

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** Karen I. Beach 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 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.

The GRANTORS bargain, sell, convey, transfer and deliver unto CITY a temporary easement and right-of-way upon, across and under so much of the aforesaid land as described as:

See attached Exhibit "A" Legal Description and attached Exhibit "B" Sketch for Legal Description.

It being understood that said temporary easement is only for the original excavation and construction of said utility line and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion hereinbefore described as being a permanent easement.

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, (ONE DOLLAR), 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

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and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said

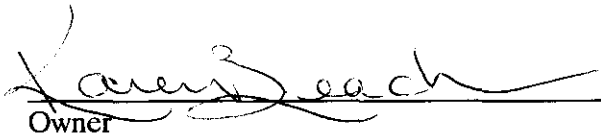
premises and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

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 10 day of June, 1993; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Individuals,  
general partnerships

Corporation  
limited partnership

  
Owner

\_\_\_\_\_  
Corporation/Partnership Name

\_\_\_\_\_  
Owner

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

(if executed by a corporation  
affix corporate seal)

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

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

**Personal Acknowledgment**

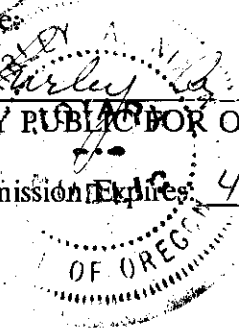
STATE OF OREGON )  
 ) ss.  
County of Clackamas )

Personally appeared the above  
named Karen I. Beach and acknowledged the  
foregoing instrument to be her voluntary act and  
deed.

Before me:

  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 4-8-96



(OFFICIAL SEAL)

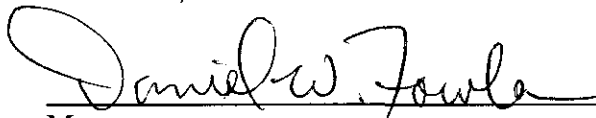
Karen I. Beach  
166 Linn Avenue  
Oregon City, Oregon 97045

(Grantor's Name and Address)

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

(Grantee's Name and Address)

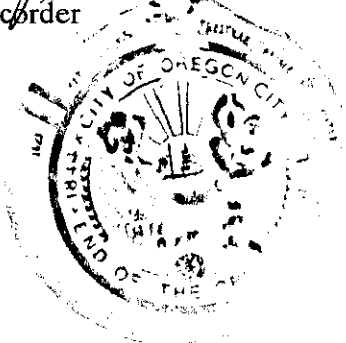
Accepted on behalf of the City of Oregon City on the  
condition that the easement granted is free and clear  
from taxes, liens and encumbrances.



Mayor

  
7-7-93

City Recorder



**Corporate Acknowledgment**

STATE OF OREGON )  
 ) ss.  
County of \_\_\_\_\_ )

Personally appeared \_\_\_\_\_ 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 \_\_\_\_\_ a corporation, and that  
the seal affixed to the foregoing instrument was  
signed and sealed 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:

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

(OFFICIAL SEAL)

Space reserved for County  
Record's Office

[W:\FILES\NEAL\SEPARATE\BEACH\EAS]

Phase 6 Sewer Separation  
2 2E 31DD, 4701

LEGAL DESCRIPTION OF  
PERMANENT EASEMENT AND  
CONSTRUCTION EASEMENT FOR STORM DRAIN  
TAX LOT 2 2E 31DD 4701  
October 1, 1992

**PERMANENT EASEMENT:**

A part of Block 7, DARLINGS ADDITION TO OREGON CITY, in the southeast quarter of Section 31, T2S, R2E, W.M. in the City of Oregon City, County of Clackamas, and State of Oregon, described as follows:

Beginning at the southwest corner of said block, the True Point of Beginning; thence N 89°55'22" E along the southerly line of said block 111.65 feet to the southwest corner of that tract conveyed to Clarence E. Osborne, et ux., by deed recorded October 16, 1942, in Book 299, page 265, Clackamas County Deed Records; thence N 31°53'49" E along the westerly line of said Osborne tract and parallel with the westerly line of said Block 17.68 feet; thence S 89°55'22" W, 111.65 feet to the westerly line of said Block; thence S 31°53'49" W along the westerly line of said Block 17.68 feet to the True Point of Beginning.

**CONSTRUCTION EASEMENT:**

Contiguous to the permanent easement described above, is a construction easement described as follows:

Beginning at the southwest corner of said Block 7; thence N 31°53'49" E along the westerly line of said block 17.68 feet to the True Point of Beginning; thence N 89°55'22" E, 111.65 feet; thence N 31°53'49" E along a line parallel with the westerly line of said block 29.47 feet; thence S 89°55'22" W, 111.65 feet; thence S 31°53'49" W along the westerly line of said block 29.47 feet to the True Point of Beginning.

SCALE: 1"=50'

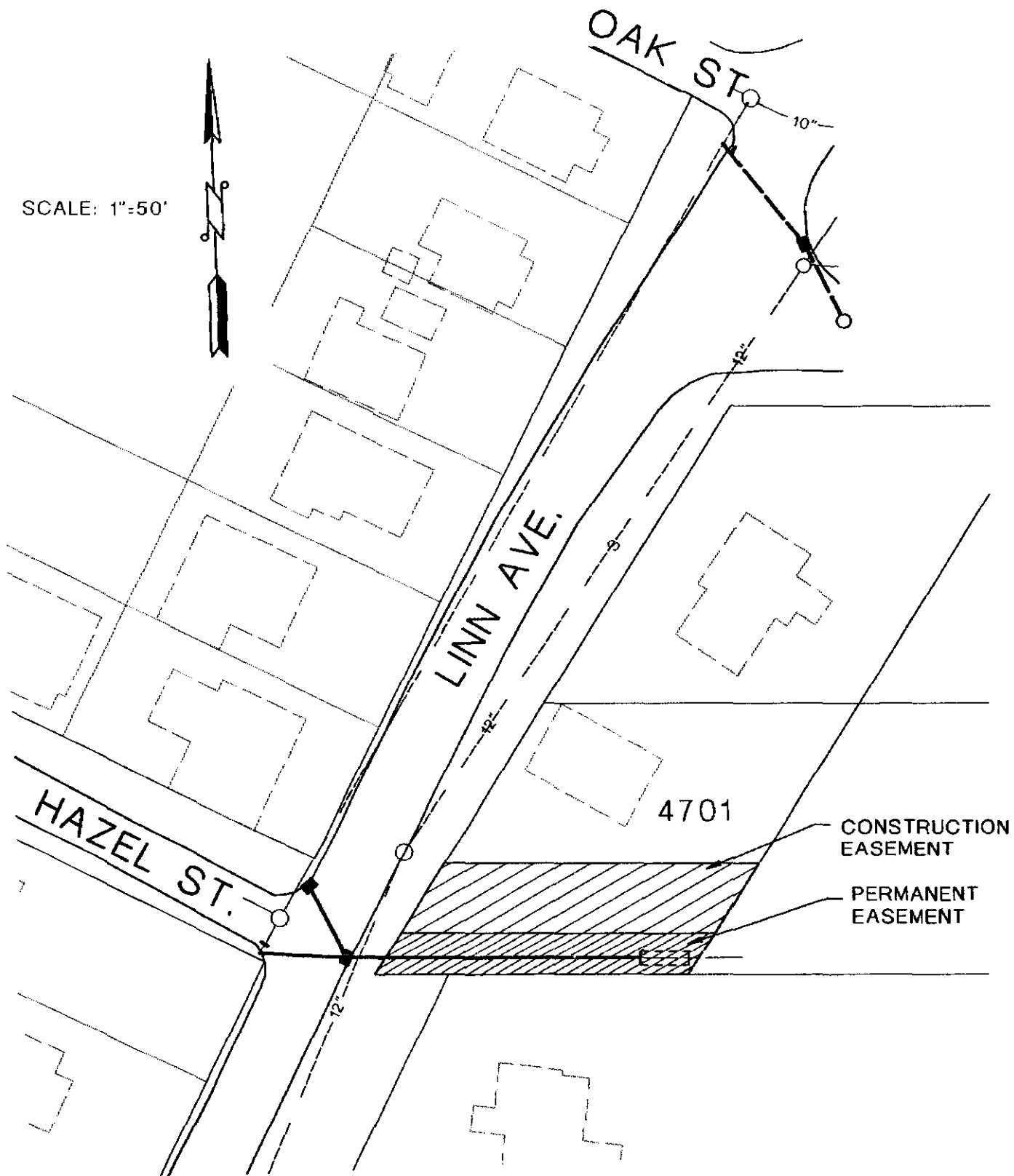


Exhibit 'B'



**CITY OF  
OREGON CITY**

320 WARNER MILNE ROAD  
OREGON CITY, OREGON 97045  
PHONE (503) 657-0891

**OREGON CITY SEWER SEPARATION  
PHASE 6**

**TAX LOT 2 2E 31DD 4701**



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED  
July 7, 1993

Page 1 of 1

Subject: Public Utility Easement Acceptance  
Combined Sewer Separation, Phase 6

Report No. 93-146

On the July 7, 1993 City Commission agenda is a public utility easement from Karen Beach for Commission acceptance. Copies of the easement documents are attached for review.

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

CHARLES LEESON  
City Manager

cc: Neal Robinson, Project Engineer

[WPFILES\NEAL\SEPARATE\BEACHEAS.RPT]

## Beach Property

### Easement Site

2-2-31DD-04701

STORM SEWER EASEMENT  
BEACH

DOC#93-68312

Pg	item
1011	3

ENR#  
814