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

KNOW ALL MEN BY THESE PRESENTS, THAT Fairway Downs, 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 storm 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.

The GRANTORS bargain, sell, convey, transfer and deliver unto 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 hereinbefore described as being a permanent easement.

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.

AFTER RECORDING RETURN TO: City Recorder, City of Oregon City, 320 Warner Milne Road, Oregon City, Oregon 97045

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 14 day of December, 1998; 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.

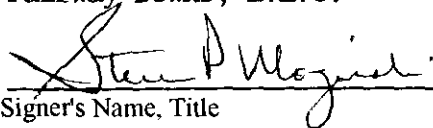
Individuals,
general partnerships

Corporation
limited partnership

Signer's Name

Corporation/Partnership Name
Fairway Downs, L.L.C.

Signer's Name



Signer's Name, Title
By: Steven P. Mozinski, Vice President of
CSL PROPERTIES, INC., Member

(if executed by a corporation
affix corporate seal)

Signer's Name, Title

Signer's Name, Title

Personal Acknowledgment
STATE OF OREGON)
) ss.
County of _____)

Personally appeared the above
named _____ and
acknowledged the foregoing instrument to be his
voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

(OFFICIAL SEAL)

(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.

John F. Holliman, Jr.
Mayor

Sean K. Elliott
City Recorder

~~7-9-99~~ 1-6-99



Corporate Acknowledgment
STATE OF OREGON)
) ss.
County of Multnomah)

Personally appeared Steven P. Mozinski and n/a
_____ who being duly sworn, each for himself
and not one for the other did say that the former is the
Vice president and that the latter is the n/a secretary of
_____ CSL Properties, Inc.

_____ 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 as Member of
FAIRWAY DOWNS, L.L.C., on behalf of the LLC.

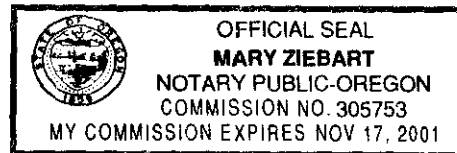
Before me:

Mary Ziebart

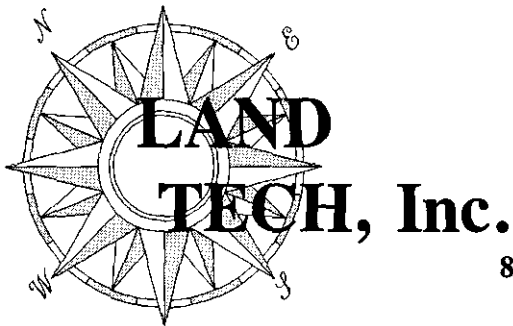
NOTARY PUBLIC FOR OREGON

My Commission Expires: 11-17-2001

(OFFICIAL SEAL)



Space reserved for County
Record's Office



8835 SW CANYON LANE
SUITE 402
PORTLAND, OR 97225

PHONE: (503) 291-9398 FAX: (503) 291-1613

CIVIL ENGINEERING - SUBDIVISION PLANNING & DESIGN - LAND SURVEYING - CONSTRUCTION SURVEYING

*Storm Drainage Easement
JN 430
November 16, 1998*

"EXHIBIT A"

A Storm Drainage Easement in Lot 102, "Fairway Downs No. 3", situated in the N.W. Quarter of Section 15, T.3 S., R.2 E., W.M., City of Oregon City, Clackamas County, Oregon, being more particularly described as follows:

Commencing at the northeast corner of said Lot 102, "Fairway Downs No.3"; thence along the easterly line of said Lot 102, S.06°38'56" W, a distance of 37.18 feet to the Point of Beginning; thence continuing along the easterly line of said Lot 102, S.06°38'56" W, a distance of 58.00 feet to the northeasterly line of a 25 foot wide Public Sanitary Sewer and Storm Drainage Easement as recorded in "Fairway Downs No.3", said line is 12.5 feet measured at right angle from the southwesterly line of said Lot 102; thence along the northeasterly line of said Public Sanitary Sewer and Storm Drainage Easement, N.50°12'09" W., a distance of 18.00 feet; thence N.24°01'34" E., a distance of 50.46 feet to the Point of Beginning.

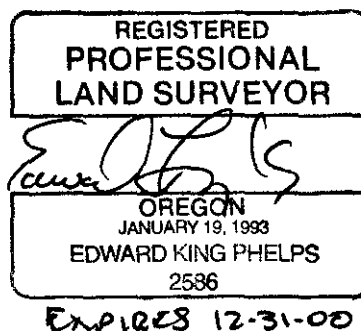
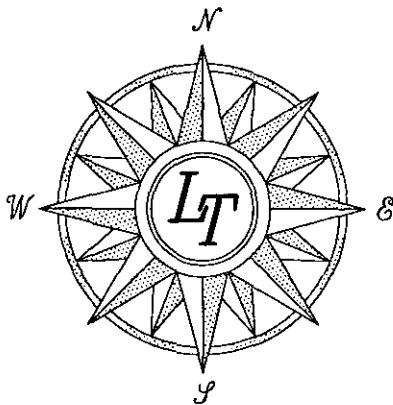
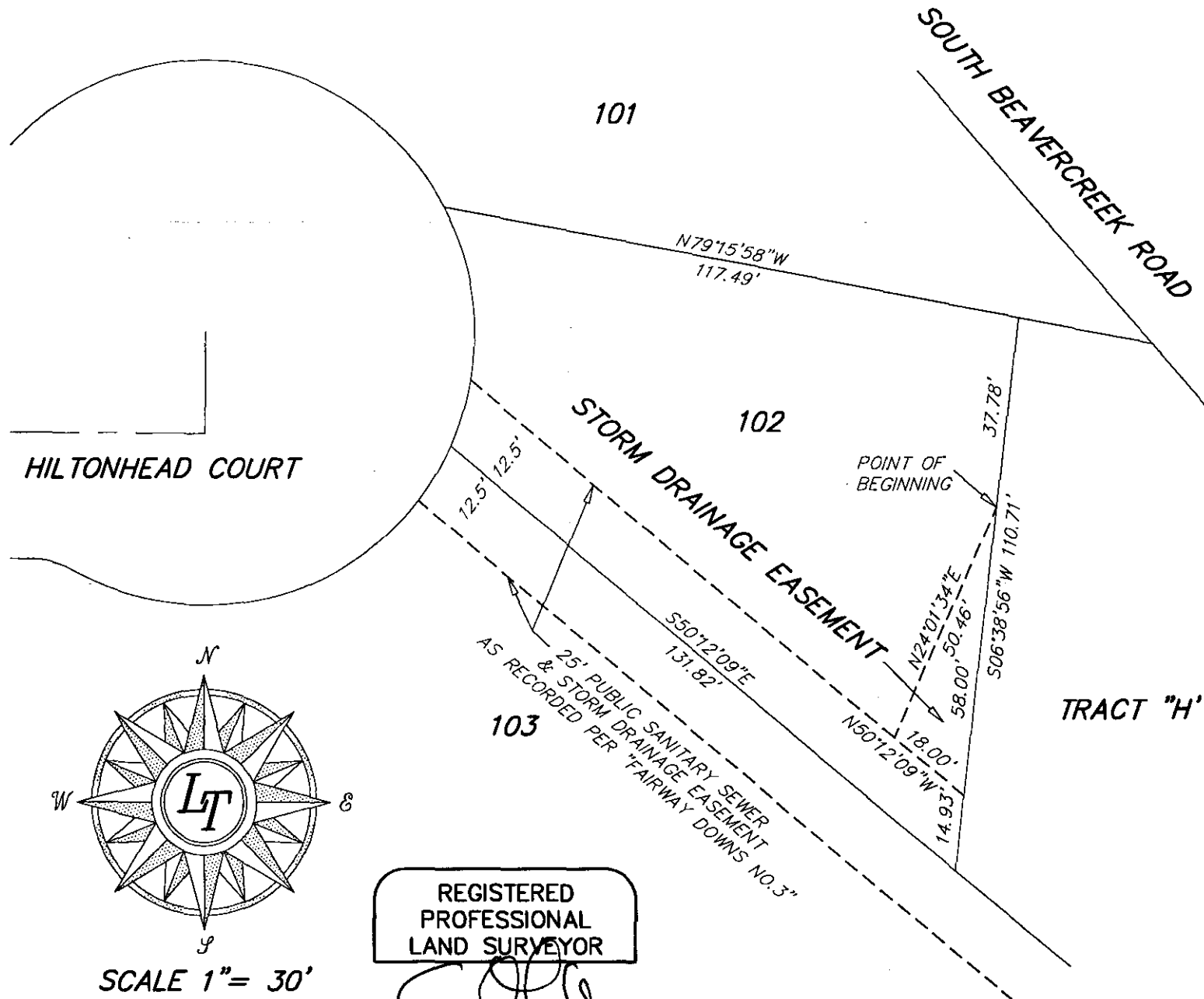


EXHIBIT "B"

STORM DRAINAGE EASEMENT
IN A PORTION OF LOT 102,
"FAIRWAY DOWNS NO. 3"

JN 430
NOVEMBER 16, 1998



SCALE 1" = 30'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 19, 1993
EDWARD KING PHELPS
2586

EXPIRES 12-31-00

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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

January 6, 1999

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public Utility Easement and Construction Easement Acceptance - **Report No. 99-05**
Fairway Downs 3 Subdivision

On the January 6, 1999 agenda, is a Public Utility Easement for the construction, reconstruction and maintenance of the "storm sewer" for the project "Fairway Downs 3 Subdivision" - City Planning File Number TP 92-09, at (see attached Exhibits "A" and "B") that has been required as a condition of approval of this development.

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

CHARLES LEESON
City Manager

cc: Bob Cullison, Engineering Manager
Jay Toll, Senior Engineer
File TP 92-09

ISSUED BY THE CITY MANAGER

Public Utility Easement

3-2E-15

Fairway Downs D3

TP 92-09

DOC# 99-002768

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Env. 295