

Return to:  
City Recorder  
City of Oregon City  
~~320 Warner Mill Road~~  
Oregon City, Oregon 97045

POB 351

CITY OF OREGON CITY, OREGON  
DRAINAGE EASEMENT

20  
KNOW ALL MEN BY THESE PRESENTS, THAT Washington Mutual Savings Bank, a corporation, 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 pipe on the following described land: <sup>A FEDERAL</sup> ~~storm~~ \*an underground

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, <sup>parking</sup> 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 10 day of JANUARY, 1994; 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.

Corporation & Limited Partnership

Washington Mutual, a Federal Savings Bank

Corporation/Partnership Name

[Signature], VP  
Signer's Name, Title

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

(If executed by a corporation  
affix corporate seal)

Corporate Acknowledgment  
STATE OF ~~OREGON~~ WASHINGTON )

County of KING )

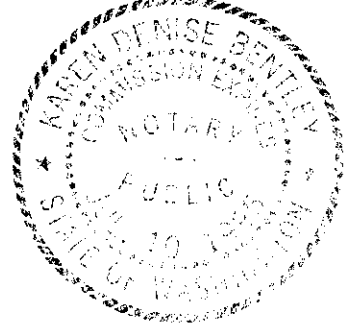
) ss.

Personally appeared Kent A. Wiegel and \_\_\_\_\_ who being duly sworn, each for himself and not one for the other, did say that the former is the vice president and that the latter is the \_\_\_\_\_ secretary of Washington Mutual 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 whom acknowledged said instrument to be its voluntary act and deed.

Before me:



Karen Denise Bentley  
NOTARY PUBLIC FOR ~~OREGON~~ WASHINGTON  
My commission expires 7/10/95



(OFFICIAL SEAL)

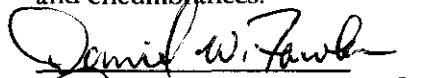
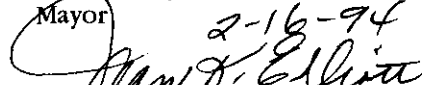
A FEDERAL  
Washington Mutual Savings Bank  
19172 Molalla Ave  
Oregon City, Oregon 9797045

(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.

  
Mayor  
2-16-94  
  
City Recorder



(OFFICIAL SEAL)

Space reserved for County  
Record's Office

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*J. Stuart Hitchen*  
OREGON  
JULY 26, 1968  
J. STUART HITCHEN  
2341

June 29, 1993

**FIR STREET STORM IMPROVEMENT PROJECT**

Assessor's Map and Lot Number 3-2E-9B, TL 1400

Page 1 of 1

Owner and Recorder's Fee No.: Community First Federal Savings  
Fee No. 83-19541

**Storm Sewer Easement**

A strip of land lying in Tract One of Clairmont Acreage Tracts No. 3, situated in the northeast 1/4 of Section 8, Township 3 South, Range 2 East of the Willamette Meridian and being a portion of that property described in that deed to Community First Federal Savings, and recorded in Fee. No. 83-19541, Film Records of Clackamas County, Oregon; the said strip of land being 15 feet in width and lying 7.5 feet on either side of the following described centerline:

Commencing at the southeast corner of that property described in that deed to Community First Federal Savings, and recorded in Fee. No. 83-19541, Film Records of Clackamas County, Oregon; thence tracing the southerly line of said property South 88°41'45" West 40.68 feet to the TRUE POINT OF BEGINNING; thence leaving said southerly line North 01°04'37" West 148.52 feet to a point of curvature; thence 51.05 feet along the arc of a 500 foot radius curve to the left through a central angle of 05°51'00" (the long chord of which bears North 03°59'43" West 51.03 feet) to the southerly line of that certain tract of land described in that deed to Bitar Bros., Robert A. Bitar Corporation, and recorded in Fee. No. 88-53693, Film Records of Clackamas County, Oregon, and the TERMINUS of said centerline. The sidelines of said 15 foot wide strip of land to be extended or shortened to commence at the southerly line of said Community First Federal Savings property and to terminate at the southerly line of said Bitar Bros., Robert A. Bitar Corporation property.

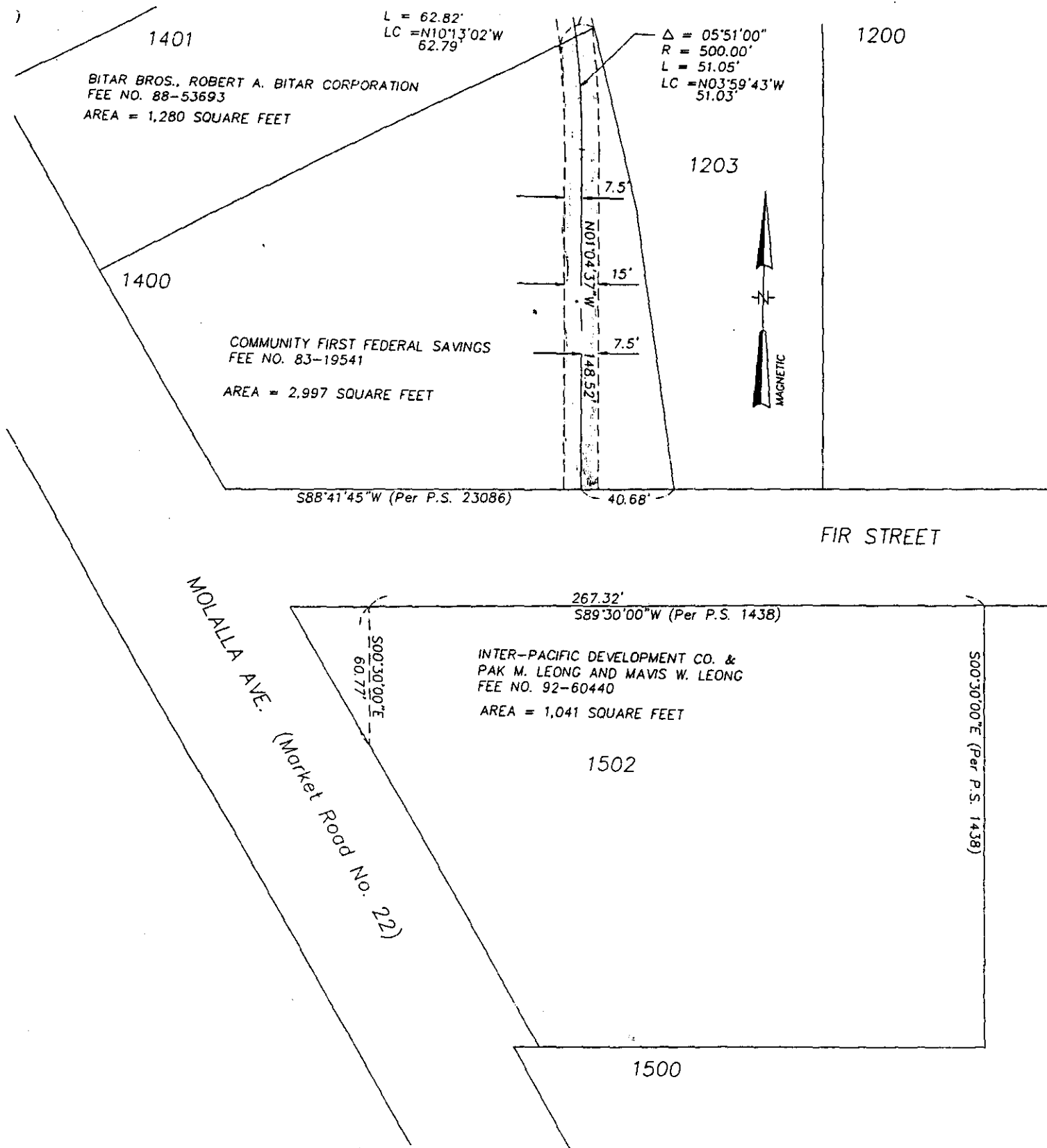
Bearings are based upon P.S. 23086, Survey Records of Clackamas County, Oregon and Fee No. 83-19541, Film Records of said County.

The parcel of land to which this description applies contains 2,997 square feet, more or less.

647-0301:PS1400.leg

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**Exhibit "A"**



4

**Exhibit "B"**



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

February 16, 1994

1 of 1

Page

Subject: Drainage Easement  
Fir Street Storm Drain

Report No. 94-31

On February 16, 1994 City Commission agenda is an Easement covering the installation of the Fir Street storm drain pipe across the Washington Mutual Bank property at the Northeast corner of Fir and Molalla Avenue.

The noted changes are clarifications, with the exception of the removal of the requirement of the Bank to defend the granting of the easement. The property has been the site of several banks or savings and loans that have been through the Federal Government takeover process. As a result of this process, the likelihood of finding an undocumented interested party is very low, and thus the removal of little consequence.

It is recommended that the City Commission accept this easement and authorize the City Recorder to record in Clackamas County Deed Records.

CHARLES LEESON  
City Manager

attach.

cc - Max Talbot, Director, Community Development  
- Henry Mackenroth, Project Manger

DRAINAGE EASEMENT 1994

3-2E-9B TL 1400

FIR STREET STORM IMPROVEMENT

DOC#94-17687

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(purple)

ENC#29