Ream 5 : City Recorder City of Oregon City 320 Warner Milne Road Oregon City, Oregon 97045

## CITY OF OREGON CITY, OREGON

## DRAINAGE EASEMENT

and Dolores M. Lize KNOW ALL MEN BY THESE PRESENTS, THAT Gerald W. Christensen and George M. 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, and maintain STORM DRAINAGE FACILITIES 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 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 \_\_\_\_day of \_\_\_\_\_\_, 19\_\_\_\_.

Individuals:

Signer's Name: Gerald W. Christensen

Personal Acknowledgment STATE OF OREGON ) ss. County of Clackamas

Personally appeared the above named Gerald W. Christensen and acknowledged the foregoing instrument to be his voluntary act and deed.

Before m **ARY PUBLIC FOR OREGON** 

My commission expires 4/9/95





GERALD CHRISTENSEN	
P.O. Box 5043	
Oregon City, Oregon 97045	
(Grantor's Name and Address)	
Signer's Name: George M Lizer	Dolores M. Lizer
Personal Acknowledgment	
STATE OF OREGON )	
) ss.	
County of <u>Clackamas</u> )	

and Dolores M. Lizer

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

Before me:

Ð IC FOR OREGON

My commission expires

OFFICIAL SEA MISSION CO ON FXPIRES COMM

George & Dolores Lizer 18881 S. E. Hwy 212 Clackamas, Oregon 97015

(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 property dedication is free and clear from taxes, liens and encumbrances

Mayo

City Recorder



(OFFICIAL SEAL)

Space reserved for County **Record's Office** 

2

## Exhibit "A"

## Legal Discription

A tract of land in the Northeast Quarter of Section 8, Township 3 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon discribed as follows:

COMMENCING at an iron rod in the South line of that tract conveyed to Oregon City by deed 75-18060 recorded July 3, 1975 in deed records of Clackamas County, said iron rod being located South 89°30' West, 418.75 feet from the southeast corner of said tract, said point being also the most northerly northwest corner of that certain tract conveyed to Gerald W. Christensen by Fee Number 86-43460 Clackamas County Deed Records; THENCE South 0°30' East, along the west line of said Christensen tract, a distance of 191.64 feet to an iron rod; THENCE South 89°30' West, along the north line of said Christensen tract, a distance of 193.52 to an iron rod; THENCE continuing along said north line, South 89°30' West, a distance of 11.48 feet to the easterly edge of Market Road 22 (Molalla Avenue) (Right of Way Width of 60 feet) and the POINT OF BEGINNING; THENCE South 29°55' East, along the said easterly Right of way line, a distance of 30.08 feet to a point; THENCE North 89°30' East, a distance of 90 feet to a point; THENCE North 0°30' West, a distance of 15 feet to a point on the said north line; THENCE South 89°30' West, along the said north line, a distance of 116.07 feet to the point of beginning.



Exhibit "B"





Drainage Easement July 1994 (Repa 3-2E-9B TL 1500 Geraldw. Christensen + George M. Lizer + Dolores M. Lizer Doc, No. 94-068152 P9 1515 1TEN # 14 4 Enr. 40