

20

CITY OF OREGON CITY, OREGON

EASEMENT

20-

TP94-08  
COKERON

KNOW ALL MEN BY THESE PRESENTS, that ELVY D. and CARLENE DUNLAP, DONALD I. and JO ANN MORRIS, and ROY and MYRLINE CURL, hereinafter called the Grantor, does hereby grant unto the City of Oregon City, hereinafter called the City, its successors in interest and assigns, a temporary easement and right of way, including the permanent right to construct, reconstruct, operate and maintain storm sewer on the following described land:

A tract of land situated in the Samuel N. Vance D.L.C. No. 51, in the Northeast one-quarter of Section 8, Township 3 South, Range 2 East, of the Willamette Meridian, City of Oregon City, Clackamas County, Oregon, described as follows:

Beginning at a 5/8" iron rod at the East-most corner of Parcel 3, Partition Plat No. 1992-79, Clackamas County Plat Records; thence South 41°32'27" West, 91.31 feet to the True Point of Beginning; thence continuing South 41°32'27" West, 16.18 feet; thence South 26°23'56" East, 97.68 feet; thence South 72°55'31" East, 149.15 feet; thence North 41°32'27" East, 349.22 feet to the southwesterly right-of-way line of Molalla Avenue (Market Road No. 22); thence along said right-of-way line North 28°41'22" West, 15.94 feet; thence South 41°32'27" West, 328.47 feet; thence North 72°55'31" West, 154.10 feet; thence North 26°23'56" West, 76.84 feet to the True Point of Beginning.

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. The location of this easement may be changed to conform to the development plan of Grantor.

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 (one dollar) and other valuable consideration, the receipt of which is hereby acknowledged by Grantor. The City acknowledges that this easement is subject to the Development Agreement on the two parcels being developed and using the storm sewer line.

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.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 9<sup>th</sup> day of January, 1996.

GRANTORS:

Carlene Dunlap  
CARLENE DUNLAP

Elvy Dunlap  
ELVY DUNLAP

Roy Curl  
ROY CURL

Myrlene Curl  
MYRLINE CURL

Donald I. Morris  
DONALD I. MORRIS

Jo Ann Morris  
JO ANN MORRIS

CITY OF OREGON CITY

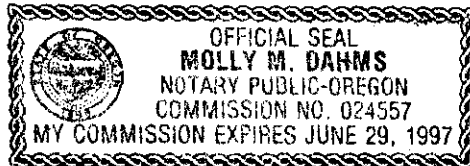
Mayor

CITY RECORDER

STATE OF OREGON )  
County of Clatsop ) ss.

Personally appeared the above named ELVY D. DUNLAP and CARLENE DUNLAP and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

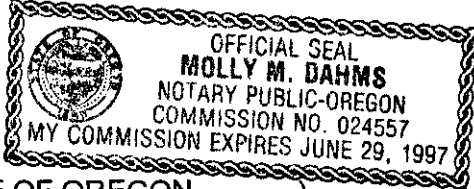


Molly M. Dahms  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 0-29-97

STATE OF OREGON )  
 ) ss.  
County of Clackamas )

Personally appeared the above named DONALD I. MORRIS and JO ANN MORRIS and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

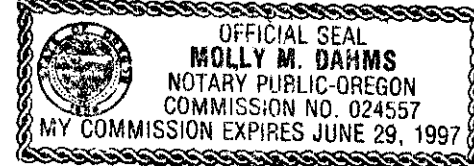


Molly M. Dahms  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 6-29-97

STATE OF OREGON )  
 ) ss.  
County of Clackamas )

Personally appeared the above named ROY CURL and MYRLINE CURL and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



Molly M. Dahms  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 6-29-97

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

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

John H. Elliott  
CITY RECORDER  
10-16-96

~~After recording, return to:~~

~~City Engineer  
City of Oregon City  
PO Box 351  
Oregon City, OR 97045~~



PROPOSED PUBLIC STORM EASEMENT  
ON

Tax Lot 1100 & 1501, Tax Map 3 2E 8A

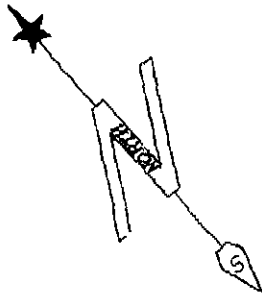
JULY 24, 1995

PROJECT NO. DE9405

PREPARED BY:

DENALI ENGINEERING, INC.  
15345 S.E. 82nd DRIVE, SUITE 200  
CLACKAMAS, OREGON 97015  
PHONE: 655-2971

SCALE 1" = 50'



MOLALLA AVENUE (MARKET ROAD NO. 22)

N 28°43'22" W  
15.94'

328.47'  
349.22'

S 41°32'27" W  
N 41°32'27" E

THE EASTMOST CORNER OF PARCEL 3  
OF PARTITION PLAT NO. 1992-79

COKERON DRIVE

S 41°32'27" W  
16.18'

N 26°23'56" W 76.64'  
S 26°23'56" E 97.66'

N 72°55'31" W 134.10'  
S 72°55'31" E 149.15'

PROPOSED EASEMENT

STATE OF OREGON 96-078001  
CLACKAMAS COUNTY

Received and placed in the public  
Records of Clackamas County

RECEIPT# AND FEE: 44030 \$20.00  
DATE AND TIME: 10/21/96 02:15 PM



## CITY OF OREGON CITY

INCORPORATED 1844

# COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED  
October 16, 1996

1 of 2

Page

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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## COMMISSION REPORT

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2 of 2

Page

Subject: Miscellaneous Easement Acceptance

Report No. 96-118

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

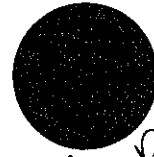
cc: Rich Carson, Community Development Director  
Henry Mackenroth, City Engineer

[H:\WPFILES\NEAL\96\96-EASE.RPT]

Easement —

3-2E-8A

Tax Lot 1100, 1501



(purple)

Elvy D.  
Carlene Dunlap  
Donald I. Morris  
Joanne Morris  
Roy Curl  
Myrlene Curl

DOC# 96-078001

pg	item
1514	17
1614	8

Env#  
484