

20  
Return to:  
City Recorder  
City of Oregon City  
320 Warner Milne Road  
Oregon City, Oregon 97045

## CITY OF OREGON CITY, OREGON

### EASEMENT

Money Saver Oregon City  
Associates

KNOW ALL MEN BY THESE PRESENTS, THAT Money Saver Oregon City Associates, hereinafter called the GRANTOR, do(es) hereby grant unto 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, and maintain \* on the following described land:

**\*Watermain and all appurtenances**

~~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 walk ways, plantings 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.

Upon completion of the construction, the CITY shall restore the surface of the property to a neat and orderly 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 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.

96-084668

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 17<sup>th</sup> day of May, 1996; 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.

~~xxIndividualxx~~ Washington General Partners ~~Corporation~~

~~xxGeneral Partnershipsxx~~

Limited Partnership

x Lee R. Norris General Partner

Signer's Name

Corporation/Partnership Name

Lee R. Norris, General Partner

~~xxSigner's Name~~

Signer's Name, Title

Signer's Name, Title

(If executed by a corporation  
affix corporate seal)

Personal Acknowledgment

STATE OF ~~OREGON~~ Washington )

County of KING ) ss.

Corporate Acknowledgment

STATE OF OREGON )

County of \_\_\_\_\_ ) ss.

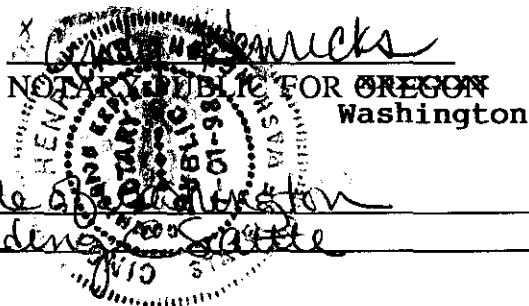
Personally appeared the above named  
General Partner, Lee R. Norris

~~xx~~ acknowledged the foregoing  
instrument to be the free and  
voluntary act and deed.

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 later 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  
acknowledged said instrument to be its voluntary  
act and deed.

(OFFICIAL SEAL)

Before me:



My commission expires 7-1-98

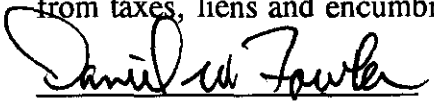
Money Saver Oregon City Associates  
1715 114th Ave SE, #110  
Bellevue, WA 98004

(Grantor's Name and Address)

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

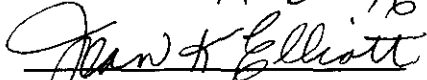
(Grantee's Name and Address)

Accepted on behalf of the City of Oregon City on the condition that the property dedication is free and clear from taxes, liens and encumbrances.



Mayor

11-6-96

  
City Recorder

(OFFICIAL SEAL)

Space reserved for County  
Record's Office



**EXHIBIT A**

Situated in the South half of Section 5, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon, Clackamas County, Oregon and being described as follows:

BEGINNING at a point on the North line of that street dedication described in Fee No. 80-29259, said point being South  $61^{\circ}12'00''$  West a distance of 11.97 feet from the Northeast corner thereof and running thence South  $61^{\circ}12'00''$  West on the Northerly right-of-way said street dedication, a distance of 278.90 feet to the Southeast corner of that parcel described in Fee No. 87-58353; thence North  $28^{\circ}48'22''$  West on the East line said parcel a distance of 159.95 feet to the Northeast corner thereof; thence South  $61^{\circ}12'00''$  West on the North line said parcel a distance of 169.98 feet to a point; thence North  $28^{\circ}47'17''$  West parallel with and 50.00 feet Easterly of the center line of Molalla Avenue a distance of 107.70 feet to the beginning of a tangent 25.00 foot radius curve right; thence on said curve through a central angle of  $89^{\circ}59'17''$  (the long chord of which bears North  $16^{\circ}12'21''$  East a distance of 35.35 feet) an arc distance of 39.26 feet to the end thereof, said point being 20.00 feet Southerly of the South line of that 20.00 foot roadway platted as GALE'S PARK, recorded in Plat Book 11, page 28, plat records said county and running thence North  $61^{\circ}12'00''$  East parallel with and 20.00 feet Southerly of said platted roadway a distance of 423.94 feet to a point; thence South  $28^{\circ}47'17''$  East a distance of 292.64 feet to the point of beginning.

TOGETHER WITH a perpetual nonexclusive easement for ingress and egress as set forth in deed recorded December 31, 1987, as Fee No. 87-58353 and modified by document recorded November 22, 1989 as Fee No. 89-52410.

This easement consists of a 10.00 foot wide strip of land, being 5.00 feet on each side of the centerline of waterline described on attached Exhibit "B" sketch.

STATE OF OREGON 96-084668  
CLACKAMAS COUNTY

Received and placed in the public  
records of Clackamas County

RECEIPT# AND FEE: 45196 \$20.00

DATE AND TIME: 11/15/96 09:38 AM  
JOHN KAUFFMAN, COUNTY CLERK

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## CITY OF OREGON CITY

INCORPORATED 1844

# COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

Nov. 6, 1996

1 of 1

Page

SUBJECT: Waterline Easement Acceptance

Report No. 96-137

**BACKGROUND:** Money Saver Oregon City Associates operates a mini-storage facility on Molalla Avenue between Hilltop Avenue and Gales Lane. Money Saver desired to build a new building along their east property line. During the course of this action it was determined that the new building would be located on top of an existing water line. Money Saver has relocated the water line into a new location and constructed their new building. This easement covers the new water line location.

**RATIONALE:** This easement covers a public line that serves to loop a dead end line in Gales Lane. This eliminates the need to blow off the water line in Gales Lane and facilitates water quality in this area. The old line was in an existing easement that will be vacated under a separate action at a future commission meeting.

**RECOMMENDATION:** It is recommended that the City Commission authorize the Mayor and the City Recorder to accept and record this easement for Oregon City.

CHARLES LEESON  
City Manager

- cc
- Rich Carson, Community Services Director
  - Rick McClung, Public Works Director
  - Henry Mackenroth, City Engineer
  - Ed Larios
  - Money Saver Oregon City Associates, 1715 114th Ave, SE #110, Bellevue, Washington 98004

EASEMENT

water main & appurtenances

3-ZE-5A

TL 1205

(WAS T.L. 100)

MONEY SAVER D.C. ASSOC.

Lee R. Norris, General Partner

Doc # 96-084668

11/15/96

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