

48 After Recording Return to: Oregon City Recorder, 320 Warner Milne Road, Oregon City, OR 97045

CITY OF OREGON CITY, OREGON

26 PUBLIC UTILITY(S) BASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Ronald G. and Mary F. Phillips, husband and wife, 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, operate and maintain a drainage facility 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, parking 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, 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 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 (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 28 day of July, 1993.

Individuals,
general partnerships

Ronald G. Phillips
Signer's Name, Ronald G. Phillips

Mary F. Phillips
Signer's Name, Mary F. Phillips

Personal Acknowledgment

STATE OF OREGON)
) ss.
County of Clackamas)

Personally appeared the above named Ronald G. and Mary F. Phillips, husband and wife and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Vivian G. Finnegan



Ronald and Mary Phillips
19048 PEASE Road
Oregon City, Oregon 97045
(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 easement granted is free and clear from taxes, liens and encumbrances.

Daniel W. Fowler
Mayor
Jean K. Elliott
City Recorder 9-1-93



BURTON ENGINEERING AND SURVEY CO.
11945 SW PACIFIC HIGHWAY #302
TIGARD, OREGON 97223
PH (503)639-6116
August 16, 1993

Exhibit "A"

DRAINAGE EASEMENT DESCRIPTION
FOR: DON PHILLIPS
JOB NO. 91-160

ACROSS T.L. 1601, 3-2E-7A

A storm sewer easement of vairable width located in the S.S. White Donation Land Claim No. 41, in the Northeast quarter of Section 7, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, across a portion of that property described in deed to Ronald G. Phillips, et ux, in Fee Non. 77-15727, Clackamas County Deed Records, more particularly described as follows:

Commencing at the most Northerly corner of said Phillips tract; thence South $43^{\circ} 28' 26''$ West along the Southwesterly line of said Phillips tract 15.00 feet; thence South $46^{\circ} 43' 10''$ East 38.00 feet; thence North $43^{\circ} 28' 26''$ East 2.00 feet; thence South $46^{\circ} 43' 10''$ East 51.00 feet; thence South $43^{\circ} 28' 26''$ West 2.00 feet; thence South $46^{\circ} 43' 10''$ East 142.00 feet; thence North $43^{\circ} 28' 26''$ East 15.00 feet to the Northeasterly line of said Phillips tract; thence North $46^{\circ} 43' 10''$ West along the Northeasterly line of said Phillips tract 231.00 feet to the point of beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JAN. 18, 1963
THOMAS H. BURTON
#590

Expires 12/31/93

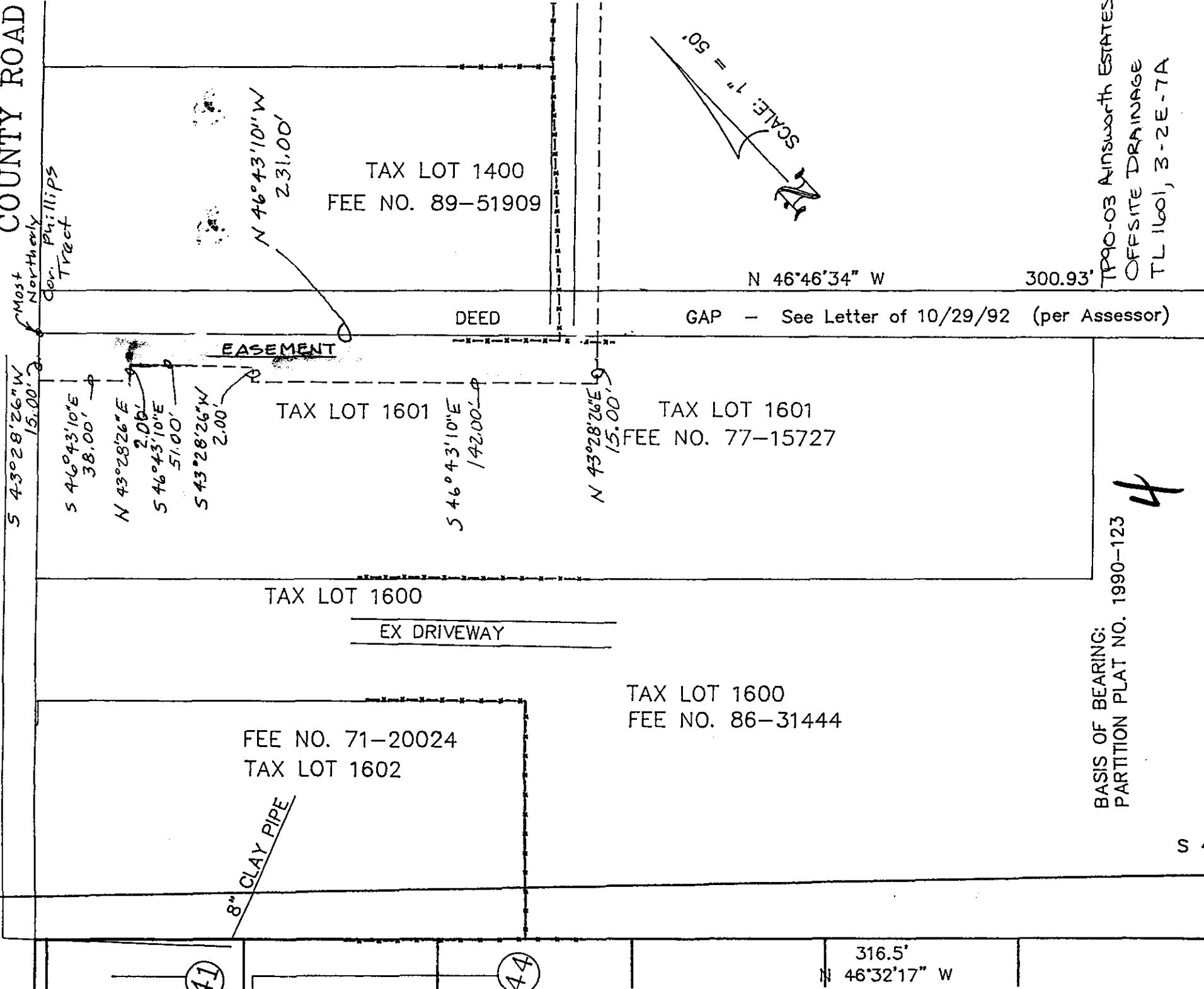
TP90-03, AINSWORTH ESTATES
OFFSITE DRAINAGE

3

EXHIBIT "B"
SKETCH FOR LEGAL DESCRIPTION
DRAINAGE EASEMENT

PEASE

COUNTY ROAD





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: Off-Site Drainage Easement Acceptance
TP90-03 - Ainsworth Estates
Phase II

Report No. 93-187

On the September 1, 1993 City Commission agenda are two off-site drainage easements for Ainsworth Estates from Stan and Kathy Raney, and Ronald and Mary Phillips for City Commission acceptance. The easements are necessary for the installation and maintenance of a public storm drain system constructed as part of Ainsworth Estates, Phase II. The easement documents, maps and legal descriptions are attached for Commission review.

It is recommended that the City Commission adopt a motion accepting the easements and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON
City Manager

attach.

cc - John Hawthorne, Civil Engineer
- Linda Hulme, Plan Examiner

A black and white vicinity map of the Ainsworth Estates area. The map shows a grid of streets with several labeled roads including North N.T.S., East N.T.S., and various residential streets like Hillside, Hillside Lane, and Hillside Court. A large area is shaded with diagonal lines, indicating a specific zone of interest. A north arrow points towards the upper left. The map also shows some commercial buildings and a library. The title 'AINS WORTH ESTATES' is prominently displayed in the upper right, and 'VICINITY MAP' is at the bottom right. The code 'TP90-03' is at the bottom right.

AINS WORTH ESTATES

VICINITY MAP

TP90-03

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A black and white vicinity map of the Ainsworth Estates area. The map shows a grid of streets with several labeled roads including North N.T.S., East N.T.S., and various residential streets like Hillside, Hillside Lane, and Hillside Court. A large area is shaded with diagonal lines, and a north arrow points towards the top left. The text "AINS WORTH ESTATES" is prominently displayed in the upper right, and "VICINITY MAP" is at the bottom right. A small code "TP90-03" is located at the bottom right corner.

AINS WORTH ESTATES

VICINITY MAP

TP90-03

A black and white vicinity map of the Ainsworth Estates area. The map shows a grid of streets with several labeled roads including North N.T.S., East N.T.S., and various residential streets like Hillside, Hillside Lane, and Hillside Court. A large area is shaded with diagonal lines, and a north arrow points towards the top left. The text "AINS WORTH ESTATES" is prominently displayed in the upper right, and "VICINITY MAP" is at the bottom right. A small code "TP90-03" is located at the bottom right corner.

AINS WORTH ESTATES

VICINITY MAP

TP90-03

3-2-7A-0/601

PHILLIPS

STORM DRAINAGE

DOC# 93-68322

(PURPLE)

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Env. 436