

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

20 CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

**KNOW ALL MEN BY THESE PRESENTS, THAT** Cedar Ridge Development, Inc., 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 storm drain and sanitary sewer on the following described land:

See attached Exhibit "B" Legal Description and attached Exhibit "A" 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 (except those of record)

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 1 day of July, 1993, and corporate grantor has caused its name to be signed by its officers, duly authorized thereto by order of its board of directors.

Corporation  
limited partnership

Cedar Ridge Development, Inc.  
Corporation/Partnership Name

Bruce Ament, President  
Bruce

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

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

Bruce Ament  
Cedar Ridge Development, Inc.  
10121 S. E. Sunnyside Road  
Clackamas, Oregon 97015  
(Grantors Name and Address)

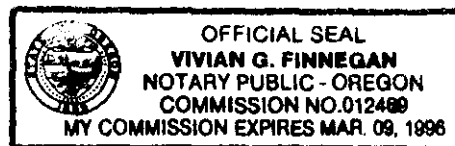
Corporate Acknowledgment  
STATE OF OREGON )

County of Clackamas ) ss.

Personally appeared Bruce Ament  
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 latter is the  
\_\_\_\_\_ secretary of Cedar Ridge Development, Inc.  
\_\_\_\_\_ a corporation, and that the  
foregoing instrument was signed in behalf of said  
corporation by authority of its board of directors; and each  
of them acknowledged said instrument to be its voluntary  
act and deed.

Before me:

Vivian G. Finnegan



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

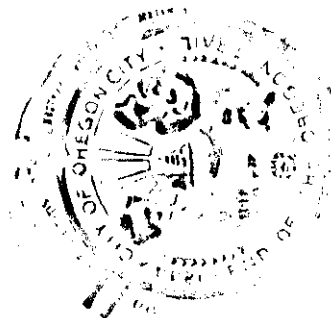
(Grantee's Name and Address)

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

Jan K. Elliott  
City Recorder

9-1-93



**ASSOCIATED LAND SURVEYORS**

Land Surveying & Development Consultants

375 Portland Ave.  
Gladstone, OR. 97027  
Phone: (503) 656-9440

June 28, 1993

Castleberry Park  
Storm Drain and Sanitary Sewer Easement

**Easement Description**

A tract of land situated in the S.E. 1/4 and S.W. 1/4 of Section 8, T.3S., R.2E., W.M., City of Oregon City, Clackamas County, Oregon, being more particularly described as follows:

Beginning at the most Easterly corner of Lot 7 "Castleberry Park", a subdivision in Clackamas County Plat Records; thence along the Southwesterly line of Castleberry Loop, S 45°15'36" E, 7.50 feet; thence S 47°14'49" W, 114.41 feet to the Northeasterly line of Lot 17 of said "Castleberry Park"; thence along said Northeasterly line, N 45°15'36" W, 2.50 feet to the most Southerly corner of said Lot 7; thence along the Southeasterly line of said Lot 7, N 44°44'24" E, 114.30 feet to the point of beginning.

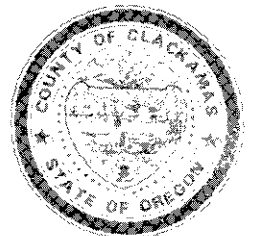
**EXHIBIT "B"**

3

EXHIBIT 'A'  
CASTLEBERRY PARK  
OPPOSITE EASEMENTS

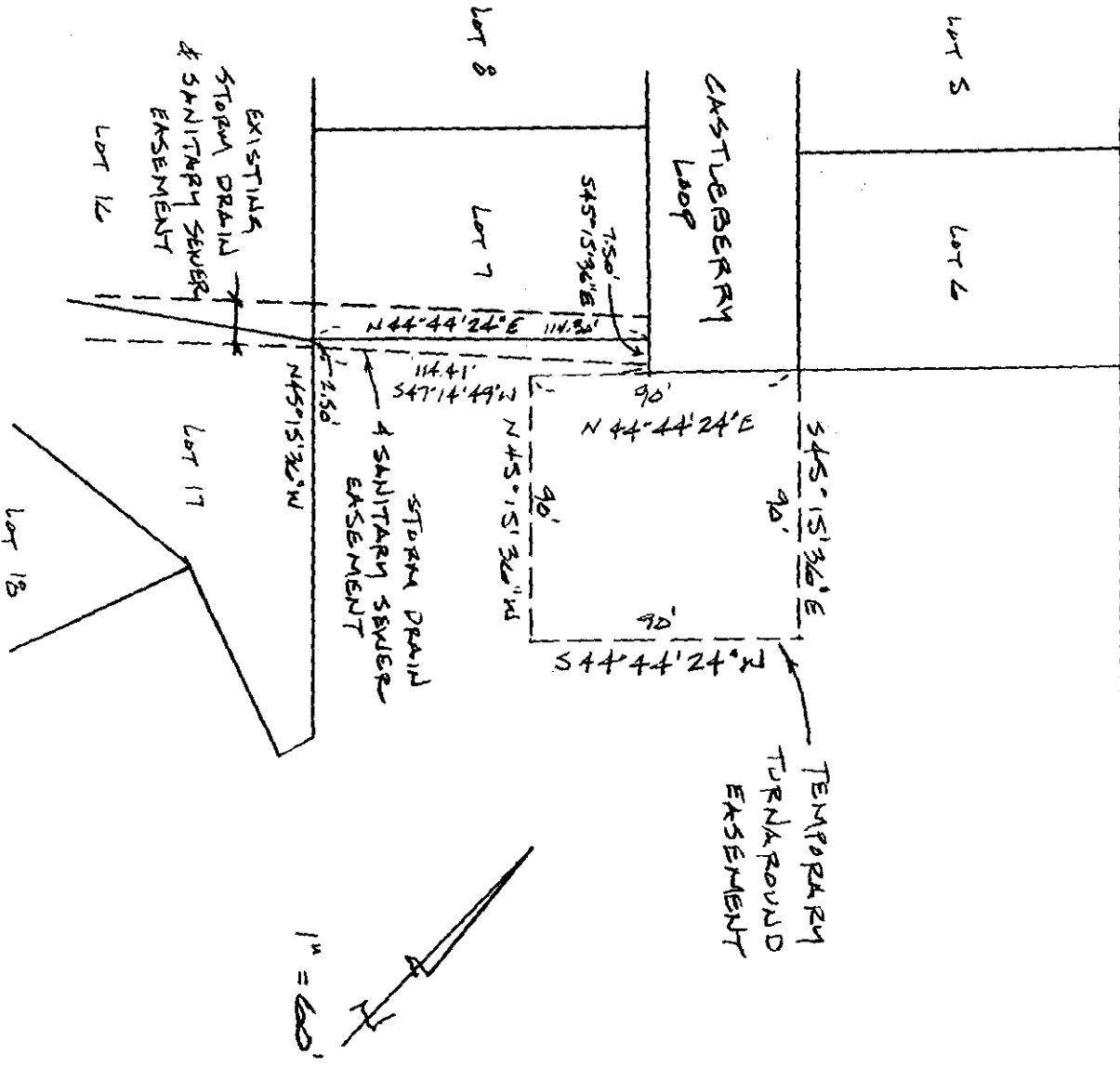
STATE OF OREGON } ss.  
 County of Clackamas  
 I, John Kauffman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

93 SEP 21 PM 2:02



Witness my hand and seal affixed  
*John Kauffman*  
 JOHN KAUFFMAN  
 County Clerk

Recording Certificate  
 CCP-R4 (Rev. 6/91)  
 93 68321





# 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:** Storm Drain and Sanitary Sewer Easement  
Castleberry Park, TP92-08

**Report No. 93-192**

On the September 1, 1993 City Commission agenda is a Storm Drain and Sanitary Sewer Easement for the Castleberry Park Subdivision. The easement is necessary for construction and maintenance of public storm drain and sanitary sewer facilities. The easement document is attached for Commission review.

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

CHARLES LEESON  
City Manager

attach.

cc - John Hawthorne, Civil Engineer  
- Bruce Ament, 10121 SE Sunnyside Road  
- Linda Hulme, Examiner




3-2-80-00900

~~CEDA~~ PUBLIC UTILITY EASEMENT

CASTLEBERRY PARK

(LOT # 7, SANITARY SEWER &  
STORM EASEMENT)

  
(purple)

DOC# 93-68321

1914 #1

Env. 69