

3-21-06
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Return to:
City Recorder
City of Oregon City
320 Warner Milne Road
Oregon City, Oregon 97045

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CITY OF OREGON CITY, OREGON

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Grace Blakley as seller and David Abrams as buyer, hereinafter called the GRANTORS, does hereby grant unto 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, and maintain a water line 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 walk ways, plantings 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.

Upon completion of the construction, the CITY shall restore the surface of the property to a neat and orderly 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 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.

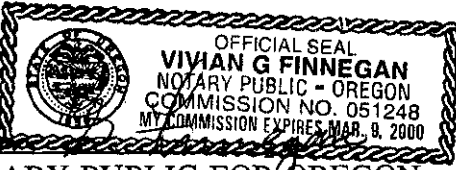
IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 15 day of April, 1996; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Individuals

Grace Blakley
Grace Blakley

Personal Acknowledgment
STATE OF OREGON)
County of Clackamas) ss.

Personally appeared the above named
Grace Blakley
and acknowledged the foregoing
instrument to be a
voluntary act and deed.

Before me: 
Vivian G. Finnegan
NOTARY PUBLIC FOR OREGON

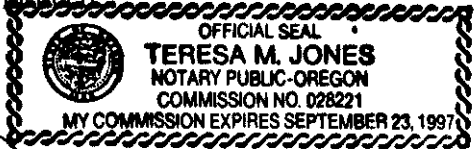
My commission expires 3-09-00

Grace Blakley
1106 Monroe St.
Oregon City, Or. 97045
Grantor's Name and Address

David Abrams
David Abrams

Personal Acknowledgment
STATE OF OREGON)
County of Clackamas) ss.

Personally appeared the above named
DAVID A. Abrams
and acknowledged the foregoing
instrument to be _____
voluntary act and deed.

Before me: 
Teresa M. Jones
NOTARY PUBLIC FOR OREGON

My commission expires 9/23/97

David Abrams
6205 SW Corman Drive
Lake Oswego Oregon 97035
Grantor's Name and Address

City of Oregon City, PO Box 351, 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 property dedication is free and clear from taxes, liens and encumbrances.

Daniel W. Fowler
Mayor
4-17-96
Frank H. Elliott
City Recorder

(OFFICIAL SEAL)

Space reserved for County Record's Office

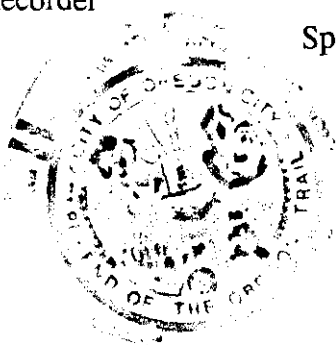


EXHIBIT "A"

LEGAL DESCRIPTION

Annexation to
City of Oregon City

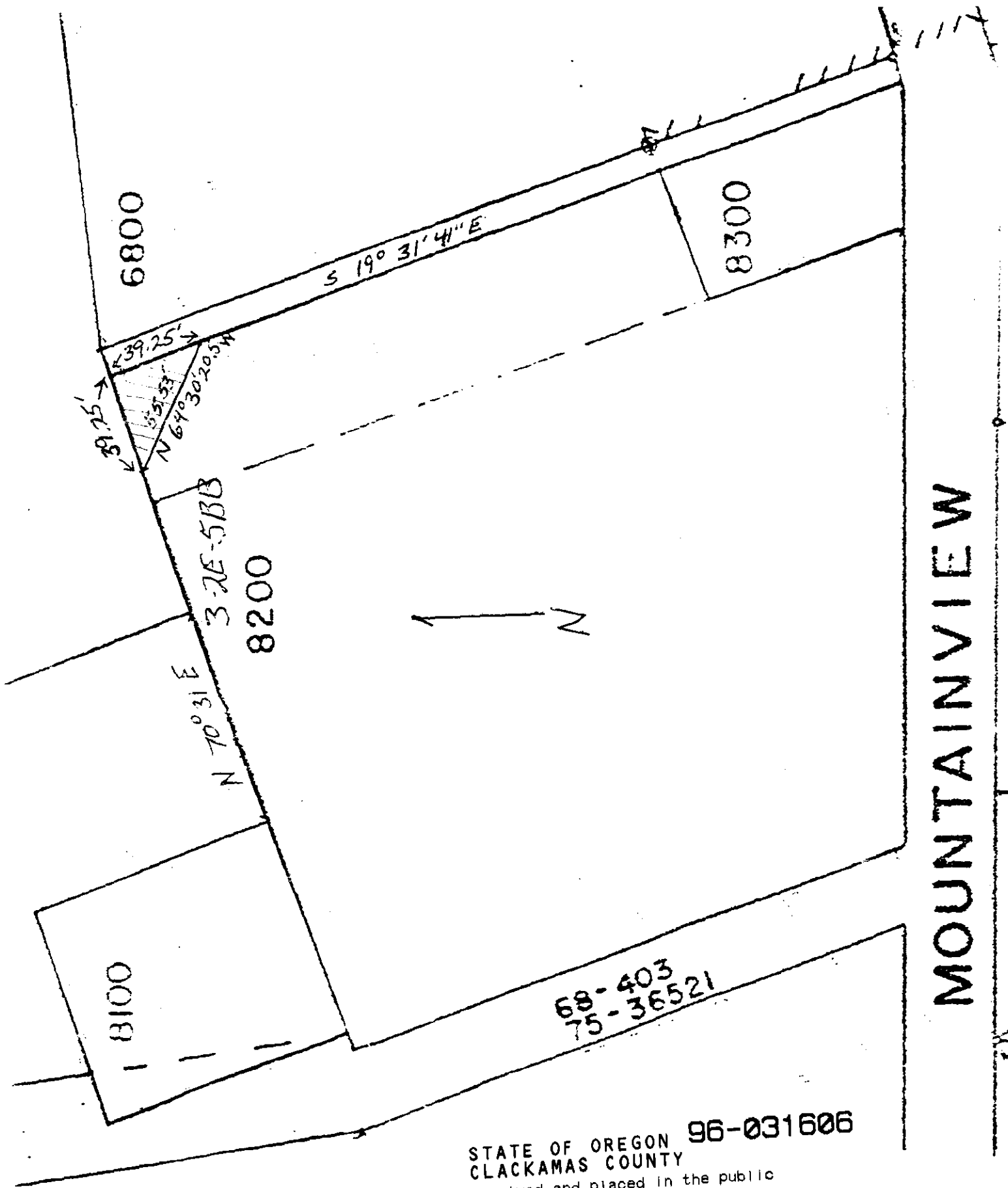
A tract of land being situated in the William Holmes Donation Land Claim, No. 38, in Section 5, Township 3 South, Range 2 East, of the Willamette Meridian, in Oregon City, Clackamas County, Oregon, being more particularly described as follows:

Commencing at the Northwest Corner of said Section 5;

THENCE South, a distance of 138.17 feet, to a point on the North line of that certain tract conveyed to Robert and Heather Silva, by Records Fee 93-05729, Clackamas County Deed Records; **THENCE** East, along the north line of said Silva tract, a distance of 143.1 feet, to the Northwest corner of that certain tract conveyed to Arther Bloedorn, by Records Fee 91-26214, Clackamas County Deed Records; **THENCE** South 19°29' East, along the West line of said Bloedorn tract, a distance of 352.5 feet, to the most southerly corner thereof, said corner being also on the north line of that certain tract conveyed to Frank and Grace Blakley, by Records Fee 85-39830, Clackamas County Deed Records; **THENCE** North 70°31' East, along the northerly line of said Blakley tract, a distance of 100 feet, to the most northerly corner thereof, being also the **TRUE POINT OF BEGINNING**; **THENCE** South 19°31'41" East, along the easterly line of said Blakley tract, a distance of 39.25 feet, to a point; **THENCE** North 64°30'20.5" West, a distance of 55.53 feet, to a point on the northerly line of said Blakley tract; **THENCE** North 70°31' East, along the northerly line of said Blakley tract, a distance of 39.25 feet to the **POINT OF BEGINNING**.

The area of the above described tract is 770 square feet, more or less.

Exhibit "B"



STATE OF OREGON 96-031606
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 35574 \$20.00
DATE AND TIME: 05/03/96 01:30 PM
JOHN KAUFFMAN, COUNTY CLERK



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

April 17, 1996

1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page

SUBJECT: Vacation of Existing Easements
Acceptance of New Easement
Resolution 96-11

Report No. 96-³⁵~~26~~

BACKGROUND:

On June 20, 1906 and March 11, 1916 the property owners of the affected property granted "Blanket Easements" to the Board of Water Commissioners of Oregon City to cover the installation of a water main on their property located at 447 Mt View. These two easements were recorded as Book 96, Page 71 and Book 142, page 578. This type of easement encumbers the entire property and does not locate the affected area of the property. The new easement details the exact location of the main on the property, and better protects the City's interest. The City Commission of Oregon City is the direct descendant of the Board of Water Commissioners and does have jurisdiction over these easements.

The water line in question is the main line from the Mountain View Reservoir site to Linn Avenue. This line was installed at the same time as the water reservoir was constructed and has been in continuous service since. There is no replacement line scheduled for construction, and there is a property owner desire to prepare the property for development by removing existing usage clouds.

RATIONAL:

This recommendation is consistent with good practice. Blanket easements only say that there is an installation somewhere on the property but do not identify the exact areas of interest, and may not be enforceable. The new easement does detail the exact area of interest on the property, and is enforceable.

RECOMMENDATION:

It is recommended that the City Commission adopt Resolution 96-11 and authorize the Mayor to accept the new easement offered as a replacement, and authorize the City Recorder to record the Resolution 96-11 and the new easement.

CHARLES LEESON
City Manager

- cc
- Rich Carson, Community Services Director
 - Rick McClung, Public Works Director
 - Henry Mackenroth, City Engineer
 - Barry Schoeller, John L. Scott Real Estate, 10001 SE Sunnyside, #200, Clackamas Oregon 97015
 - Grace Blakley, 1106 Monroe St, Oregon City, Oregon, 97045
 - David Abrams, 6205 SW Carman Drive, Lake Oswego, Oregon 97035

Easement (WATER) TL 8200
3-2E-5BB
TL 8200



Grace Blakely (seller)
David Abrams (Property Buyer)

Clack. Co, Doc # 96-031606

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Env. 141