

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

15-10
-51
10

KNOW ALL MEN BY THESE PRESENTS, THAT Maywood Company, Inc. 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 Access 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 "C" Legal Description and attached Exhibit "D" 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 permanent easement.

GRANTOR reserves the right to use the surface of the land for walkways, plantings, parking and related uses. Such use 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

98-002730

o.c. page 1112 mem # 20

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 17 day of December 19 97 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

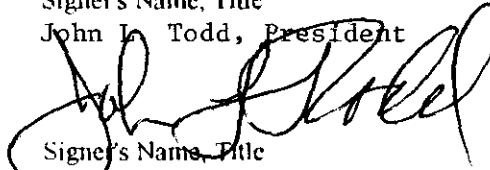
Signer's Name

Corporation/Partnership Name
Maywood Company, Inc.

Signer's Name

(if executed by a corporation
affix corporate seal)

Signer's Name, Title
John L. Todd, President


Signer's Name, Title

Signer's Name, Title

Personal Acknowledgment
STATE OF OREGON)

County of _____) ss.

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.

Daniel W. Fowler
Mayor

Frank H. Elliott 1-7-98
City Recorder

Corporate Acknowledgment
STATE OF OREGON)

County of Clackamas) ss.

Personally appeared John L. Todd 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 _____

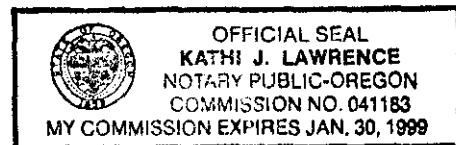
_____ a corporation, and that the seal
affixed to the foregoing instrument was signed and sealed
in behalf of said corporation by authority of its board of
directors; and each of them acknowledged said instrument
to be its voluntary act and deed.

Before me: *Kathi J. Lawrence*

NOTARY PUBLIC FOR OREGON

My Commission Expires: 1-30-99

(OFFICIAL SEAL)



Space reserved for County
Record's Office

EASEMENT DESCRIPTION FOR
ACCESS IN LOTS 13 AND 14, BLOCK 11
MOUNTAIN VIEW ADDITION, OREGON CITY

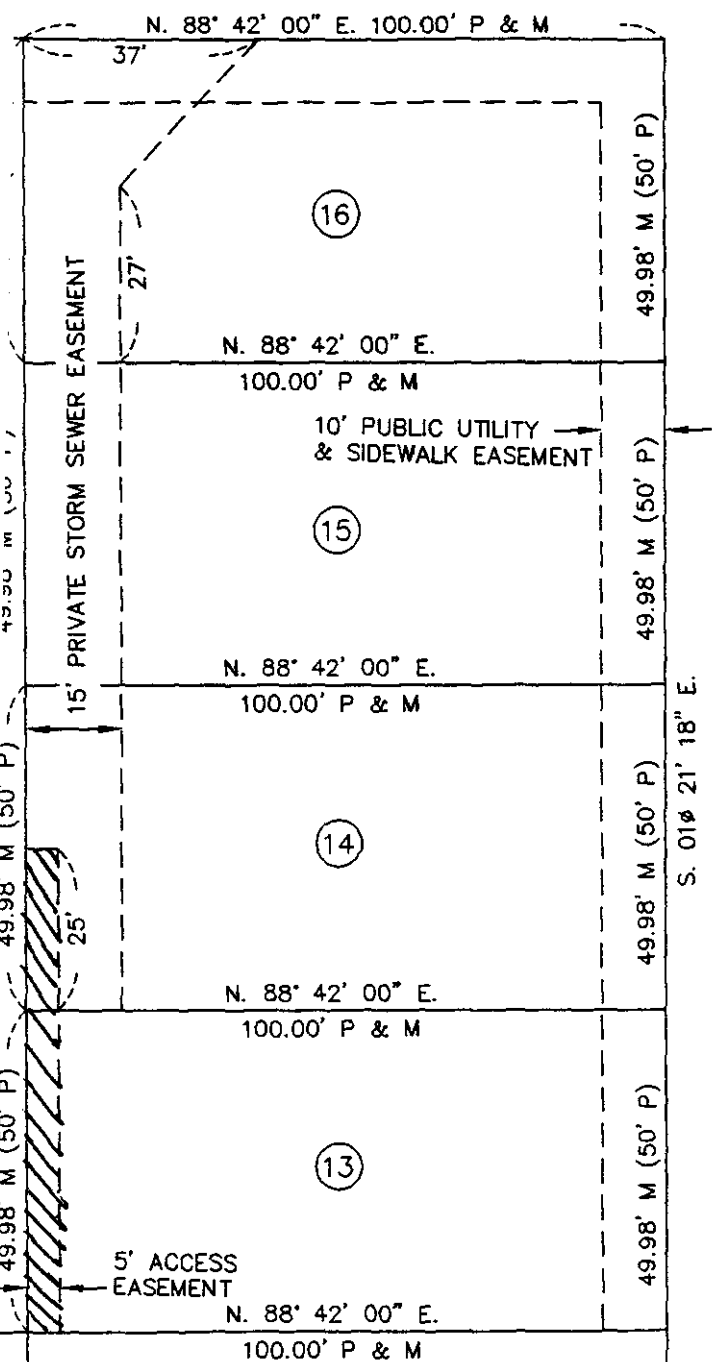
#3899
11/17/97 WC

EXHIBIT "A"

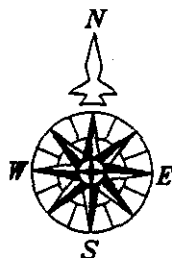
PART OF LOTS 13 AND 14, BLOCK 11, "MOUNTAIN VIEW ADDITION TO OREGON CITY", A SUBDIVISION OF RECORD (PLAT NO. 69), IN THE NORTHWEST-QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, AND THE SOUTHWEST-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, DESCRIBED AS FOLLOWS:

THE WEST FIVE-FEET OF SAID LOT 13, TOGETHER WITH THE SOUTHERLY 25-
FEET OF THE WEST FIVE-FEET OF SAID LOT 14.

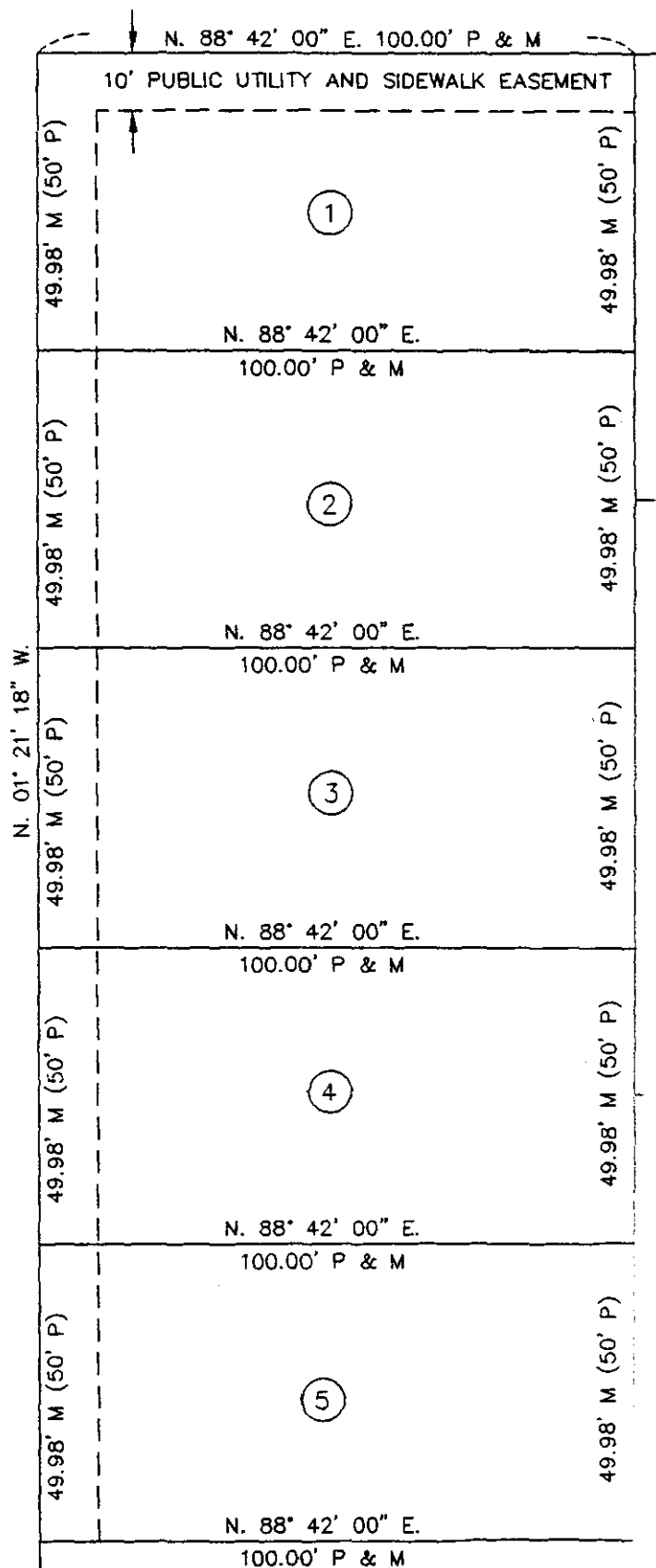
S T R E E T



3 L O C K 11



SCALE: 1" = 30'



B L O C K 10



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

January 7, 1998

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public Easement Acceptance- Mountain View Addition

Report No. 98-01

On the January 7, 1998 Commission agenda, are the attached Public Easements for the construction, reconstruction and maintenance of Warren and Cascade Streets in the "Mt. View Addition" - City Engineering File Number PI97-01. This project has been approved and is described by attached Exhibits "A", "B" and "C". The following Public Easements were required as a condition of approval for development:

1. An Access Easement for Map 3-2E-5BB, Tax Lots 13 and 14 of Block 11 of Mt. View Addition.
2. A Storm Sewer Easement for Map 3-2E-5BB, Tax Lots 14, 15, and 16 of Block 11 of Mt. View Addition.
3. A Public Utility and Sidewalk Easement for Map 3-2E-5BB, Tax Lots 1, 2, 3, 4, and 5 of Block 10 of Mt. View Addition.

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

Charles Leeson
City Manager

CC: Rich Carson, Community Development Director
Jay Toll, Engineering Associate
File PI97-01

Access Easement

3-2E-5BB

(Lots 13, 14
Block 11
Mt. View Add.)

TL 1602 $\frac{1}{4}$ 1603

The Maywood Company, Inc.

Chickasaw County Doc. # 98-002730

page	ITEM
1112	#20

Env. 78