

Return to:
City Recorder
City of Oregon City
P.O. Box 351
Oregon City, Oregon 97045-0021

CITY OF OREGON CITY, OREGON

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Walter H. Smith, Jr. and Nancy L. Smith, hereinafter called the GRANTOR, do(es) hereby grant unto the City of Oregon City, and to franchised or permitted utilities, hereinafter called the GRANTEES, their successors in interest and assigns, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, and maintain UTILITIES on the following described land:

A tract of land located in the NE quarter of Section 29, Township 2 South, Range 2 East, Willamette Meridian, Oregon City, Clackamas County, Oregon, and part of that tract of land described in Fee# 94-52645 as recorded at Clackamas County Records and more particularly described as follows:

Beginning at a point on the West right-of-way line of Front Avenue, said line being 18 feet West of, as measured perpendicular to, the centerline of said Front Avenue, said point being North 05°28'00" East, 78.00 feet from the intersection of said right-of-way line and the North line of South Cleveland Street, said line being North 25 feet of, as measured perpendicular to, the centerline of said South Cleveland Street, thence North 84°32'00" West, 15 feet; thence North 05°28'00" East, 15 feet; thence South 84°32'00" East, 15 feet; thence South 05°28'00" West, 15 feet to the point of beginning.

Containing 225.0 square feet, more or less. 5-13-95

TO HAVE AND TO HOLD, the above described easement unto the GRANTEE, their successors in interest and assigns forever.

GRANTOR reserves the right to use the surface of the land for walkways, 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 GRANTEES. No building shall be placed upon, under or within the property subject to the foregoing easement during the term thereof.


Upon completion of the construction, the GRANTEES 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 **FOUR HUNDRED FIFTY AND NO/100 DOLLARS (\$450.00)** 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 (no exceptions) and the GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the GRANTEES, their successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

In construing this easement 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 16 day of June, 1995; 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.


Walter H. Smith, Jr.


Nancy L. Smith

STATE OF OREGON)
)ss
County of Clackamas)

Personally appeared the above named **Walter H. Smith, Jr. and Nancy L. Smith** and acknowledged the foregoing instrument to be their voluntary act and deed.



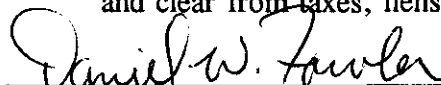
Before me:


NOTARY PUBLIC FOR OREGON
My Commission Expires: 4-20-97

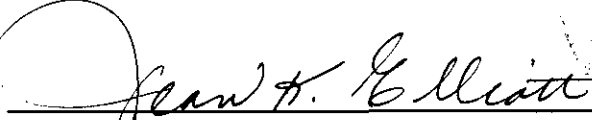
City of Oregon City
P.O. Box 351
320 Warner Milne Road
Oregon City, OR 97045-0021

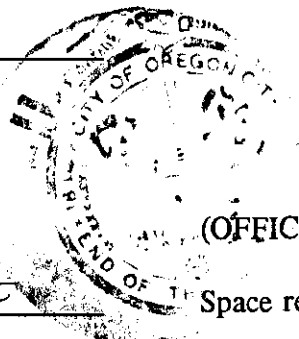
Walter H. Smith, Jr. and Nancy L. Smith
16127 S. Harley Ave.
Oregon City, OR 97045

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.


Mayor

ATTEST:

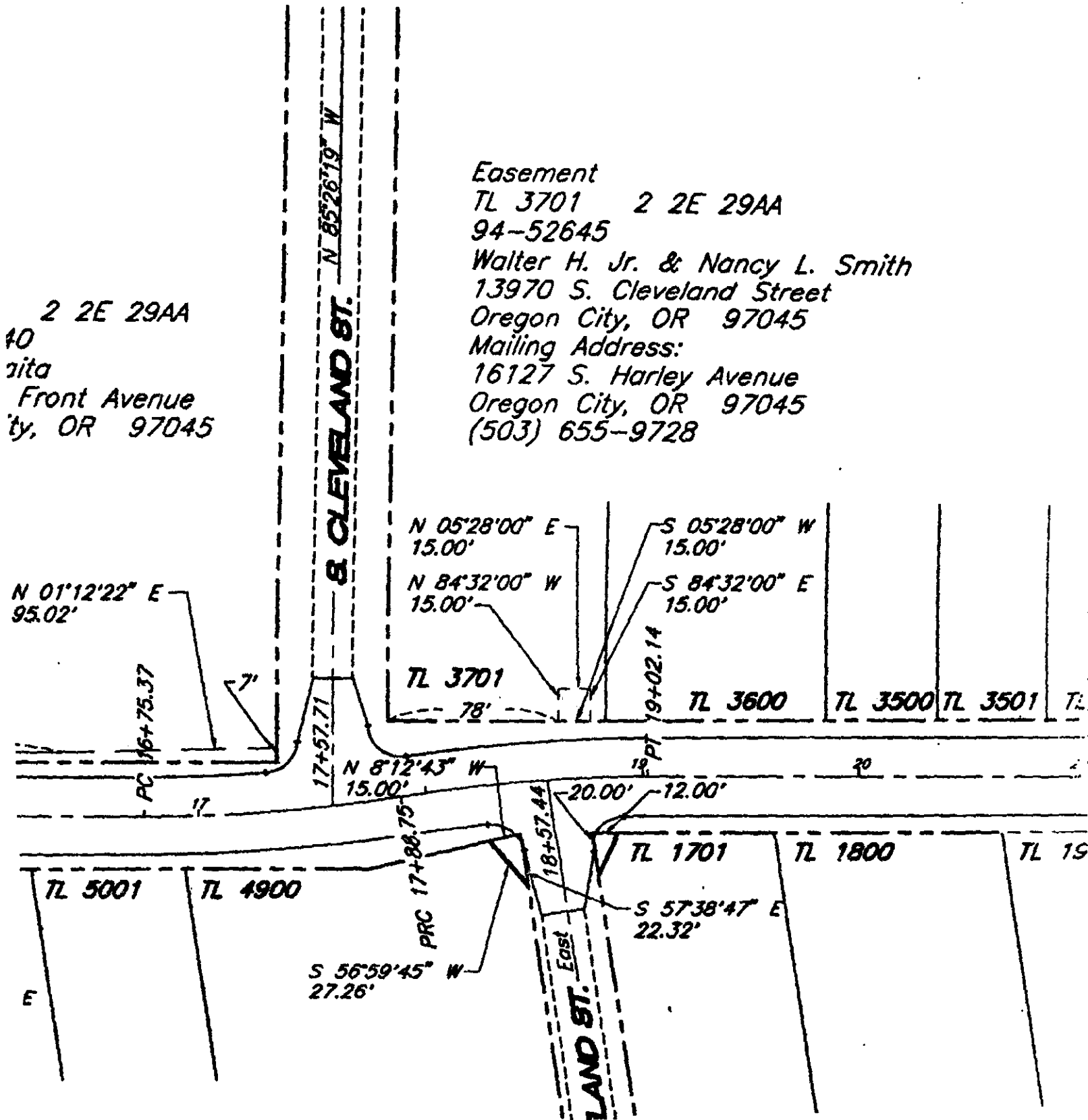

City Recorder



(OFFICIAL SEAL)

Space reserved for County Record's Office

EXHIBIT "A"



STATE OF OREGON 95-044633
 CLACKAMAS COUNTY
 Received and placed in the public
 records of Clackamas County
 RECEIPT# AND FEE: 23007 \$15.00
 DATE AND TIME: 07/31/95 02:10 PM
 JOHN KAUFFMAN, COUNTY CLERK

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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

June 28, 1995

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Subject: Front Avenue Improvement Project
Deeds of Dedication - Street right of way
Slope Easement - Street
Utility Easement - Power

Report No. 95-76

Transmitted herewith for Commission acceptance are two Deeds of Dedication, one Slope Easement, and one Utility Easement for the Front Street Improvement project. This project will provide a street upgrade to Front Avenue, in the Park Place Neighborhood, between Holcomb and La Rae. The project is partially funded by a Community Development Block Grant.

The Deeds of Dedication allow for the installation of curbs at the proper location for future curbs on the intersecting streets. One Deed is for the Northeast corner of Front Avenue and Rock Street. The other Deed is for the Southeast corner of Front Avenue and Cleveland Street.

The Slope Easement is for the area West of Front Avenue and North of Rock Street. This area slope down to the west, and the Slope Easement will provide support for the street improvement.

The Utility Easement is on the West side of Front Avenue at Cleveland. This Easement is to provide a location for two guy lines for a 3 legged power pole installation. PGE and the various utility companies are required to relocate their facilities out of the new street area. Because the City was in the area acquiring other easements and dedications, the City offered to facilitate the relocation by acquiring the easement.

It is recommended that the Mayor and City Recorder be authorized to execute and record this document.

CHARLES LEESON
City Manager

- cc
- Rich Carson, Community Development Director
 - Rick McClung, Public Works Director
 - Henry Mackenroth, City Engineer

UTILITY EASEMENT 1995

Z-2E-29AA TL3701

FRONT ST. IMPROVEMENT PROJ.

DOCH#95-044633

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