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

CITY OF OREGON CITY, OREGON

DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT BITAR BROS., ROBERT A. BITAR CORPORATION, an Oregon 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 a STORM DRAINAGE PIPE 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, plus the value of any future Advance Finance Charges which might be caused to be placed against this property as a result of the Fir Street Storm Drainage project currently under way.

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 OCTOBER 1993; 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  
General Partnerships

Corporation  
Limited Partnership

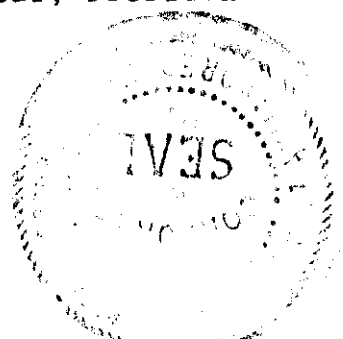
\_\_\_\_\_  
Signer's Name

Bitar Bros., Robert A. Bitar Corporation  
\_\_\_\_\_  
Corporation/Partnership Name

\_\_\_\_\_  
Signer's Name

Robert A. Bitar  
\_\_\_\_\_  
Signer's Name, Title Robert A. Bitar, President

\_\_\_\_\_  
Signer's Name, Title  
(If executed by a corporation  
affix corporate seal)



Personal Acknowledgment  
STATE OF OREGON )  
County of \_\_\_\_\_ ) ss.

Personally appeared the above named  
\_\_\_\_\_ and acknowledged the foregoing  
instrument to be \_\_\_\_\_  
voluntary act and deed.

Corporate Acknowledgment  
STATE OF OREGON )  
County of MULTNOMAH ) ss.

Personally appeared ROBERT A. BITAR and  
\_\_\_\_\_ who being duly  
sworn, each for himself and not one for the other  
did say that the former is the \_\_\_\_\_ president  
and that the later is the \_\_\_\_\_ secretary of BITAR BROS.,  
ROBERT A. BITAR CORP. 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  
acknowledged said instrument to be its voluntary  
act and deed.

(OFFICIAL SEAL)

Before me:

Sharon Price  
NOTARY PUBLIC FOR OREGON

My commission expires 9-1-95



\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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.

Daniel W. Fowler  
Mayor  
Ann H. Elliott  
City Recorder 11-3-93

(OFFICIAL SEAL)

Space reserved for County  
Record's Office



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*J. Stuart Hitchen*  
OREGON  
JULY 26, 1988  
J. STUART HITCHEN  
2341

June 29, 1993

**FIR STREET STORM IMPROVEMENT PROJECT**

Assessor's Map and Lot Number 3-2E-9B, TL 1401

Page 1 of 1

Owner and Recorder's Fee No.: Bitar Bros., Robert A. Bitar Corporation

Fee No. 88-53693

**Storm Sewer Easement**

A parcel 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 Bitar Bros., Robert A. Bitar Corporation, and recorded in Fee. No. 88-53693, Film Records of Clackamas County, Oregon; the said parcel being that portion of said property lying easterly of the following described line:

Commencing at the southeast corner of that property described in that deed to Bitar Bros., Robert A. Bitar Corporation, and recorded in Fee. No. 88-53693, Film Records of Clackamas County, Oregon ; thence tracing the southerly line of said property South 62°07'37" West 17.09 feet to the TRUE POINT OF BEGINNING; thence 62.82 feet along the arc of a 492.50 foot radius curve to the left (the radial center bears South 83°24'52" West) through a central angle of 07°18'32" (the long chord of which bears North 10°13'02" West 62.79 feet) to a point of tangency; thence North 13°53'40" West 33.78 feet on a line parallel with and 15 feet westerly of the easterly line of said Bitar Bros. property to the northerly line of said Bitar Bros. property and the TERMINUS of this described line.

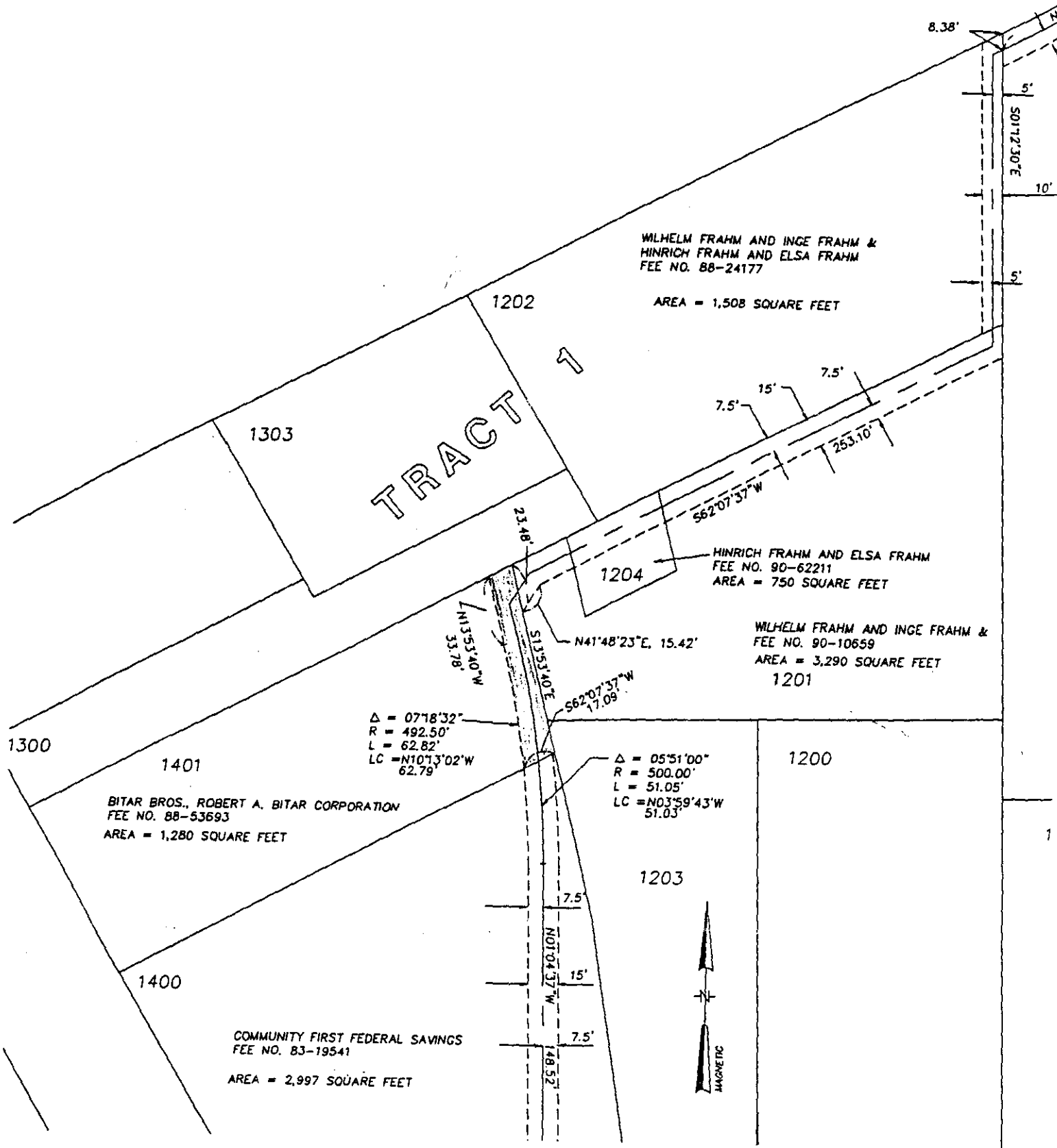
Bearings are based upon P.S. 23086, Survey Records of Clackamas County, Oregon and Fee No. 88-53693, Film Records of said County.

The parcel of land to which this description applies contains 1,280 square feet, more or less.

647-0301:PS1401.lcg

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**Exhibit "A"**



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**Exhibit "B"**



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

FOR AGENDA

DATED

November 3, 1993

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TO THE HONORABLE MAYOR AND COMMISSIONERS

Page

Subject: Storm Drainage Easement - Fir Street  
Bitar Bros, Robert A. Bitar Corporation

Report No. 93-230

*Nov 3*  
On the ~~October 20~~, 1993 City Commission agenda is Storm Drainage Easement for the installation and maintenance of a storm drain on Fir Street. A copy of the easement document, map of the property, and legal description are attached for Commission review. The easement is necessary for construction and maintenance of the Fir Street Storm Drain.

It is recommended the City Commission adopt a motion approving the Storm Drainage Easement and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON  
City Manager

attach.

cc - Henry Mackenroth, Project Engineer  
- Bitar Brothers

DRAINAGE EASEMENT 1994

3-2E-9B TL 1401

FIR ST. STRM. IMPVMT. PROJECT.

DOCH#93-90117

(PURPLE)

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Env. 45