

15'
After Recording return to: Oregon City Recorder, 320 Warner Milne Road, Oregon City, OR 97045

15
CITY OF OREGON CITY, OREGON

PUBLIC SIDEWALK EASEMENT

PD90-01
FOREST HGTS.

KNOW ALL MEN BY THESE PRESENTS, THAT **Richard L. Davis** and **Connie L. Davis**, Owner of Tax Lot 32E 05BA 800, 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 sidewalk on the following described land:

A strip of Land Two (2) feet wide, to be used for easement purposes, situated in the William Holmes D.L.C. No. 38 in the N.E. 1/4 of the N.W. 1/4 of Section 5, T.3S., R.2E., W.M. Clackamas County, Oregon lying within Lot 1, Block 4, "Mountain View Addition to Oregon City", a Subdivision Plat of Record (Book 3, Page 15) in said Clackamas County, described as follows:

The West 2.00 feet of said Lot 1.

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 ONE HUNDRED and No/100 Dollars (\$100.00) 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.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 9TH day of July, 1996.

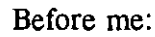

Richard L. Davis


Connie L. Davis

96-077999

County of ~~Clackamas~~ LINCOLN)

Personally appeared the above named **Richard L. Davis** and **Connie L. Davis** and acknowledged the foregoing instrument to be their voluntary act and deed.



NOTARY PUBLIC FOR OREGON
My Commission Expires: 2-5-2000

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

Richard L. Davis and Connie L. Davis
802 Magnolia Street
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.

Mayor

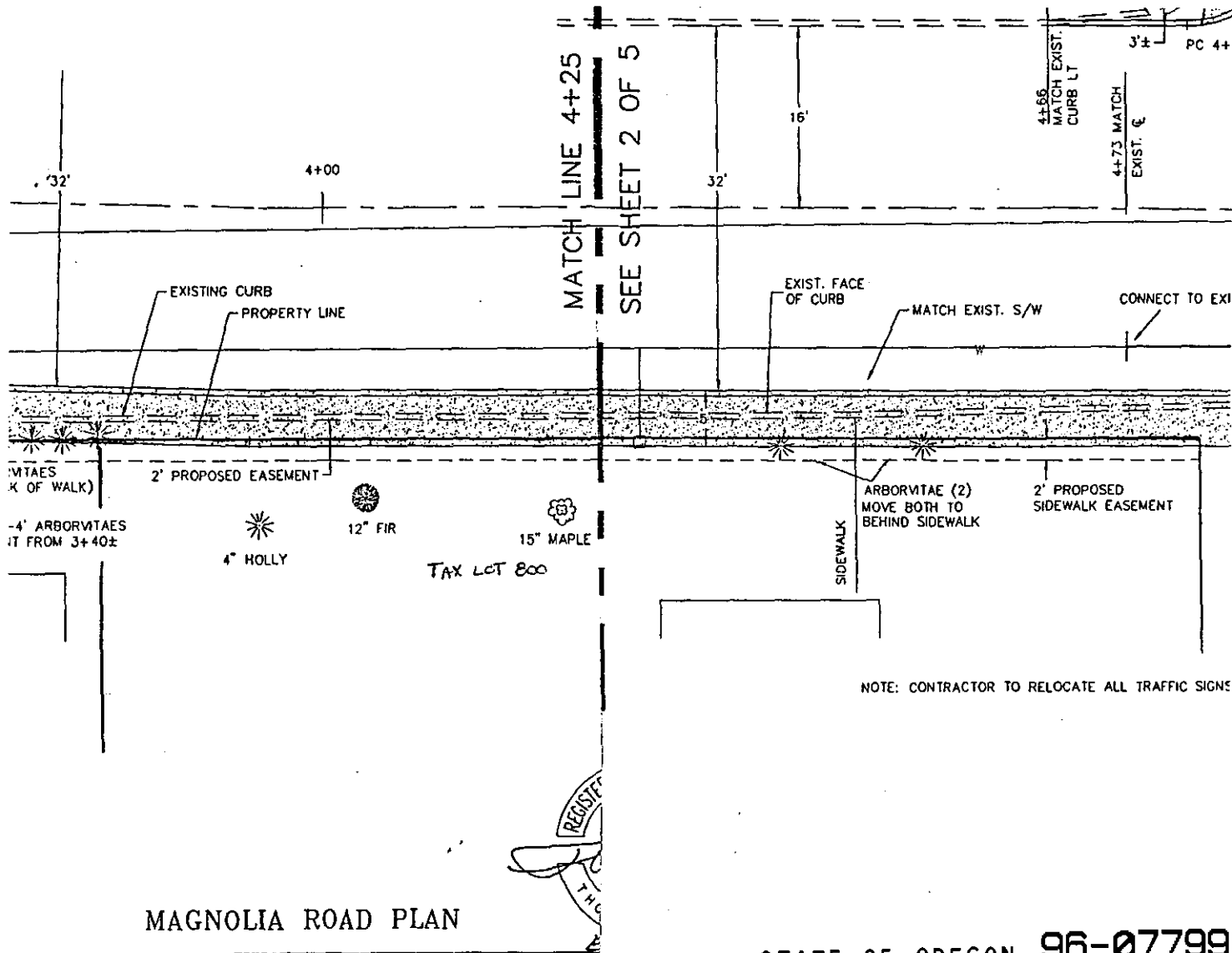
City Recorder
(Official Seal)



EXHIBIT "A"
City of Oregon City

Property of Richard L. Davis and Connie L. Davis

Located in NW Quarter of Section 5, T3S, R2E, W.M.
Clackamas County, Oregon
As of this date known as Tax Lot 800.



STATE OF OREGON 96-077999
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 44030 \$15.00
DATE AND TIME: 10/21/96 02:15 PM
JOHN KAUFFMAN, COUNTY CLERK



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED
October 16, 1996

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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:

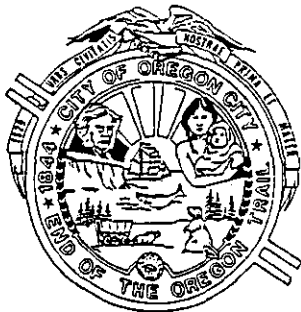
McLoughlin Square Assisted Living Center, SP94-14

McLoughlin Square LP

Skyles

Holmes Meadows Subdivision, TP94-05

Oregon City School District



CITY OF OREGON CITY

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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\96\96-EASE.RPT]

Public Sidewalk Easement

3-2E-5BA

Tax Lot 800



(purple)

Richard L. Davis
Connie L. Davis

Doc. No. 96-077997

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item 16

Env. 119