

58  
25  
After recording return to:  
City Engineer, City of Oregon City  
320 Warner Milne Road  
Oregon City, OR 97045

3-2-108-01100

**CITY OF OREGON CITY, OREGON**  
**SANITARY SEWER and STORM SEWER EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, THAT Donald E. Rogers and Bonnie L. Rogers hereinafter called the GRANTORS, do 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, operate and maintain a sewer line, mains, and conduits over across and through the following land described as Parcel 1:

A parcel of land lying in the Andrew Hood D.L.C. No. 44 in Section 16, Township 3 South, Range 2 East of the Willamette Meridian and being a portion of that property described in that deed to Donald E. Rogers and Bonnie L. Rogers, and recorded in Fee No. 76-25890, Film Records of Clackamas County, Oregon; the said parcel being that portion of said property included in a strip of land 20 feet in width lying 10 feet on either side of the following described construction centerline:

**BEGINNING** at Engineer's Station 0+00, said point being on the northeasterly right-of-way of Molalla Avenue (State Highway 213), said point being South 323.10 feet and West 1193.60 feet from the North 1/4 Corner of Section 16, Township 3 South, Range 2 East of the Willamette Meridian; thence South 88°17'58" East 244.23 feet to Engineer's Station 2+44.23; thence North 65°52'33" East 53.34 feet to Engineer's Station 2+97.57; thence South 88°17'58" East 373.59 feet to Engineer's Station 6+71.16; thence North 01°10'02" East 33.16 feet to Engineer's Station 7+04.32; thence South 88°17'58" East 236.69 feet to Engineer's Station 9+41.01; thence North 01°08'33" East 282.00 feet to Engineer's Station 12+23.01, said Station being the **TERMINUS** of the herein described centerline, said Station also lying on the southerly right-of-way of Glen Oak Road, said Station being South 11.56 feet and West 284.48 feet from said North 1/4 Corner of Section 16.

The side lines of said 20 foot wide strip of land to be extended or shortened to meet at angle points and to commence at the westerly and southerly lines of said Rogers property and to terminate at the easterly line of said Rogers property.

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

The parcel of land to which this description applies contains 8,681 square feet, more or less.

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

The GRANTORS do bargain, sell, convey, transfer and deliver unto CITY a temporary easement and right-of-way upon, across and under so much of the aforesaid land as described as:

A parcel of land lying in the Andrew Hood D.L.C. No. 44 in Section 16, Township 3 South, Range 2 East of the Willamette Meridian and being a portion of that property described in that deed to Donald E. Rogers & Bonnie L. Rogers, and recorded in Fee No. 76-25890, 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 construction centerline at Engineer's Station 6+61.07, and included in a strip of land 15 feet in width lying northerly of and adjacent to Parcel 1.

The construction centerline referred to herein is described in Parcel 1.

The parcel of land to which this description applies contains 6,283 square feet, more or less.

TOGETHER WITH a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate and maintain a storm sewer, line, main and conduits over, across, in and through the real property located in the County of Clackamas and State of Oregon and more particularly described as follows:

A strip of land in the Andrew Hood D.L.C. 44, Section 16, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, crossing that tract of land described in deed to Donald E. Rogers and Bonnie L. Rogers, husband and wife, recorded July 30, 1976, Clackamas County Deed Fee No. 76-25890, described as follows:

The West 15 feet of said Rogers tract, INCLUDING the North 15 feet of the West 20 feet at the most northerly Northwest corner of said Rogers tract, adjoining the South right-of-way line of Glenn Oaks Road (County Road No. 881), 20 feet from centerline.

The parcel of land to which this description applies includes 4,685.70 sf.

INCLUDING a temporary easement for construction purpose over the westerly 40.00 feet of said Rogers tract; said temporary easement to automatically terminate upon completion of the sewer installation.

The parcel of land to which this description applies includes 11,695.20 sf.

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

It being understood that said temporary easements are only for the original excavation and construction of said utility lines and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion hereinbefore described as being permanent easements.

GRANTORS reserve the right to use the surface of the land for walkways, plantings, parking and related uses. Such uses undertaken by the GRANTORS 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, however, without the written permission of the CITY.

Upon completion of the construction, the CITY shall restore the surface of the property to its original condition and shall indemnify and hold the GRANTORS 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 **SEVEN THOUSAND FIVE HUNDRED and NO/100 DOLLARS (\$7,500.00)**, the receipt of which is hereby acknowledged by GRANTORS.

And the GRANTORS above named hereby covenant to and with the CITY, and CITY's successors in interest and assigns that GRANTORS are lawfully seized in fee simple of the above granted premises, free of any encumbrance that would prevent or limit the use of the property for a sanitary or storm sewer or result in such easement being subject to extinguishment, and from any encumbrance not of record as of March 17, 1993.

And that GRANTORS 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 GRANTORS.

IN WITNESS WHEREOF, the GRANTORS has executed this instrument this 20<sup>th</sup> day of Aug 1993.

Donald E. Rogers  
Donald E. Rogers

Bonnie L. Rogers  
Bonnie L. Rogers

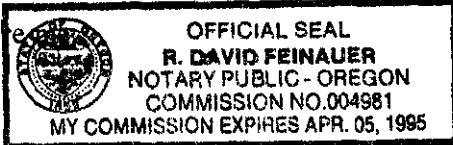
STATE OF OREGON )

County of Clackamas )

ss.

Personally appeared the above named **Donald E. Rogers** and **Bonnie L. Rogers** and acknowledged the foregoing instrument to be their voluntary act and deed.

Before



R. David Feinauer  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 4/5/95

GRANTEE

City of Oregon City  
30 Warner Milne Road  
Oregon City, OR 97045

GRANTOR

Donald E. and Bonnie L. Rogers  
14324 S Glen Oak Road  
Oregon City, OR 97045

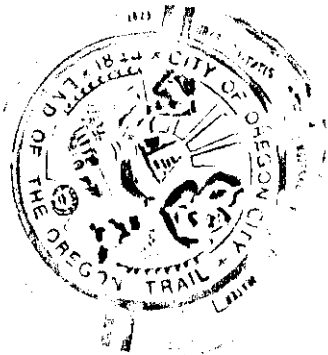
Accepted on behalf of the City of Oregon City on the condition that the easement granted is free and clear from taxes, liens and encumbrances.

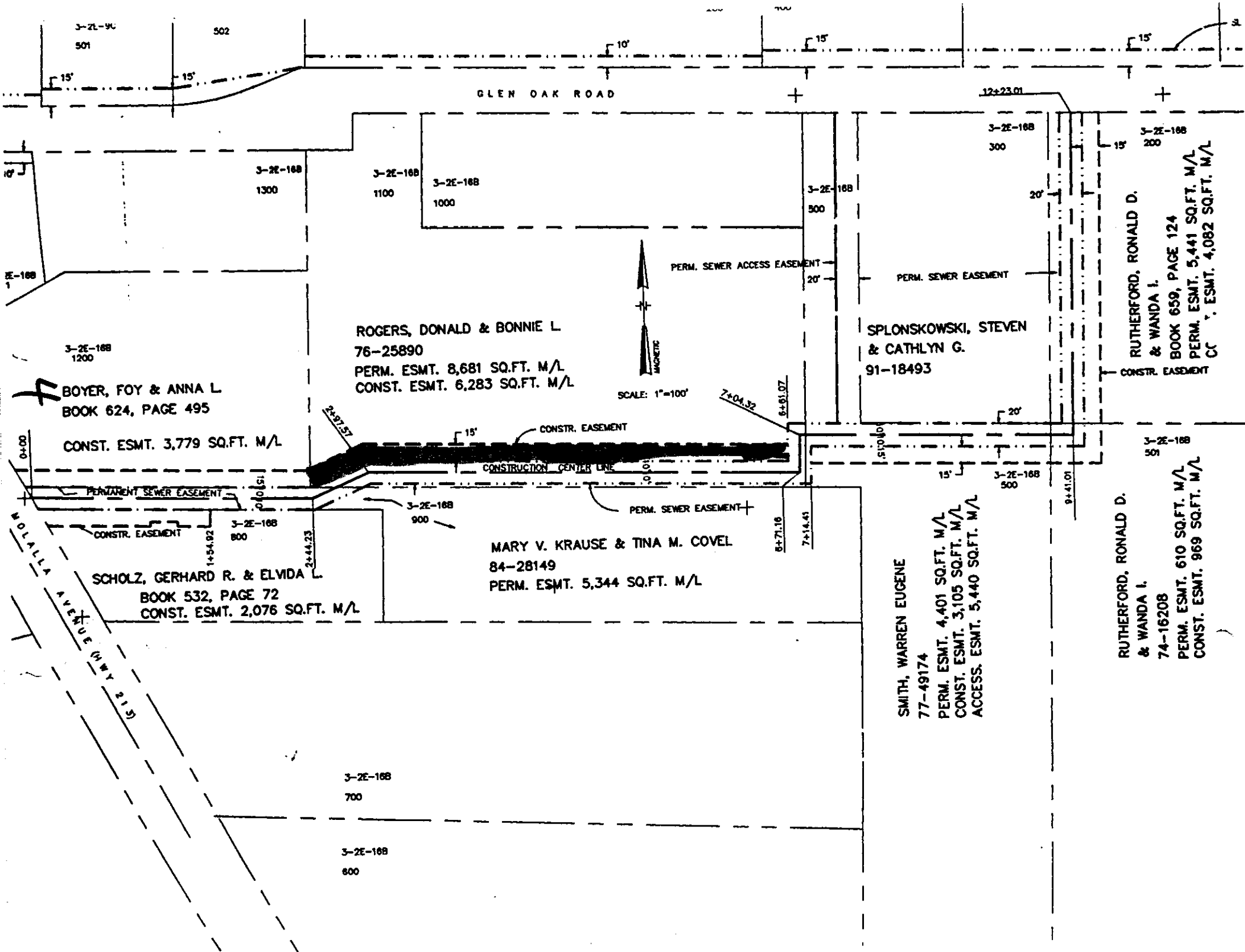
Daniel W. Fowler  
Mayor  
James H. Elliott  
City Recorder

9-1-93

(OFFICIAL SEAL)

Space reserved for County Record's Office





GLEN OAK ROAD

12+23.01

3-2E-168  
300

3-2E-168  
200

3-2E-168  
1300

3-2E-168  
1100

3-2E-168  
1000

3-2E-168  
500

20'

PERM. SEWER EASEMENT

SPLONSKOWSKI, STEVEN  
& CATHLYN G.  
91-18493

RUTHERFORD, RONALD D.  
& WANDA I.

BOOK 659, PAGE 124

PERM. ESMT. 5,441 SQ.FT. M/L  
CC ESMT. 4,082 SQ.FT. M/L

CONSTR. EASEMENT

ROGERS, DONALD & BONNIE L.  
76-25890  
PERM. ESMT. 8,681 SQ.FT. M/L  
CONST. ESMT. 6,283 SQ.FT. M/L

SCALE: 1"=100'

7+04.32

6+61.07

CONSTR. EASEMENT

CONSTRUCTION CENTER LINE

PERM. SEWER EASEMENT

MARY V. KRAUSE & TINA M. COVEL  
84-28149  
PERM. ESMT. 5,344 SQ.FT. M/L

6+71.16

7+14.43

SCHOLZ, GERHARD R. & ELVIDA L.  
BOOK 532, PAGE 72  
CONST. ESMT. 2,076 SQ.FT. M/L

3-2E-168  
700

3-2E-168  
600

SMITH, WARREN EUGENE

77-49174

PERM. ESMT. 4,401 SQ.FT. M/L  
CONST. ESMT. 3,105 SQ.FT. M/L  
ACCESS. ESMT. 5,440 SQ.FT. M/L

RUTHERFORD, RONALD D.  
& WANDA I.

74-16208

PERM. ESMT. 610 SQ.FT. M/L  
CONST. ESMT. 969 SQ.FT. M/L

3-2E-168  
500

3-2E-168  
500

9+41.01

BOYER, FOY & ANNA L.  
BOOK 624, PAGE 495

CONST. ESMT. 3,779 SQ.FT. M/L

PERMANENT SEWER EASEMENT

CONSTR. EASEMENT

3-2E-168  
800

1+54.92

2+44.23

3-2E-168  
1200

3-2E-9C  
501

502

10'

15'

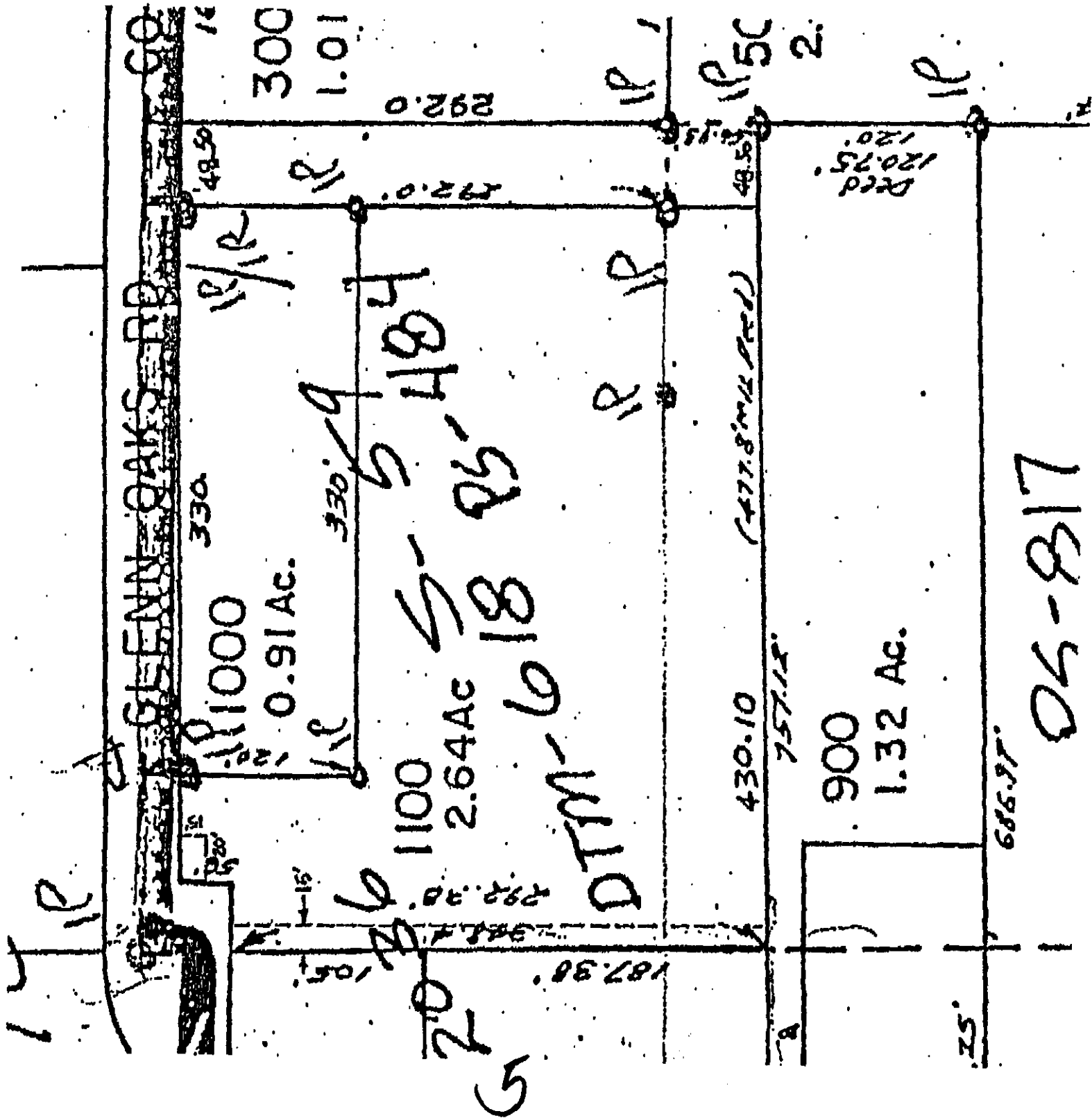
15'

15'

15'

10'

MOLALLA AVENUE (HWY 215)





# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

September 1, 1993

1 of 1

Page

**Subject:** Storm Drain and Sanitary Sewer Easement  
Glen Oak Road Sanitary Sewer Project  
Donald E. & Bonnie L. Rogers

**Report No. 93-193**

On the September 1, 1993 City Commission agenda is a Storm Drain and Sanitary Sewer Easement for the Glen Oak Road Sanitary Sewer Project. The easement is necessary for construction and maintenance of public storm drain and sanitary sewer facilities. A map, showing the easement location, and the easement document are attached for Commission review.

It is recommended that the City Commission adopt a motion accepting the Storm Drain and Sanitary Sewer easement for the Glen Oak Road Sanitary Sewer project, and authorize the Mayor and City Recorder to execute respectively and record.

CHARLES LEESON  
City Manager

attach.

cc - Henry Mackenroth, Project Manager  
- Donald & Bonnie Rogers

3-2-16B-01100 (RES 06-10)  
SANITARY SEWER BASEMENT  
STORM SEWER BASEMENT  
DON ROGERS &

BONNIE ROGERS

SANITARY  
&

STORM PUES  
AND RESOLUTION 2006-10

PG 1917 Item 2  
Doc 9368325

(AND DOC 2006-032266  
RES 06-10 - VACATES PORTION  
OF ORIGINAL SAN PUE)

3-2E-16B TL. 300,500,600  
(& portions 700,900)  
& 1100

RES 06-10  
FOR SEQUOIA CROSSING TPO5-07  
See EV 06-003  
PG 1917 Item # 33

Env. 317