

25

25

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT WILLAMETTE FALLS COURT-78, L.L.C., AN OREGON LIMITED LIABILITY COMPANY hereinafter called the GRANTOR, do 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:

For legal description see attached Exhibit "A" Legal Description and attached Exhibit "B" Sketch

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.

96-078006

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 4 day of October, 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.

Individuals,
general partnerships

Signer's Name

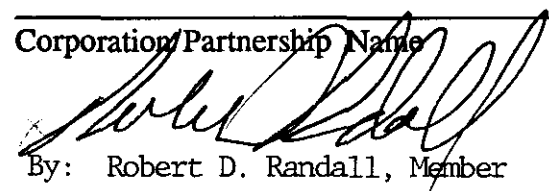
Signer's Name

(if executed by a corporation
affix corporate seal)

Corporation
limited partnership

Willamette Falls Court - 78, L.L.C., an
Oregon limited liability company

Corporation/Partnership Name


By: Robert D. Randall, Member

Signer's Name, Title

Signer's Name, Title

Signer's Name, Title

Personal Acknowledgment

STATE OF OREGON)

County of Multnomah)

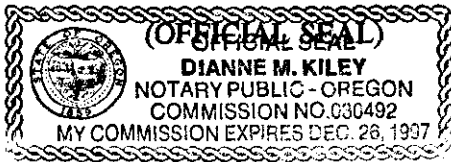
) ss.

Personally appeared the above Robert D. Randall, ~~named~~ Member of Willamette Falls Court - 78, L.L.C. acknowledged the foregoing instrument to be his voluntary act and deed., on behalf of the limited liability company.

Before me:

Dianne M. Kiley
NOTARY PUBLIC FOR OREGON

My Commission Expires: 12/26/97



(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

Jan K. Elliott
City Recorder

10-16-96

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: _____

(OFFICIAL SEAL)

Space reserved for County
Record's Office



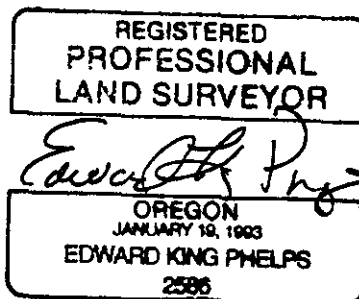
LAND TECH, INC.
8835 SW CANYON LANE
SUITE 402
PORTLAND, OR 97225
PHONE: (503) 291-9398 FAX: (503) 291-1613

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

EXHIBIT A

A 15.00 foot wide sanitary sewer easement over and across that tract of land described in Document No. 91-20411, Clackamas County Deed Records, situated in the N.E. 1/4 of Section 32, T.2S., R.2E., W.M., City of Oregon City, Clackamas County, Oregon, being more particularly described as follows:

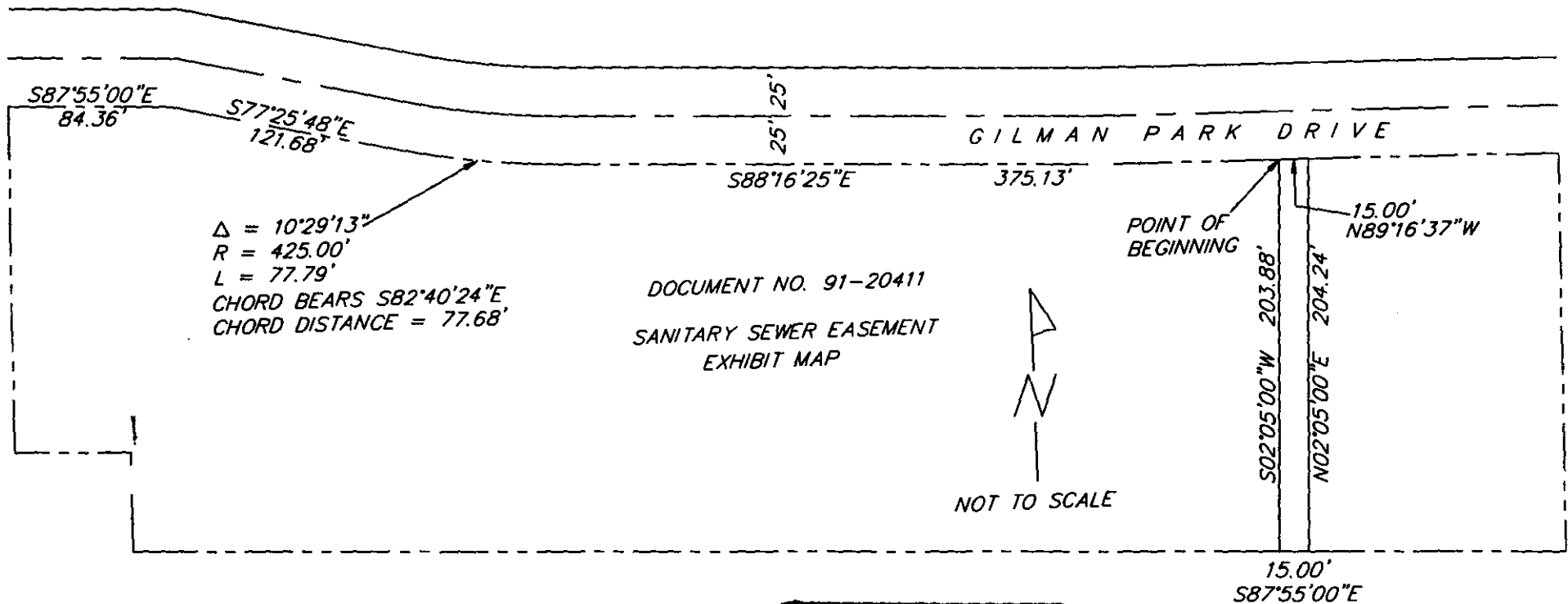
Commencing at the northwest corner of said Document No. 91-20411; thence along the southerly right of way line of Gilman Park Drive, S87°55'00"E, 84.36 feet; thence S77°25'48"E, 121.68 feet to a point of curvature; thence along the arc of a 425.00 foot radius curve, concave to the northeast, through a central angle of 10°29'13", a arc length of 77.79 feet (chord bears S82°40'24"E, 77.68 feet); thence S88°16'25"E, 375.13 feet to the Point of Beginning; thence leaving said right of way line, S02°05'00"E, 203.88 feet to the south line of said Document No. 91-20411; thence along said south line, S87°55'00"E, 15.00 feet; thence leaving said south line, N02°05'00"E, 204.24 feet to the southerly right of way line of Gilman Park Drive; thence along said southerly right of way line, N89°16'37"W, 15.00 feet to the point of beginning.



EXPIRES 12-31-96

EXHIBIT B

STATE OF OREGON 96-078006
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 44030 \$25.00
DATE AND TIME: 10/21/96 02:15 PM
JOHN KAUFFMAN, COUNTY CLERK



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Edward King Phelps
OREGON
JANUARY 19, 1993
EDWARD KING PHELPS
2586
EXPIRES 12-31-96



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

October 16, 1996

Page 1 of 1

Subject: Public Utility Easements
Acceptance 3-2E-32AC, TL 5000 -
Water Line and Sanitary Sewer

Report No. 96-120

On the October 16, 1996 agenda are Public Utility Easements for the water line and the sanitary sewer at the private development project "Willamette Falls Court - 78 L.L.C" - SP95-47 which are required as conditions of approval.

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

CHARLES LEESON
City Manager

SA:jke
Attach.
cc:

Community Development Director
Sami Ayoub, Engineering Associate

Public Utility Easement

3-2E-32AC

Tax Lot 5000

Willamette Falls Court-78
L.L.C

page	item #
814	13

Doc NO. 96-078006

SANITARY PUE

ENV#
8301