

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

CITY OF OREGON CITY, OREGON

20 PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT **Thelma S. Hurt TRUSTEE, and Thomas J. and Roberta M. Hurt** 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 sanitary sewer 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 27th day of May, 1993.

Individuals,

Thelma S. Hurt
Thelma S. Hurt TRUSTEE

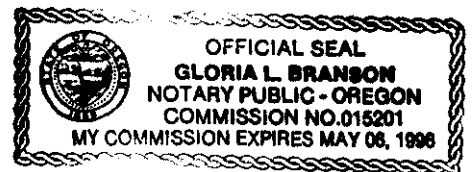
Personal Acknowledgment
STATE OF OREGON)

County of Clackamas) ss.
)

Personally appeared the above named Thelma S. Hurt and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: GLORIA L. BRANSON
Notary Public

My Commission Expires May 6th, 1996



Thomas J. Hurt
Thomas J. Hurt
Roberta M. Hurt
Roberta M. Hurt

Personal Acknowledgment
STATE OF OREGON)

County of Clackamas) ss.
)

Personally appeared the above named Thomas J. and Roberta M. Hurt and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: GLORIA L. BRANSON
Notary Public

My Commission Expires May 6th, 1996

Thomas and Roberta Hurt
678 Warner Parrot 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

Glen H. Elliott
City Recorder 8-18-93



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EXHIBIT "A"

LEGAL DESCRIPTION
SANITARY SEWER EASEMENT

A tract of land situated in the M.M. McCarver Donation Land Claim No. 40 in Section 6, Township 3 South, Range 2 East, of the Willamette Meridian, in Clackamas County, State of Oregon, more particularly described as follows;

COMMENCING at the Northeast corner of said McCarver D.L.C.; THENCE South $89^{\circ}30'47''$ West along the north line thereof a distance of 681.2 feet; THENCE South 30.0 feet to a point on the south line of Warner Parrott Road (No.61) and the Northwest corner of that certain tract of land conveyed to Thomas and Roberta Hurt by contract recorded as Recorder's Fee No.85-22459, County Records, and being the POINT OF BEGINNING of the easement herein to be described; THENCE South along the west line of said Hurt tract a distance of 285.74 feet to the Southwest corner of said Hurt tract; THENCE North $89^{\circ}30'47''$ East along the south line of said Hurt tract a distance of 30.0 feet to a point; THENCE North parallel with said west line a distance of 285.74 feet to a point on the south line of Warner Parrott Road and being the North Northeast corner of said Hurt tract; THENCE South $89^{\circ}30'47''$ West along the south line of Warner Parrott Road a distance of 30.0 feet to the Point of Beginning.

Ray Crisp
MP93-05
Offsite Sanitary Sewer
Tax Lot 1700, 3-2E-6BB

May 12, 1993

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EXHIBIT "B"

SKETCH FOR LEGAL DISCRPTION
SANITARY SEWER EASEMENT



NE CORNER
MCCARVER D.U.C

681.2'
WARNER PNEUROT ROAD NO. 601

30.0
P.O.B.

300' SANITARY SEWER
EASEMENT

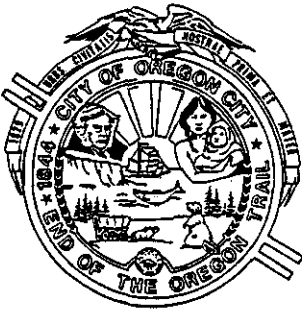
TL # 1700

NORTH 285.74

SOUTH 285.74

N 89° 30' 47" E

RAY CRISP
MP 93-05
OFFSITE SANITARY SEWER
TL # 1700, 3-2E-6DB



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

August 18, 1993

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page

1 of 1

Subject: Off-site Sanitary Sewer Easement Acceptance
MP93-05 - Crisp Partition

Report No. 93-160

On the August 18, 1993 City Commission agenda is a Sanitary Sewer Easement for MP93-05, Crisp Partition. The minor partition was approved June 4, 1993, dividing 0.96 acres into three (3) parcels on Warner-Parrott Road. The applicant proposed to connect to a sewer located on the East side of Tax Lot 1700, built to City Standards, and originally intended to be a public line. Because an easement was never obtained, a condition of approval required an easement be dedicated to the City over the existing line. Copies of the easement document are 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
 - Ray Crisp, 18058 Jason Lee Way
 - Thomas & Robert Hurt, 678 Warner-Parrott Road
 - Linda Hulme, Plan Reviewer

MP93-05

3-2-6DB-01700

HURT

SANITARY SEWER EASEMENT

Env. 414

DOC# 93-08317



(purple)

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