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After Recording Return to: Oregon City Recorder, 320 Warner Milne Road, Oregon City, OR 97045

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CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

CSL Properties, Inc. 

KNOW ALL MEN BY THESE PRESENTS, THAT CSL Properties, 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 A STORM DRAINAGE EASEMENT 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.

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.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 20 day of April, 1995, and corporate grantor has caused its name to be signed by its officers, duly authorized thereto by order of its board of directors.

96-078002

Corporation
limited partnership

CSL Properties, Inc.
Corporation/Partnership Name

By Steven P. Mozinski, Vice President

Signer's Name, Title

Signer's Name, Title

CSL Properties
9500 S.W. Barbur Blvd., Suite 300
Portland, Oregon 97219

(Grantors Name and Address)

Corporate Acknowledgment
STATE OF OREGON

County of Multnomah) ss.

On April 20, 1995,
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
secretary of CSL Properties, Inc.

a corporation, and that the foregoing
instrument was signed 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:



Mary Ziebart
Notary Public for Oregon

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

(Grantees 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

Heidi K. Elliott
City Recorder
10-16-96



EXHIBIT "A"

DESCRIPTION OF PUBLIC STORM DRAIN EASEMENT OVER LOT 42, "FAIRWAY DOWNS".

THAT PORTION OF THE NW 1/4 OF SECTION 15, T.3 S., R. 2 E., CLACKAMAS COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 42, "FAIRWAY DOWNS", PLAT NO. 3161 AS RECORDED IN PLAT BOOK 103 AT PAGE 13 OF THE PLAT RECORDS OF SAID COUNTY: THENCE S01°26'35" W, 80.00 FEET ALONG THE EAST LINE OF SAID LOT 42 TO THE SOUTHEAST CORNER OF SAID LOT 42; THENCE N88°33'25"W, 20.00 FEET ALONG THE SOUTH LINE OF SAID LOT 42 TO A POINT; THENCE N05°01'10"E, 80.15' TO A POINT ON THE NORTH LINE OF SAID LOT 42, THENCE S88°33'25"E, 15.00 FEET ALONG THE NORTH LINE OF SAID LOT 42 TO THE POINT OF BEGINNING.

EXHIBIT "B"





CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED
October 16, 1996

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Subject: Miscellaneous Easement Acceptance

Report No. 96-118

On the October 16, 1996 Commission agenda are several easements for various private development projects required for the completion of public works improvements. They are as follows:

Storm drain:

Noblecrest Subdivision, TP95-04.
Golding/Hathaway
Fairway Downs, Phase I Subdivision, TP92-09
CSL Properties & Ken Randall Homes, LLC
Lots 39, 40, 41, 42
Cokeron Subdivision, TP94-08
Dunlap/Morris/Curl

Storm Drain & Sanitary Sewer:

Osprey Glen, Phase I, TP95-06
Tharp

Sidewalk:

Forest Heights Apartments, PD90-01 (formerly Barclay Village II)
Davis 3-2E-5BA Taxlot 800
Wilco relocation, SP95-49
Lizer

Water line:

McLoughlin Square Assisted Living Center, SP94-14
McLoughlin Square LP
Skyles
Holmes Meadows Subdivision, TP94-05
Oregon City School District



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Fire Department Turnaround:
Cokeron Subdivision, TP94-08
Dunlap/Morris/Curl

It is recommended the City Commission adopt a motion accepting the easements and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON
City Manager

cc: Rich Carson, Community Development Director
Henry Mackenroth, City Engineer

[H:\WPFILES\NEAL\9606-EASE.RPT]

Public ~~Utility~~^{storm} Easement
3-2E-15 BB
Tax Lot ~~#2~~ 16442

Grantor

"FAIRWAY DOWNS"
NO.1 Lot 42

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ITEM #7

DOG# 96-078002

Env. 308