



EXHIBIT 'A'

5.00 FOOT SANITARY SEWER EASEMENT

TO CITY OF OREGON CITY

Beginning at a point which is South 48°25'28" East 10.00 feet from the North corner of Lot 107 of Hazel Grove 4 a duly recorded subdivision in Clackamas County, Oregon; thence South 41°34'32" West 129.17 feet to the southwesterly line of said Lot; thence South 46°25'15" East 5.00 feet along said line; thence North 41°34'32" East 129.34 feet to the northeasterly line of said Lot; thence North 48°25'28" West 5.00 feet to the point of beginning.

NORTH CORNER
LOT 107
HAZEL GROVE, 4

P.O.B.

5.00'

55.12'

80.00'

10' PUBLIC
UTILITY EASEMENT
PER P.P. 1994-45

11A

EXHIBIT 'B'

107
10,082 S.F.

1C
10,369

S 41° 34' 32" W

128.82'

129.17'

129.34'

5'

S 43° 34' 45" W

129.61'

5' PRIVATE
STORM DRAIN
EASEMENT

N 46° 25' 15"

75.60'

100.25'

80.00'

55

N 46° 25' 15" W

DIAL)

TF.S

**CITY OF OREGON CITY**

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED
October 6, 1999

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public Utility Easement Acceptance
Map 3.1E-12DB, Tax Lot 3200, R S Custom Homes

Report No. 99-183

On the October 6, 1999 Commission agenda, is the attached Public Utility Easement for the construction, reconstruction, operation, and maintenance of the "SANITARY SEWER LINES" for Lot 3200 in Hazel Grove 4. This easement is described by attached Exhibits "A" and "B". This easement was required as a condition of approval for this subdivision development.

It is recommended that the City Commission adopt a motion to accept the easement and authorize the Mayor and the City Recorder to execute respectively.

CHRISTOPHER JORDAN
Interim City Manager

cc: Staff Contact – Bob Cullison
Bryan Cosgrove, Interim Community Development Director
File

approved

ISSUED BY THE CITY MANAGER

PUE. Sanitary Sewer Lines

3-1E-12DB TL 3200

Swelland JR, Robert W.

(Hazel Grove 4 Plat #3417
TP 96-04)

[Doc. 99-100379]

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ITEM #8

Env. 292