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

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

KNOW ALL MEN BY THESE PRESENTS, THAT **Ronald D. Rutherford and Wanda I. Rutherford** hereinafter called the GRANTOR, does 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 Ronald R. Rutherford and Wanda I. Rutherford, and recorded in Book 659, Page 124, 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 and 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 sidelines of said 20 foot wide strip of land to be extended or shortened to meet at angle points and to commence at the southerly line of said Rutherford property and to terminate at the northerly line of said Rutherford property.

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

The parcel of land to which this description applies contains 5,441 square feet, more or less.

The GRANTOR does 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 Ronald R. Rutherford and Wanda I. Rutherford, and recorded in Book 659, Page 124, Film Records of Clackamas County, Oregon; the said parcel being that portion of said property

The easterly line of said 25 foot wide strip of land to be extended or shortened to commence at the southerly line of said Rutherford property and to terminate at the northerly line of said Rutherford property.

EXCEPT THEREFROM Parcel 1.

The parcel of land to which this description applies contains 4,082 square feet, more or less.

TOGETHER WITH the following land described as parcel 2:

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 Ronald R. Rutherford and Wanda I. Rutherford, and recorded in Fee 74-16208, 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 and lying 10 feet on either side of the following described construction centerline:

**BEGINNING** at Engineer 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 Station 2+97.57; thence North 65°52'33" East 53.34 feet to Engineer Station 2+97.57; thence South 88°17'58" East 373.59 feet to Engineer Station 6+71.16; Thence North 01°10'02" East 33.16 feet to Engineer Station 7+04.32; thence South 88°17'58" East 231.69 feet to Engineer Station 9+36.01; thence North 01°08'33" East 282.00 feet to Engineer Station 12+23.01, said station being the **TERMINUS** of the herein described centerline, said Station also lying in 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 sidelines of said 20 foot wide strip of land to be extended or shortened to meet at angle points and to commence at the Westerly line of said Rutherford property and terminate at the northerly line of said Rutherford property.

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

The parcel of land to which this description applies contains 510 square feet, more or less.

The GRANTOR does 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 Ronald R. Rutherford and Wanda I. Rutherford, and recorded in Fee No. 74-16208, Film Records of Clackamas County, Oregon; the said parcel being that portion of said property included in a strip of land 25 feet in width and lying southerly and easterly of the construction centerline, which centerline is described in Parcel 2.

The easterly lines of said 25 feet wide strip of land to be extended or shortened to meet at an angle point and to commence at the westerly line of said Rutherford property and terminate at

The easterly lines of said 25 feet wide strip of land to be extended or shortened to meet at an angle point and to commence at the westerly line of said Rutherford property and terminate at the northerly line of said Rutherford Property.

**EXCEPT THEREFROM** Parcel 2.

The parcel of land to which this description applies contains 894 square feet, more or less.

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

Upon completion of the construction, the CITY shall restore the surface of the property to its original 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 **One Thousand Fifty and no/100 dollars (\$1,050.00)**, 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 of any encumbrance that would prevent or limit the use of the property for a sanitary sewer or result in such easement being subject to extinguishment, and from any encumbrance not of record as of March 10, 1993.

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 WITNESS WHEREOF, the GRANTOR has executed this instrument this 11<sup>th</sup> day of August 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.

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## Ronald D. Rutherford

## Wanda I. Rutherford

**SS.**

**Before me:**

My Commission Expires: 4/5/95



**GRANTOR**  
**Ronald D. and Wanda I. Rutherford**  
**14468 S. Glen Oak Road**  
**Oregon City, OR 97045**

Mayor

City Recorder



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RUTHERFORD, RONALD D.  
& WANDA I.  
BOOK 659, PAGE 124  
PERM. ESMT. 5,441 SQ.FT.  
CONST. ESMT. 4,082 SQ.F.

### Parcel 2

PERM. ESMT. 510 SQ.FT.M/L.  
CONST. ESMT. 894 SQ.FT.M/L.



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

September 1, 1993

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Page

**Subject:** Sanitary Sewer Easement and  
Temporary Construction Easement Acceptance  
Glen Oak Sanitary Sewer Project  
Ronald D. & Wanda I. Rutherford

**Report No. 93-185**

On the September 1, 1993 City Commission agenda is a Sanitary Sewer Easement and Temporary Construction Easement for the Glen Oak Road Sanitary Sewer Improvement Project. Copies of the easement document and map of the property are attached for Commission review. These easements are necessary for construction and maintenance of the Glen Oak Sanitary Sewer project.

It is recommended that the City Commission adopt a motion accepting the Sanitary Sewer and Temporary Construction easements for the Glen Oak Sanitary Sewer project, and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON  
City Manager

attach.

cc - Henry Mackenroth, Project Manager

3-2-16B-380

SANITARY SEWER EASEMENT  
RUTHERFORD

DOC# 93-68324

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Env. 321