

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

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Bryan R. Guthrie

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 Access an General Utility Easement 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 (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 26 day of July, 1993

Individuals,
general partnerships

Bryan R. Guthrie

Signer's Name (Bryan R. Guthrie)

Signer's Name

Personal Acknowledgment

STATE OF OREGON)

) ss.

County of Clackamas)

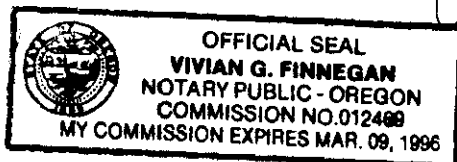
Personally appeared the above named _____

Bryan R. Guthrie

and acknowledged the foregoing instrument to
be his voluntary act and deed.

Before me:

Vivian G. Finnegan



Bryan R. Guthrie
1010 Fifth Street
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

Joan K. Elliott

City Recorder 8-18-93



July 22, 1993

EXHIBIT "A"

LEGAL DESCRIPTION
ACCESS AND GENERAL UTILITY EASEMENT

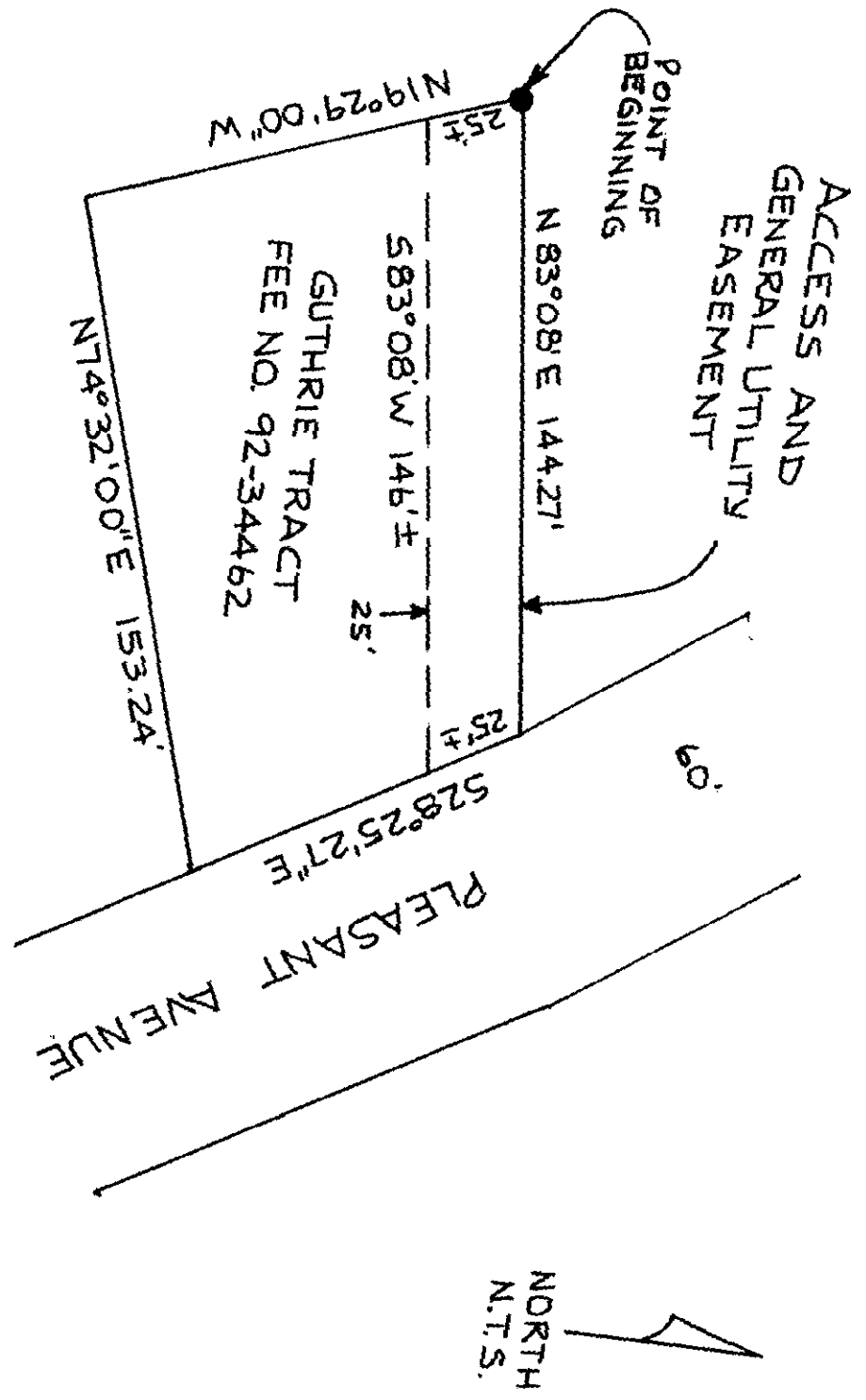
A part of the Wm. Holmes and wife Donation Land Claim in Section 5, Township 3 South, Range 2 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Commencing at the Northwest corner of said Section 5; THENCE South 138.17 feet to a point; THENCE East 256.7 feet to a gas pipe; THENCE South $19^{\circ}29'$ East 310.58 feet to a point; THENCE North $83^{\circ}08'$ East 199.72 feet to an iron rod at the Northwesterly corner of that certain tract of land conveyed to Bryan R. Guthrie by deed recorded under Records Fee No.92-34462, Clackamas County Records and the TRUE POINT OF BEGINNING of the easement herein to be described; THENCE North $83^{\circ}08'$ East along the Northerly line of said Guthrie tract a distance of 144.27 feet to the Westerly right-of-way of Pleasant Avenue; THENCE South $28^{\circ}25'37''$ East along said Westerly right-of-way a distance of 25 feet more or less to a point 25 feet from said Northerly line of the Guthrie tract when measured at right angles; THENCE South $83^{\circ}08'$ West parallel with the Northerly line of said Guthrie tract a distance of 146 feet more or less to the Westerly line of said Guthrie tract; THENCE North $19^{\circ}29'00''$ West along said Westerly line a distance of 25 feet more or less to the TRUE POINT OF BEGINNING.

GUTHRIE
Access and General Utility Easement
City Planning File No. SP92-27
TL 7000, 3-2E-5BB

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EXHIBIT "B"
 SKETCH FOR LEGAL DESCRIPTION
 ACCESS AND GENERAL UTILITY EASEMENT

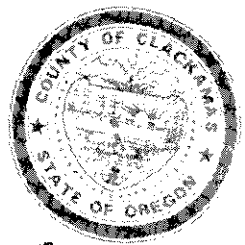


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 s and General Utility Easement
 Planning File No. SP92-27
 0, 3-2E-588

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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. 5/91)

93 68318



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: Access and General Utility Easement Acceptance
SP92-27 - Bryan Guthrie

Report No. 93-161

On the August 18, 1993 City Commission agenda is an Access and General Utility Easement from Bryan Guthrie for Commission acceptance. A site Plan and Design review for construction of a dental clinic was approved on October 12, 1992. A condition of approval required the owner to dedicate an easement to facilitate future water line reconstruction. The easement document is attached for Commission review.

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

CHARLES LEESON
City Manager

attach.

cc - John Hawthorne, Civil Engineer
- Bryan Guthrie, 1010 Fifth Street
- Linda Hulme, Plan Reviewer

PVE & ACCESS TL 7000

3-2E-5BB TL 7000

BRYAN GUTHRIE

CHUCK Co. Doc # 93-68318

O.C. page 1112 ITEM #13

Env. 135