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Return to:  
City Recorder  
City of Oregon City  
~~320 Warner Milne Road~~ POB 4351  
Oregon City, Oregon 97045

20-  
**CITY OF OREGON CITY, OREGON**

**SLOPE EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS, THAT James E. Tharp and Donna D. Tharp** 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 ROAD SLOPES on the following described land:

**TAX LOT 500:** A parcel of land lying in the northeast 1/4 of Section 16, Township 3 South, Range 2 East of the Willamette Meridian and being a portion of that property described in that deed to James E. Tharp and Donna D. Tharp, and recorded in Fee. No. 84-00314, Film Records of Clackamas County, Oregon; the said parcel being that portion of said property lying westerly of a line at right angles to the centerline of relocated Glen Oak Road at Engineer's Station 30+70 and included in a strip of land 35 feet in width, lying southerly of and adjacent to said centerline, which centerline is described as follows:

Beginning at Engineer's Centerline Station 14+09.03 of Glen Oak Road, said Centerline Station being the North 1/4 corner of Section 16 Township 3 South, Range 2 East of the Willamette Meridian; thence South 88°25'58" East 2660.91 feet to the northeast corner of said Section 16, Township 3 South, Range 2 East of the Willamette Meridian.

Bearings are based upon the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 4,206 square feet, more or less.

**TOGETHER WITH:**

**TAX LOT 501:** A parcel of land lying in the Andrew Hood D.L.C. No. 44 in the northeast 1/4 of Section 16, Township 3 South, Range 2 East of the Willamette Meridian and being a portion of that property described in that deed to W.E. Tharp and Mabel Tharp, and recorded in Book 656, Page 812, Film Records of Clackamas County, Oregon; the said parcel being that portion of said property included in a strip of land 35 feet in width, lying southerly of and adjacent to the centerline of relocated Glen Oak Road, which centerline is described as follows:

Beginning at Engineer's Centerline Station 14+09.03 of Glen Oak Road, said Centerline Station being the North 1/4 corner of Section 16 Township 3 South, Range 2 East of the Willamette Meridian; thence South 88°25'58" East 2,660.91 feet to the northeast corner of said Section 16, Township 3 South, Range 2 East of the Willamette Meridian.

Bearings are based upon the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 2,040 square fee, more or less.

**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 \$17,435.00 <sup>935.00 JET</sup>, 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 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 23 day of Feb., 1994.

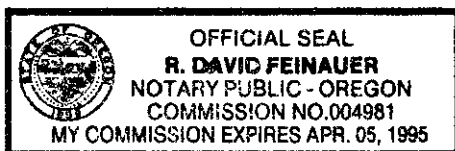
  
James E. Tharp

  
Donna D. Tharp

STATE OF OREGON           )  
                                      )ss  
County of Clackamas       )

Personally appeared the above named James E. Tharp and Donna D. Tharp and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



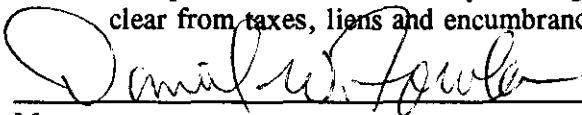
  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 4/5/95

*Grantee*  
City of Oregon City  
320 Warner Mile Road  
Oregon City, OR 97045

*Grantor*  
James E. Tharp Donna D. Tharp  
14762 S Glen Oak Road  
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



City Recorder

3-16-94

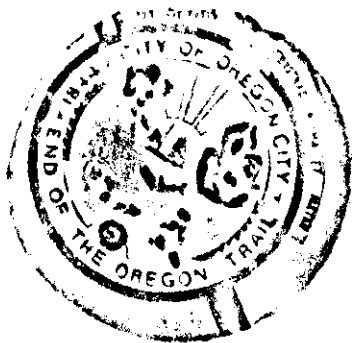
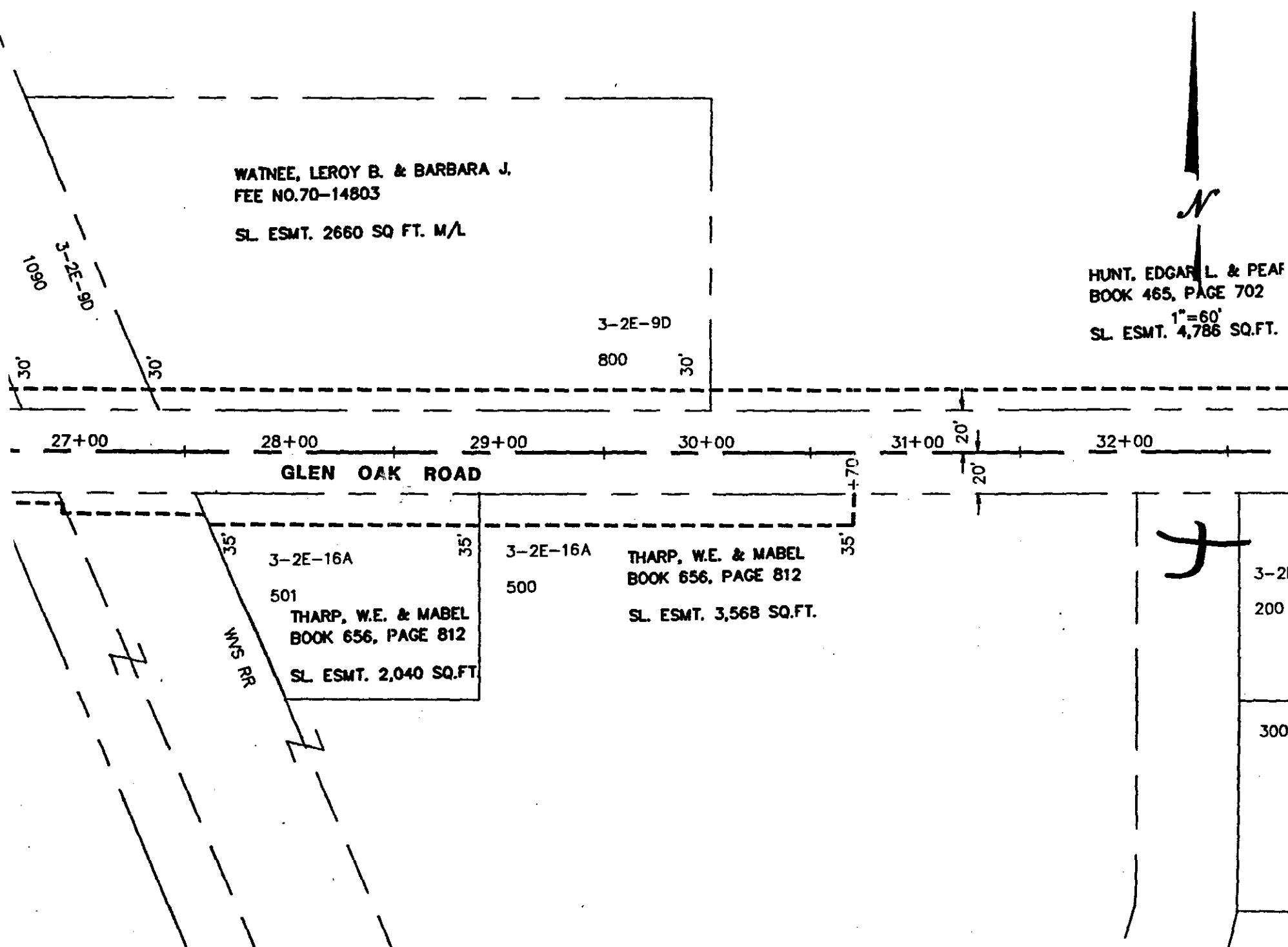


Exhibit "A"





# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

March 16, 1994

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Page

Subject: Slope Easement - Glen Oak Road  
James E. and Donna D. Tharp

Report No. 94-051

On the March 16, 1994 City Commission agenda is a slope easement from James E. and Donna D. Tharp for a portion of Tax Lot 500 and Tax Lot 501 in the amount of \$17,935 for use as walkways, plantings, and related uses. The slope easement document, and map are attached for Commission review.

The granting of this easement requires relocating a garage and some personal effects.

It is recommended that the City Commission adopt a motion accepting the slope easement document, and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON  
City Manager

attach.

cc - Max Talbot, Director, Community Development

3/16/94 SLOPE  
EASEMENT

3-2E-16A T.L. 500,501

James E. Tharp  
Donna D. Tharp  
Feb. 1994

DOC#94-28489

1919#5

Env. 312