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Grantor:
Faith Community Church

Grantee:
City of Oregon City

After recording, return to: JEAN ELLIOTT, CITY RECORDER, PO BOX 351, OREGON CITY, OREGON 97045

CITY OF OREGON CITY PUBLIC UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT FAITH COMMUNITY CHURCH, hereinafter called Grantor, does hereby grant unto the CITY OF OREGON CITY, OREGON (hereinafter called "City") its successors in interest and assigns a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate and maintain water and 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 does bargain, sell, convey, transfer and deliver unto the City a temporary easement and right-of-way upon, across and under so much of the aforesaid land as described as:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION AND ATTACHED EXHIBIT "B" SKETCH FOR LEGAL DESCRIPTION

it being understood that said temporary easement is only for the original excavation and construction of said utility line and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion hereinafter described as being a permanent easement.

Grantor and the City do hereby covenant and agree that Grantor may grant further easements to public utility companies to construct, operate and maintain utility lines for electrical power, natural gas, telephone and TV cable.

Grantor reserves the right to use the service of the land for walkways, plantings, parking and related uses. Such uses undertaken by Grantor shall not be inconsistent or interfere with the use of the subject easement area by the City or other public utility companies. 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 will restore the service of the property to its original condition and shall indemnify and hold Grantor harmless against any and all loss, cost or damage arising out of the exercise of the rights granted herein.

True and actual consideration of this conveyance is \$1.00, receipt of which is hereby acknowledged by Grantor. Grantor hereby covenants to and with the City that Grantor claims the property subject to this easement by right of adverse possession and that Grantor and its successors in interest and assigns warrant that it shall forever defend the said premises and every part thereof to the City, its successors and interest and assigns against the lawful claims and demands of all persons claiming by, through or under the Grantor.

99-025255

In construing this easement, 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 the corporations and to individuals.

IN WITNESS WHEREOF, Grantor has executed this instruction the 19th day of December, 1998 and has caused its name to be signed and affixed by its officers duly authorized thereof by order of its Board of Deacons.

FAITH COMMUNITY CHURCH
an Oregon nonprofit corporation

By Phillip H. Dilsaver

By _____

By _____

Signer's name and title:

STATE OF OREGON)
County of Clackamas) ss.

Personally appeared PHILLIP H. DILSAVER and N/A who being duly sworn, each for himself and not one for the other did say that the former is the CHAIRMAN and the latter is the N/A of Faith Community Church, an Oregon nonprofit corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Warner E. Allen
NOTARY PUBLIC FOR OREGON
My Commission Expires: 12/1/2002

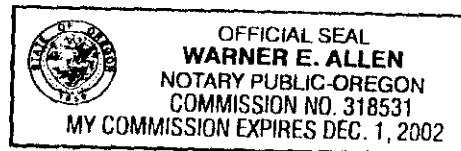
City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045

(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

John F. Holliman, Jr.
Mayor

Jan K. Elliott
City Recorder



GAYLORD LAND SURVEYING, INC.

15000 S. E. LINDEN LANE

MILWAUKIE, OREGON 97267

PHONE (503) 654-1492 FAX (503) 654-7878

December 16, 1998

LEGAL DESCRIPTION FOR PUBLIC UTILITY EASEMENT

LEGAL DESCRIPTION FOR AN 11.00 FOOT PUBLIC UTILITY EASEMENT AND A TEMPORARY 20 FOOT CONSTRUCTION EASEMENT IN THE SOUTHWEST ONE QUARTER OF SECTION 8, T3S, R2E, W.M., CLACKAMAS COUNTY, OREGON BEING A PART OF THE JOHN HOWLAND DONATION LAND CLAIM NO. 45, SAID EASEMENTS ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PERMANENT PUBLIC UTILITY EASEMENT:

A STRIP OF LAND BEING 11.00 FEET IN WIDTH LYING ADJACENT TO AND SOUTHEASTERLY OF THE SOUTHEASTERLY LINES OF THOSE TRACTS OF LAND DESCRIBED BY DEEDS RECORDED AS FEE NO. 90-31878 AND FEE NO. 95-002122, CLACKAMAS COUNTY DEED RECORDS.

TOGETHER WITH A TEMPORARY 20.00 FOOT CONSTRUCTION EASEMENT:

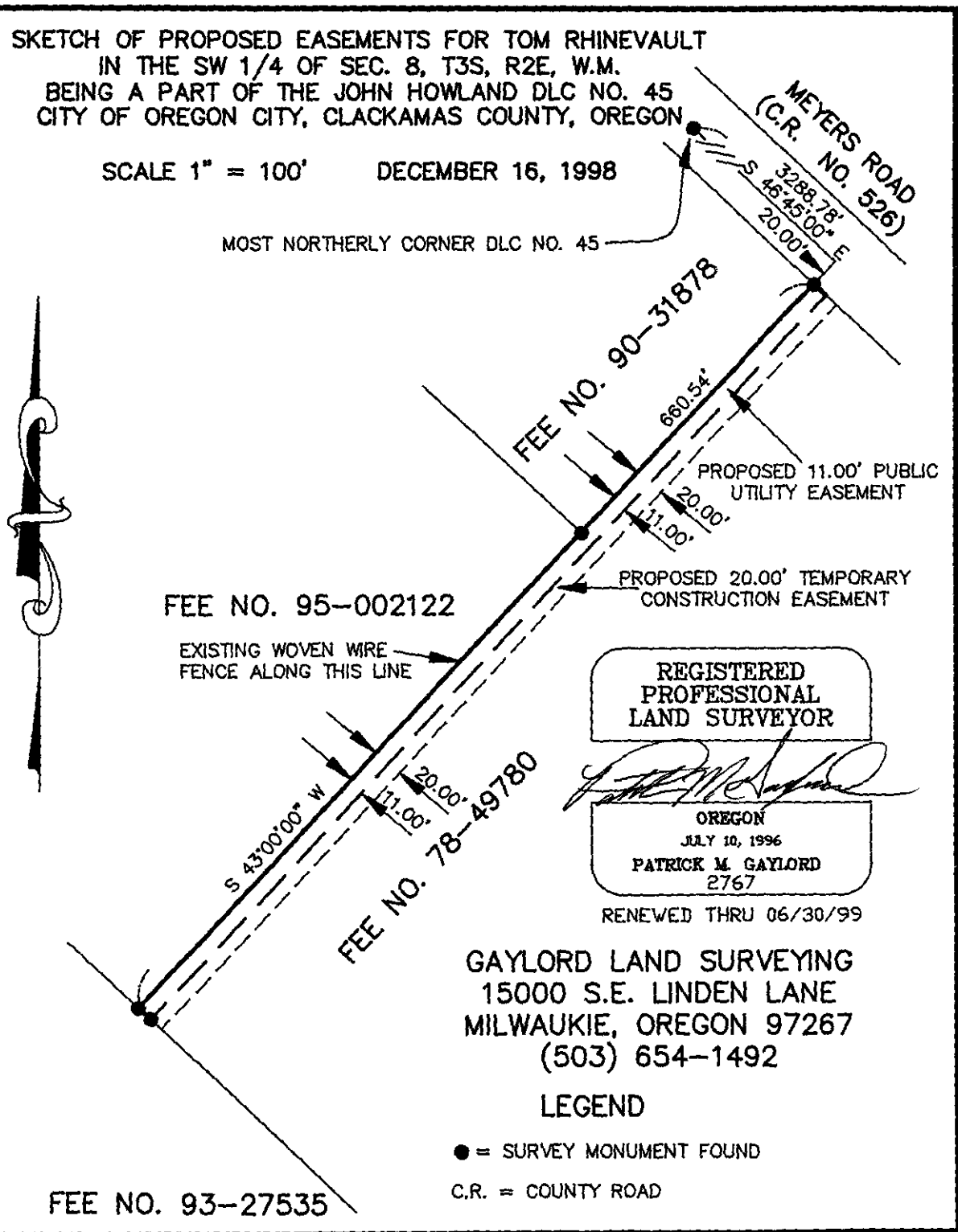
A STRIP OF LAND BEING 20.00 FEET IN WIDTH LYING ADJACENT TO AND SOUTHEASTERLY OF THE SOUTHEASTERLY LINES OF THOSE TRACTS OF LAND DESCRIBED BY DEEDS RECORDED AS FEE NO. 90-31878 AND FEE NO. 95-002122, CLACKAMAS COUNTY DEED RECORDS. SAID EASEMENT IS TO EXTINGUISH AT SUCH TIME AS THE CONSTRUCTION OF THE PUBLIC UTILITIES IN THE SAID PERMANENT EASEMENT IS COMPLETED.



SKETCH OF PROPOSED EASEMENTS FOR TOM RHINEVAULT
 IN THE SW 1/4 OF SEC. 8, T3S, R2E, W.M.
 BEING A PART OF THE JOHN HOWLAND DLC NO. 45
 CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

SCALE 1" = 100' DECEMBER 16, 1998

MOST NORTHERLY CORNER DLC NO. 45



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Patrick M. Gaylord

OREGON
 JULY 10, 1996
 PATRICK M. GAYLORD
 2767

RENEWED THRU 06/30/99

GAYLORD LAND SURVEYING
 15000 S.E. LINDEN LANE
 MILWAUKIE, OREGON 97267
 (503) 654-1492

LEGEND

- = SURVEY MONUMENT FOUND
- C.R. = COUNTY ROAD

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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED
March 3, 1999

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public Utility Easement and Construction Easement Acceptance **Report No. 99-49**
Pavlinac Farms Subdivision

On the March 3, 1999 Commission agenda, is a Public Utility Easement for the construction, reconstruction and maintenance of "Water and Storm Sewer Lines" for the project Pavlinac Farms Subdivision - City Planning File Number TP 97-09 at (see attached Exhibits "A" and "B") that are required for construction of this development.

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

CHARLES LEESON
City Manager

cc: Bob Cullison, Engineering Manager
Jay Toll, Senior Engineer
File TP97-09

ISSUED BY THE CITY MANAGER

3-2E-8

Faith Community
Church

+

millenium Park
(Paulinao Farms)

Public Utility Easement

DOCH# 99-025255!

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Env#

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