

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

10-  
16-  
Map No.: 3-1E-12D  
Tax Lot No.: 108 of Hazel Grove IV  
Planning No.: N/A

**KNOW ALL BY THESE PRESENTS, THAT John and Elaine Huessy** 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 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.

**99-025258**

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 7<sup>th</sup> day of Feb, 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

\_\_\_\_\_  
Corporation/Partnership Name

Elaine L. Huesey

\_\_\_\_\_  
Signer's Name

\_\_\_\_\_  
Signer's Name, Title

James A. Huesey

(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  
Elaine & John Huessy  
and acknowledged the foregoing instrument to be his  
voluntary act and deed.

Before me:

Cynthia E. Smith  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 1/26/2000



Elaine & John Huessy  
11613 Hazelnut Court  
Oregon City, OR 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 the  
condition that the easement granted is free and clear  
from taxes, liens, and encumbrances.

~~Mayor~~ Commissioner President  
Doug Neely  
City Recorder 2-17-99  
Alan 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 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: \_\_\_\_\_



Exhibit "A"

15 FOOT SEWER EASEMENT  
FOR  
LOT 108 HAZEL GROVE 4

Beginning at the North corner of Lot 108 Hazel Grove 4 a duly recorded subdivision in Clackamas County, Oregon; thence South  $46^{\circ}25'15''$  East 15.00 feet; thence South  $41^{\circ}34'32''$  West 121.61 feet to a point on the arc of a 54.00 foot radius curve; thence Southwesterly along the arc of said curve (the chord of which bears South  $63^{\circ}26'28''$  West 40.25 feet) 41.25 feet to the west corner of said Lot; thence North  $41^{\circ}34'32''$  East 159.49 feet to the point of beginning.

N4

N48°25'28"W  
25.00'

10' PUBLIC  
UTILITY EASEMENT

55.63'

80.00'

N46°25'15"W  
274.97'

SALMONBERRY

N41°34'32"E  
50.00'

DRIVE

NORTH COR.  
LOT 107

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

55.12'

80.00'

S48°25'28"E  
25.00'

107

10,082 S.F.

106

10,369 S.F.

5' PRIVATE  
STORM DRAIN  
EASEMENT

N46°25'15"W

NORTH COR.  
LOT 108

75.60'

80.00'

100.25'  
N46°25'15"W

Added  
Easement  
Area

108

10,025 S.F.

5' PRIVATE  
STORM DRAIN  
EASEMENT

109

10,043 S.F.

ESTATES

10A

9A

N41°34'32"E

159.49'

121.61'

C-8

R=54'  
L=41.25'  
CH=56.30 26' 28" 20'  
40.25' 54' 20'

N48°25'28"W  
54.00'

N41°34'32"E  
29.00'

N48°24'26"W  
66.31'

C-28

TOTAL P.06

P.06

EXHIBIT "B"



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

14  
FOR AGENDA

DATED  
February 17, 1999

**Subject:** Public Utility Easement Acceptance  
Map 3-1E-12D, Lot 108 of Hazel Grove IV

**Report No. 99-32**

On the February 17, 1999 Commission agenda, is the attached Public Utility Easement for the construction, reconstruction, operation, and maintenance of the "Sanitary Sewer" for Lot 108 of Hazel Grove IV subdivision. This easement is described by attached Exhibits "A" and "B". This easement was required to provide a wider sanitary sewer easement. The easement is along the west side of this lot to accommodate the force main and gravity line to the South End Sanitary Sewer Pump Station on Parrish Road.

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.

CHARLES LEESON  
City Manager

cc: Bryan Cosgrove, Interim Community Development Director  
Staff Contact – Bob Cullison  
File TP 96-04



3-IE-12D

lot 108 of Hazel Grove 4  
John + Elaine Huessy

Public Utility  
Easement.

pg	item
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DOC# 99-025258

Env. 271