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SPY

After Recording Return To: Jean Elliott, City Recorder; City of Oregon City; 320 Warner Milne Road; Oregon City, Oregon 97045

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CITY OF OREGON CITY, OREGON

Map No.: 3-2E-5C

Tax Lot: 807

Planning File: SP 98-31

PUBLIC UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT RS7 L.L.C. 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 a Fire Protection Waterline 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 any construction in this easement, 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 zero dollars (\$0.00), the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR above named hereby covenants to and with the GRANTEE(s), and GRANTEE(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 personal representatives shall warrant and forever defend the said premises and every part thereof to the GRANTEE(s), 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 instrument this 20th day of November, 1997; 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.

99-062509

(Grantor's Name and Address)

City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045

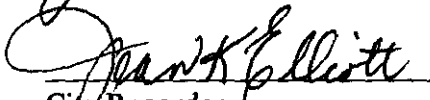
(Grantee's Name and Address)

Space reserved for County
Record's Office

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

6-16-99
Date

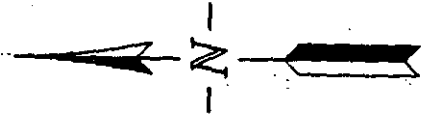


EXHIBIT "A"
LEGAL DESCRIPTION

A strip of land lying in the Southwest 1/4 of Section 5, Township 3 South, Range 2 East of the Willamette Meridian in the City of Oregon City, Clackamas County, Oregon, and also being within Lot 7 of "Red Soils" a duly recorded plat of Clackamas County, and further described as follows:

Beginning at a point on the North line of said Lot 7 lying 37.93 feet East of the Northwesterly corner of said Lot 7; thence Southerly perpendicular to the Northerly line of said Lot 7, 20.00 feet to a point; thence Easterly parallel with the Northerly line of said Lot 7, 15.00 feet to a point; thence North perpendicular to the Northerly line of said Lot 7 20.00 feet to a point on the North line of said Lot 7; thence Westerly along the Northerly line of Lot 7, 15.00 feet to the point of beginning.

Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 94897 \$35.00
DATE AND TIME: 06/22/99 09:46 AM
JOHN KAUFFMAN, COUNTY CLERK



RED SOILS COURT

BEAVERCREEK ROAD

LOT 8 OF "RED SOILS"

CITY FILE #
SP 98-31

JARAD BUSINESS CTR.

CITY FILE # SP 97-06

LOT 7 OF "RED SOILS"

EXHIBIT "B"

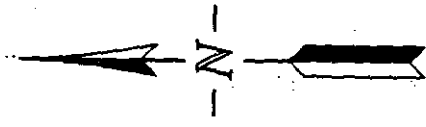
SKETCH

37.93'

20.00'

15' WATERLINE EASEMENT

51



RED SOILS COURT

BEAVERCREEK ROAD

LOT 8 OF "RED SOILS"

CITY FILE #
SP 98-31

JARAD BUSINESS CTR.

CITY FILE # SP 97-06

LOT 7 OF "RED SOILS"

15' WATERLINE EASEMENT

37.93'

20.00'

EXHIBIT "B"
SKETCH



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED
June 16, 1999

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public and Private Utility Easement Acceptance
for Two Properties

Report No. 99-112

On the June 16, 1999 Commission agenda are two Utility Easements for the following properties:

The attached Public Utility Easement for the construction, reconstruction, operation, and maintenance of the "A Public Water Line" for the project "Jarad Business Center". This project was approved as City Planning File Number SP98-31, the easement is located on a previously approved project being City File Number SP97-06 and described by attached Exhibits "A" and "B". This easement was required to loop the Public Water Line between the two commercial developments.

Map No. 3-2E-5C

Tax Lot 807

Red Soils Lot 7, SP97-06

Also;

The attached Private Public Utility Easement for the construction, reconstruction, operation, and maintenance of "A Private Storm Water Drainage Line" for the Pioneer Car Wash development. This project was approved as City Planning File Number SP98-17 and described by attached Exhibits "A" and "B". This easement was required as part of the conditions of development to enable the Pioneer Car Wash to discharge the controlled storm drainage from their site to an approved drainage discharge point.

Map No. 3-2E-5D

Tax Lot 400

Pioneer Car Wash, SP98-17

It is recommended the City Commission adopt a motion accepting these Utility Easements for the above named properties and authorize the Mayor and City Recorder to execute respectively.

CHRIS JORDAN
Interim City Manager

cc: Bryan Cosgrove, Interim Community Development Director
Dean R. Norlin, P.E., Senior Engineer
File SPD98-31, & SP98-17

ISSUED BY THE CITY MANAGER

Public Utility Easement
(FIRE PROTECTION WATERLINE)

3-2E-6C + 1807

Red soils Lt 7

SP ~~MAADON~~

1998-31

MAP 1412 #2a 15'x20'

C. Co. # 99-062509

Env. 207