

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

Map No.: 3-2E-5C

Tax Lot No.: 812

Planning No.: N/A

KNOW ALL BY THESE PRESENTS, THAT CLACKAMAS COUNTY 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 for the purpose of constructing, reconstructing, operating, and maintaining a WATER LINE on the following described land:

See attached Exhibit "A" Legal Description and Sketch for Legal Description

GRANTOR additionally grants to CITY reasonable access for ingress and egress to the easement area over GRANTOR'S adjacent property for purposes consistent with this easement.

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 instrument this 29th day of April, 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.*

CLACKAMAS COUNTY by its
BOARD OF COUNTY COMMISSIONERS

Bill Kennemer
Chairperson Bill Kennemer

Millicent Morrison
Millicent Morrison, Recording Secretary

Approved as to form:

[Signature]
Office of County Counsel

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

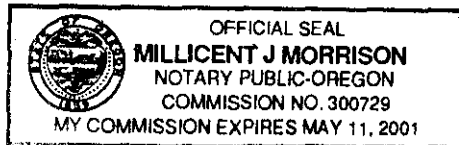
Bill Kennermer
and acknowledged the foregoing instrument to be his
voluntary act and deed.

Before me:

Millicent J Morrison

NOTARY PUBLIC FOR OREGON

My Commission Expires: 5/11/2001



CLACKAMAS COUNTY

902 MAIN STREET

OREGON CITY, OREGON 97045

(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 th
condition that the easement granted is free and clear
from taxes, liens, and encumbrances.

Mayor

John F. Williams, Jr.

City Recorder

5-19-99
Stan H. Elliott

Corporate Acknowledgment

STATE OF OREGON)

County of _____) ss.

Personally appeared _____ and
_____ who being duly
sworn, each for himself and not one for the other di
say that the former is the _____ president and that the
latter is the _____ secretary of _____
_____, a corporation, and tha
the seal affixed to the foregoing instrument wa
signed and sealed in behalf of said corporation by
authority of its board of directors; and each of the
acknowledged said instrument to be its voluntary ac
and deed.

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____



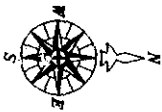
#4309
1/18/99 THA

EXHIBIT "A" SHEET 1 OF 2

A STRIP OF LAND 15 FEET WIDE, SITUATED IN TRACT "B" OF RED SOILS, A PLAT OF RECORD IN CLACKAMAS COUNTY, OREGON (PLAT BOOK 92, PAGE 12) LYING 7.50 FEET ON EACH SIDE OF THE CENTERLINE WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INITIAL POINT OF ABOVE MENTIONED PLAT OF RED SOILS; THENCE ALONG THE WEST LINE OF TRACT "B", RED SOILS, S.05°52'10"E., 329.24 FEET TO THE NORTH LINE OF A 20 FOOT WIDE UTILITY EASEMENT AS DEPICTED ON SAID RED SOILS PLAT; THENCE ALONG THE NORTH LINE OF SAID 20 FOOT WIDE UTILITY EASEMENT N.89°20'29"E., 270.07 FEET TO THE TRUE POINT-OF-BEGINNING OF THE CENTERLINE TO BE DESCRIBED; THENCE N.03°41'18"W., 445.86 FEET; THENCE, N.41°45'07"E., 22.65 FEET TO A POINT 7.50 FEET SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF LIBRARY COURT (COUNTY ROAD NO. 2709) AS DEPICTED ON THE AFOREMENTIONED PLAT OF "RED SOILS"; THENCE PARALLEL WITH AND 7.50 FEET SOUTH OF THE SAID SOUTH RIGHT-OF-WAY LINE OF LIBRARY COURT S.89°52'34"E., 442.88 FEET TO THE WEST RIGHT-OF-WAY LINE OF KAEN ROAD (COUNTY ROAD NO. 2594), AND THE TERMINUS OF SAID CENTERLINE.

THE SIDELINES OF THE ABOVE DESCRIBED EASEMENT AT ITS TERMINUS SHALL BE LENGTHENED OR SHORTENED, AS NECESSARY, TO TERMINATE AT THE WEST RIGHT-OF-WAY LINE OF KAEN ROAD.



SCALE: 1" = 100'

INITIAL POINT
PLAT OF "RED SOILS"

S 05°52'10" E 329.24'

WEST LINE OF
TRACT "B", "RED SOILS"

TRACT "B"
"RED SOILS"

N 89°20'29" E 270.07'

PROPOSED 15'
WATERLINE
EASEMENT

7.5'

TRUE
POINT-OF-
BEGINNING

N 03°41'18" W
445.86'

N 41°45'07" E
22.65'

60'

EXISTING 20' UTILITY
EASEMENT AS DEPICTED ON
THE PLAT OF "RED SOILS"

15'

7.5'

S 89°52'34" E
442.88'

LIBRARY COURT
(COUNTY ROAD NO. 2709)

20' WATER PUE
PER CLACK CO. DEC # 92-73648
(o.c. Page 1412 ITEM #9)

KAEN ROAD

BEAVERCREEK RD.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
DON DEVLAEMINCK
1634

DATE OF SIGNATURE: 11/20/99
DATE OF RENEWAL: 12/31/99

PROPOSED WATERLINE EASEMENT



COMPASS CORPORATION

ENGINEERING SURVEYING PLANNING
6584 S.E. LAKE ROAD (503) 653-9093 PHONE
MILWAUKIE, OREGON 97222 (503) 653-9085 FAX

CLACKAMAS COUNTY FACILITIES MANAGEMENT
2106 KAEN ROAD
OREGON CITY, OREGON 97045

Public Utility Easement
(WATER)

3-2E-5C-H 812

Clackamas
County

MAP 1412 #4
C. Co. # 99-056340

Env. 210