

25-  
After Recording Return to: Oregon City Recorder, 320 Warner Milne Road, Oregon City, OR 97045

25  
CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

SP95-49  
WILCO

KNOW ALL MEN BY THESE PRESENTS, THAT George M. Lizer & Dolores Marleen Lizer, 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 pedestrian sidewalk 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.

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 \$\_\_\_\_\_, 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 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 30<sup>th</sup> day of Sept, 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.

96-077998

WILCO FARMERS  
LOOP SIDEWALK EASEMENT  
MAP 3S-2E-9B, TAX LOT 1500

Individuals,  
general partnerships

George M. Lizer  
Owner

Dolores Marleen Lizer  
Owner

(if executed by a corporation  
affix corporate seal)

Corporation  
limited partnership

\_\_\_\_\_  
Corporation/Partnership Name

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

**Personal Acknowledgment**

STATE OF OREGON )

County of Clackamas ) ss.

Personally appeared the above named George M. Lizer  
and Dolores Marleen Lizer  
and acknowledged the foregoing instrument to be their  
voluntary act and deed.

Before me:

Christina LaFrierier  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 5/7/99



WILCO FARMERS  
LOOP SIDEWALK EASEMENT  
MAP 3S-2E-9B, TAX LOT 1500

My Commission Expires: \_\_\_\_\_

**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.

(OFFICIAL SEAL)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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

*Sean K. Elliott*

City Recorder

10-16-96

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

(OFFICIAL SEAL)

Space reserved for County  
Record's Office



[WPFILES\NEAL\\_\_\_\_\_.EAS]

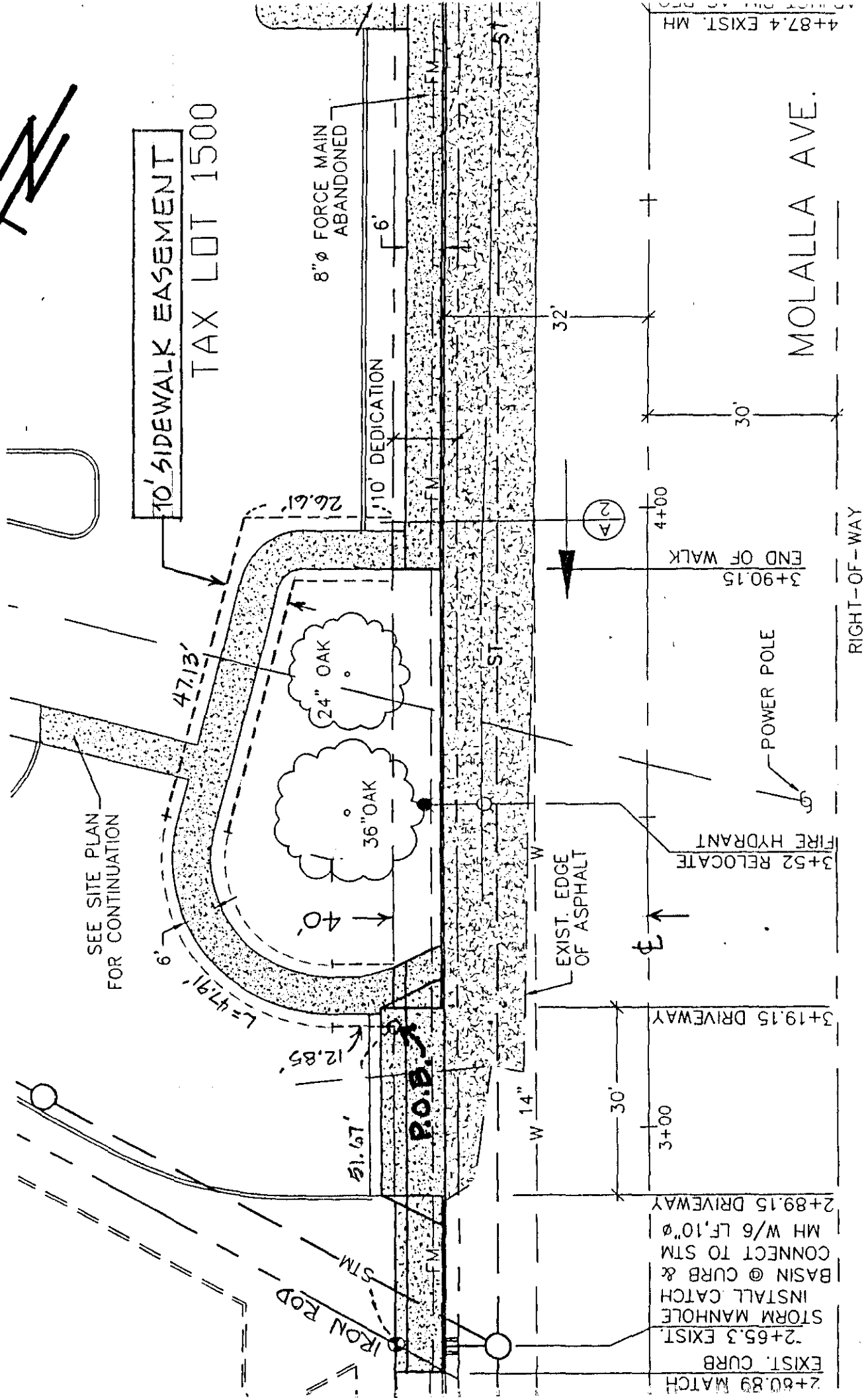
EASEMENT DESCRIPTION  
FOR LOOP SIDEWALK  
WILCO FARMERS PROPERTY  
TAX LOT 1500, 3S-2E-9B, OREGON CITY  
FOR BUILDING STRUCTURES, INC.

JOB NO. 3646  
8/20/96 WC

EXHIBIT "A"

A STRIP OF LAND, TEN-FEET WIDE, LOCATED IN THE NORTHEAST-QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKMAS COUNTY, OREGON, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO GEORGE M. LIZER AND DOLORES MARLEEN LIZER RECORDED JULY 13, 1994, CLACKAMAS COUNTY RECORDER'S FEE NO. 94-56737, THE EXTERIOR OR EASTERLY LINE OF WHICH (THE SIDE FARTHEST FROM THE HIGHWAY) IS DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD SET BY PRIVATE SURVEY NO. 14380 (RECORDED IN THE CLACKAMAS COUNTY SURVEYOR'S OFFICE) ON THE MOST WESTERLY NORTH LINE OF SAID LIZER TRACT AT A POINT WHICH IS 40-FEET FROM, MEASURED PERPENDICULAR TO, THE CENTERLINE OF MOLALLA AVENUE (MARKET ROAD NO. 22), AND RUNNING THENCE, PARALLEL WITH AND 40-FEET FROM SAID CENTERLINE, S.29°54'03"E., 51.67 FEET TO THE TRUE POINT-OF-BEGINNING; THENCE, THE EASEMENT LINE TO BE DESCRIBED RUNS N.62°22'33"E., 12.85 FEET TO A POINT-OF-CURVATURE; THENCE 47.91 FEET ALONG THE ARC OF A CURVE RIGHT, THE RADIUS OF WHICH IS 27.00 FEET, THE CENTRAL ANGLE IS 101°40'10", AND THE LONG CHORD BEARS S.66°47'22"E., 41.87 FEET TO A POINT-OF-TANGENCY; THENCE S.15°57'17"E., 47.13 FEET; THENCE S.60°53'37"W., 26.61 FEET TO THE TERMINUS OF SAID EASEMENT AT A POINT WHICH LIES 40- FEET FROM SAID HIGHWAY CENTERLINE; THIS DESCRIPTION WAS PREPARED FROM THE MAP OF PRIVATE SURVEY NO. 26626 ON FILE IN THE CLACKAMAS COUNTY SURVEYORS OFFICE, AND SAID MAP BY REFERENCE IS MADE A PART HEREOF.





## 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



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED  
October 16, 1996

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\9604-EASE.RPT]

Public Utility Easement  
(SIDEWALK LOOP)

3S-2E-9B

Tax Lot 1500

Wilco

George M. Lizer

Dolores M. Lizer

(purple)

Loop Sidewalk (Molalla)

SP 95-49 (Wilco)

Doc No. 96-077998

Pg 1515

ITEM 16

Env. 42