

20

20-

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

**CITY OF OREGON CITY, OREGON**

TP95-06  
OSPREY GLEN

**PUBLIC UTILITY(S) EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS, THAT JAMES & DONNA THARP** 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 Sanitary Sewer and Storm Drain 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:

N/A

It being understood that said temporary easement is only for the original excavation and construction of said utility 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 conditions 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 (except those of record) \_\_\_\_\_

96-078000

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 14 day of June, 1995.

Individuals,  
general partnerships

James H. Sharp  
Signer's Name,

Donna D. Sharp  
Signer's Name,

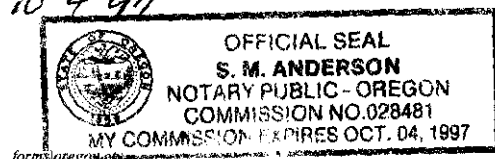
Personal Acknowledgement  
STATE OF OREGON )  
County of Clackamas )ss

Personally appeared the above named

James H. Sharp and  
Donna D. Sharp and  
acknowledged the foregoing instrument to be  
their voluntary act and deed.

Before me: S. M. Anderson

10-4-97



JAMES & DONNA THARP

14762 S. GLEN OAK RD

OREGON CITY, OR  
(Grantor's Name and Address)

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

(Grantee's Name and Address)

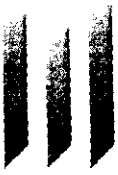


Accepted on behalf of the City of Oregon City on the condition that the easement granted is free and clear from taxes, liens and encumbrances.

Daniel W. Fowler  
Mayor

Alan K. Elliott  
City Recorder

10-16-96



# WESTLAKE

CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

Phone: 503 684-0652

Fax: 503 624-0157

James & Donna Tharp Trust  
Utility Easement  
Tax Lot 500, 3S, 2E, 16A  
Project No. 876-02  
June 9, 1995

## PROPERTY DESCRIPTION

A tract of land situated in the N.E. 1/4, Section 16, T. 3S., R. 2E., W.M., City of Oregon City, Clackamas County, Oregon, being a portion of the Andrew Hood D.L.C. and being more particularly described as follows:

Commencing at the quarter corner common to section 9 and 16;

Thence, along the north line of said Section 16, North  $89^{\circ}44'36''$  East, 1230.79 feet to the True Point of Beginning, said point also being on the centerline of S. Glen Oak Road;

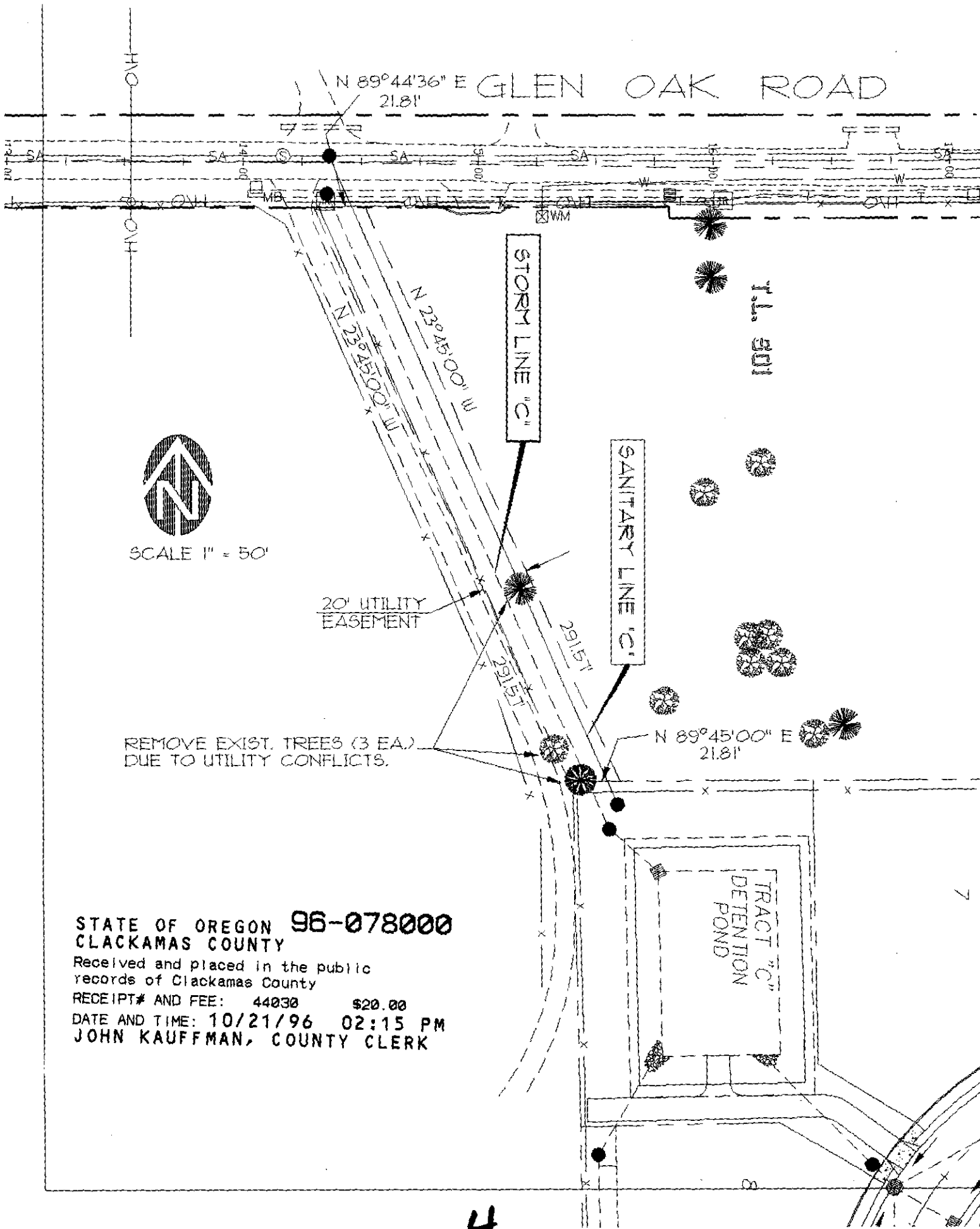
Thence, along the westerly line of that tract of land conveyed by deed to the James and Donna Tharp Trust, as recorded in Fee No. 93-87465, Clackamas County Deed Records, South  $23^{\circ}45'00''$  East, 291.57 feet;

Thence, North  $89^{\circ}45'00''$  East, 21.81 feet;

Thence, parallel with the westerly line of said Tharp tract, North  $23^{\circ}45'00''$  West, 291.57 feet to the centerline of said S. Glen Oak Road;

Thence, along said centerline, South  $89^{\circ}44'38''$  West, 21.81 feet to the True Point of Beginning.

87602-2.6d



SCALE 1" = 50'

REMOVE EXIST. TREES (3 EA.)  
DUE TO UTILITY CONFLICTS.

20' UTILITY  
EASEMENT

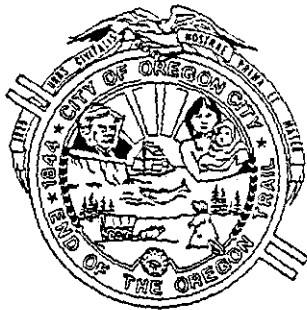
STORY LINE "C"

SANITARY LINE "C"

N 89°45'00" E  
21.81'

TRACT "C"  
DETENTION  
POND

STATE OF OREGON 96-078000  
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  
JOHN KAUFFMAN, COUNTY CLERK



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

FOR AGENDA

DATED  
October 16, 1996

1 of 2

TO THE HONORABLE MAYOR AND COMMISSIONERS

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:**

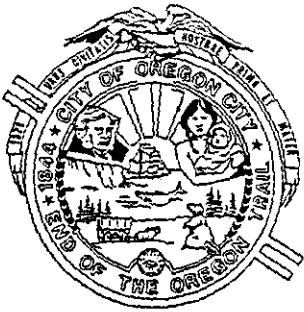
Osprey Glen, Phase I, TP95-06  
Tharp

**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



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

FOR AGENDA

DATED  
October 16, 1996

2 of 2

TO THE HONORABLE MAYOR AND COMMISSIONERS

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\960906-EASE.RPT]

Public Utility Easement

3S-2E-76A

Tax Lot 500



James Tharp  
Donna Tharp

1919 #4

DOC# 96-078000

Env. 313