

RETURN TO: City Recorder, 320 Warner Milne Road, Oregon City OR 97045

CITY OF OREGON CITY, OREGON

SLOPE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Theresa H. Chandler 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 ROAD SLOPES on the following described land:

A parcel of land lying in the Andrew Hood D.L.C. No. 44 in Section 9, Township 3 South, Range 2 East of the Willamette Meridian and being a portion of that property described in that deed to Oscar E. Chandler and Theresa H. Chandler, and recorded in Book 319, Page 583, Film Records of Clackamas County, Oregon; the said parcel being that portion of said property included in a strip of land variable in width, lying northerly of and adjacent to the centerline of relocated Glen Oak Road, which centerline is described as follows:

Beginning at Engineer's Centerline Station 14+09.03 of Glen Oak Road, said Centerline Station being the South 1/4 corner of Section 9, Township 3 South, Range 2 East of the Willamette Meridian; thence South 88°25'58" East 2660.91 feet to the southeast corner of said Section 9, Township 3 South, Range 2 East of the Willamette Meridian.

The widths in feet of the strip of land above referred to are as follows:

Station to	Station	Width on Northerly Side of Center Line
23+00	24+20	35
24+20	26+75	30

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

The parcel of land to which this description applies contains 4,134 square feet, more or less.

TOGETHER WITH

A parcel of land lying in the Andrew Hood D.L.C. No.44 in Section 9, Township 3 South, Range 2 East of the Willamette Meridian and being a portion of that property described in that deed to Oscar E. Chandler and Theresa H. Chandler, and recorded in Book 436, Page 503, Film Records of Clackamas County, Oregon; the said parcel being that portion of said property included in a strip of land 30 feet in width, lying northerly of and adjacent to the centerline of relocated Glen Oak Road, which centerline is described as follows:

Beginning at Engineer's Centerline Station 14+09.03 of Glen Oak Road, said Centerline Station being the South 1/4 corner of Section 9, Township 3 South, Range 2 East of the Willamette Meridian; thence South 88°25'58" East 2660.91 feet to the southeast corner of said Section 9, Township 3 South, Range 2 East of the Willamette Meridian.

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

The parcel of land to which this description applies contains 654 square feet, more or less.

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 \$ 800.00, 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.

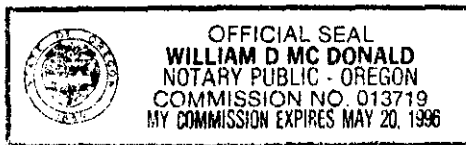
IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 14th day of July, 1993.

Theresa H. Chandler
Theresa H. Chandler

STATE OF OREGON)
)ss
County of Clackamas)

Personally appeared the above named **Theresa H. Chandler** and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:



William D. McDonald
NOTARY PUBLIC FOR OREGON

My Commission Expires: May 20, 1996

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

Theresa H. Chandler
14725 S Glen Oak Road
Oregon City, OR 97045

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

Sean K. Elliott
City Recorder 8-18-93



Space reserved for County Record's Office

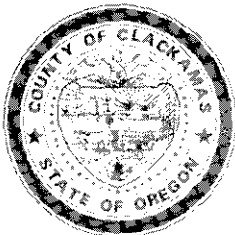
CHANDLER, OSCAR E. & THERESA H.
BOOK 436, PAGE 503
SL. ESMT. 654 SQ.FT. M/L

STATE OF OREGON
County of Clackamas

ss.

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 68319

4

CHANDLER, OSCAR E. & THERESA H.
BOOK 319, PAGE 583
SL. ESMT. 4,134 SQ.FT. M/L

3-2E-9D
1000

35'
40'

30'

3-2E-9D
1090

30'

27+00

28+00

20'
20'

25+00

+20' +20'

24+00

23+00

22+00

GLEN OAK ROAD

3-2E-16A

600

7



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

August 18, 1993

Page

1 of 1

Subject: Road Slope Easement Acceptance
Glen Oak Road Project
Theresa H. Chandler

Report No. 93-164

On the August 18, 1993 City Commission agenda is a Road Slope Easement for the Glen Oak Road Improvement Project. Copies of the easement document, map of the property, and contact letter are attached for Commission review. This easement is necessary for construction, reconstruction and maintenance of a road slope.

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

CHARLES LEESON
City Manager

attach.

cc - Henry Mackenroth, Project Manager



CITY OF OREGON CITY

Incorporated 1844

120 Warner-Milne Road
Oregon City, OR 97045-4000
503-657-0891

Parcel #: 5,13
Tax ID#: 32E 9D 1090,1000

Theresa H. Chandler
14725 S Glen Oak Road
Oregon City, OR 97045

Subject: **Glen Oak Sanitary Trunk and Road Improvement Project**

Dear Mrs. Chandler:

The City of Oregon City is planning the construction of the above captioned project. As you are aware through our discussions, property you own will be affected by this project. A Slope Easement will be necessary in order to give the City the legal right to complete the construction of the street.

In exchange for executing the documents and granting the above rights, and subject to approval, the City agrees to the following:

1. To compensate you, in full, for the Slope Easement in the amount of \$800.00.
2. To clean up the construction debris at the conclusion of the project.
3. To limb all myrtle trees affected by the take, leave the trunks in a place mutually agreed upon and remove the debris resulting from the limbing process.
4. To rebuild the barbed wire topped, three foot woven wire fence in as good or better condition as presently existing.
5. To replace a 16' gate into field on west side of driveway.
6. To reset the mailbox per Post Office standards.
7. To restore driveway to it's original or better condition.

The total compensation for the above is \$800.00. Payment will be made in approximately 30 days. Thank you for your cooperation with Oregon City.

Sincerely,

Henry Mackenroth, Project Manager

By: Harvey F. Rose, Agent

pc: Mackenroth

WILLIAM D. McDONALD
ATTORNEY AT LAW
10851 S.E. MAIN STREET
MILWAUKIE, OREGON 97222
654-3771

July 21, 1993

City of Oregon City
320 Warner Milne Rd.
Oregon City, OR 97045-4000
Attn.: Henry Mackenroth

Re: Glen Oak Sanitary Trunk and Road Improvement
Project - Chandler, Theresa H.

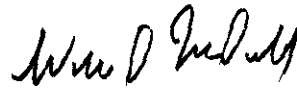
Gentlemen:

Enclosed herewith please find the Slope Easement which has been signed by Mrs. Chandler and a certified copy of Mr. Chandler's death certificate, which should be returned to Mrs. Chandler after recording.

I am also enclosing a copy of your offer and agreement, and it is Mrs. Chandler's wish that both maple trees be cut down and cut up as per your proposal.

This will save any debate in the future as to whether or not roots were damaged during construction causing damage to the trees.

Sincerely yours,



William D. McDonald

WDM:jh
Enc.
cc: Mrs. Chandler

3-2-90-¹⁰⁰⁰~~00700~~
~~1070~~ 1001
SLOPE EASEMENT
CHANDLER

Pg 1818
Item #1
CLACKAMAS COUNTY
Doc # 93-68319

EVU #9