

22

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT OREGON CITY SCHOOL DISTRICT NO. 62 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 waterline 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, the receipt of which is hereby acknowledged by GRANTOR.

\*\*\*\*\*  
AFTER RECORDING RETURN TO: City Recorder; City of Oregon City; 320 Warner Milne Road; Oregon City, Oregon 97045  
\*\*\*\*\*

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 2nd day of Nov. 1992; 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.

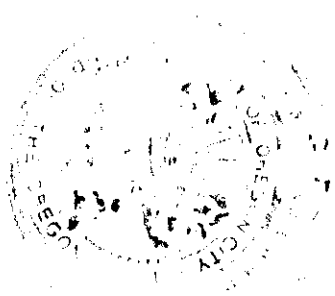
OREGON CITY SCHOOL DISTRICT NO. 62  
Clackamas County

By: *James Hays*  
Chairman

*Kathleen Muehan*  
Attest

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  
*Frank E. Elliott* 11-18-92  
City Recorder



# **LEE ENGINEERING, INC.**

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F. DUANE LEE, P.E.  
DAVID A. LEE, P.E., P.L.S.  
JAMES G. SMITH, P.E.

September 28, 1992

Project No. 1289

School District No. 62, Clackamas County, Oregon  
1417 12th Street  
Oregon City, Oregon 97045

T3 R2E S15A TL 900

## **A Permanent Waterline Easement**

A portion of that tract of land conveyed to School District No. 62, Clackamas County, Oregon as described and recorded in Fee No. 68-17296, deed records of Clackamas County, Oregon, said portion being more particularly described as follows:

Beginning at a point at the northwest corner of Lot 4, OLD ACRES NO. 3, a recorded subdivision; thence S 0° 18' E, 54.94 feet along the west line of OLD ACRES NO. 3 to a point; thence S 87° 18' 30" W 20.00 feet to a point; thence N 47° 41' 30" W 52.85 feet to a point; thence west parallel to the north line of Parcel A of a tract conveyed to Harold A. Sederstrom et ux, by deed recorded July 5, 1946, Fee No. 9799, deed records of Clackamas County, Oregon, said north line also being the north line of said School District No. 62 tract, to a point on the east line of that tract of land conveyed to Frank M. Fritzie and Susan L. Fritzie as described and recorded in Fee No. 85-14743, deed records of Clackamas County, Oregon; thence N 0° 18' W 20.00 feet along the east line of said Fritzie tract to a point at the northwest corner of said School District No. 62 tract; thence east along the north line of the said School District No. 62 tract to the point of beginning.

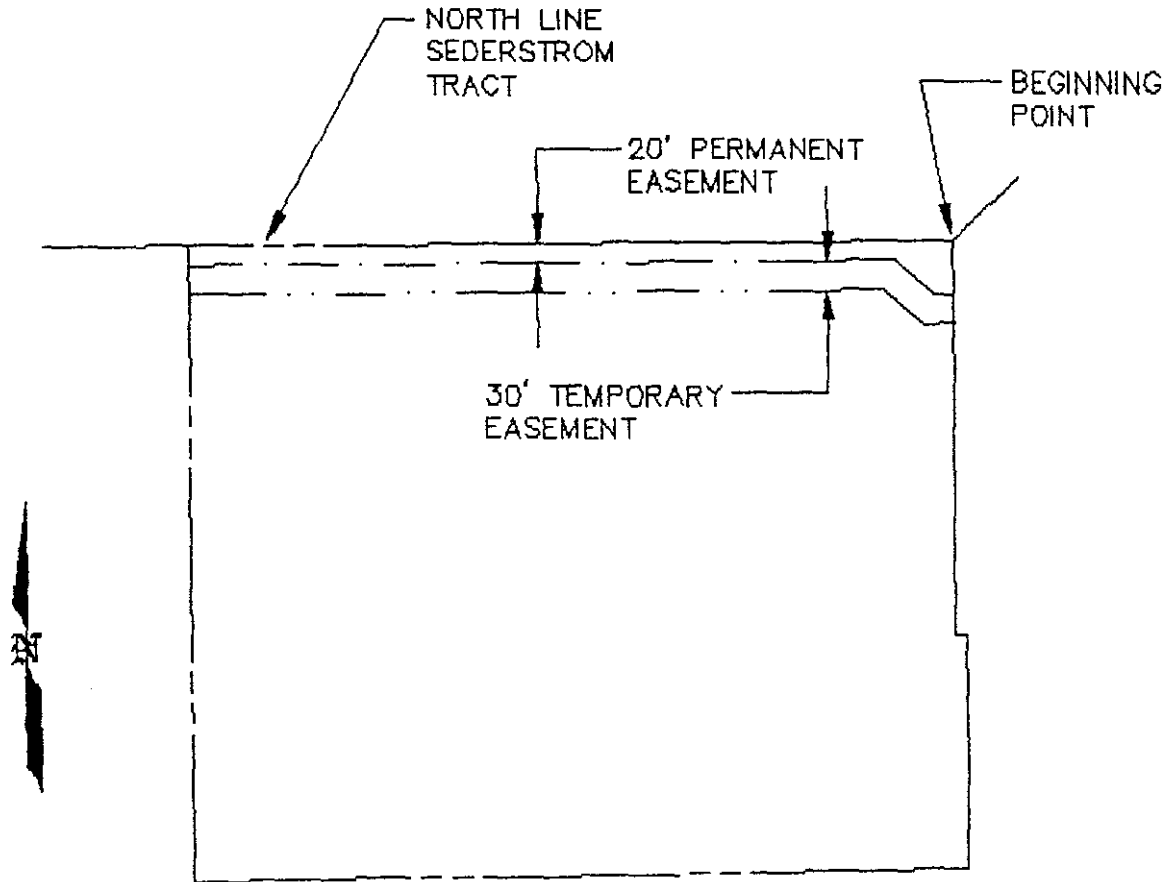
## **A Temporary Waterline Easement**

A strip of land 30' wide located south of and directly adjacent to the above described permanent waterline easement. All lying within the above referenced School District No. 62 tract.

3

SCHOOL DISTRICT NO. 62  
2 3E 15A TL 900  
FEE NO. 68-17296  
PERM 17,152 sf  
TEMP 24,051 sf

### Exhibit "B"



OLD MOUNTAIN LINE REPLACEMENT

SCALE 1" = 200'

CITY OF OREGON CITY

PREPARED BY:

LEE ENGINEERING, INC.

DATE: JULY 1992

1289E07

REVISION

WATERLINE EASEMENT TL 900

4



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

November 18, 1992

Page 1 of 1

Subject: Public Utility Easement Acceptance  
Henrici Reservoir Project

Report No. 92-248

On the November 18, 1992 City Commission agenda is a public utility easement from Oregon City School District No. 62 for Commission acceptance. The easement is necessary for constructing a waterline for the Henrici Reservoir project. The easement document is attached for Commission review.

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

CHARLES LEESON  
City Manager

attach.

cc - John Block, Development Services Director  
- Henry Mackenroth, Project Engineer

**CITY OF OREGON CITY, OREGON**

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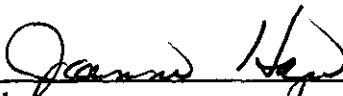
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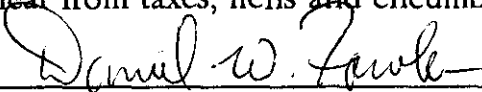
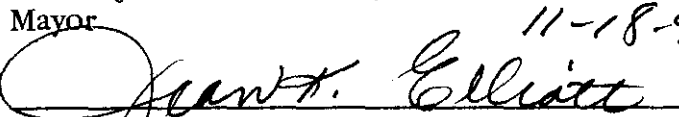
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OREGON CITY SCHOOL DISTRICT NO. 62  
Clackamas County

By:   
Chairman

  
Attest

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  
 11-18-92  
City Recorder



**LEE ENGINEERING, INC.**

---

F. DUANE LEE, P.E.  
DAVID A. LEE, P.E., P.L.S.  
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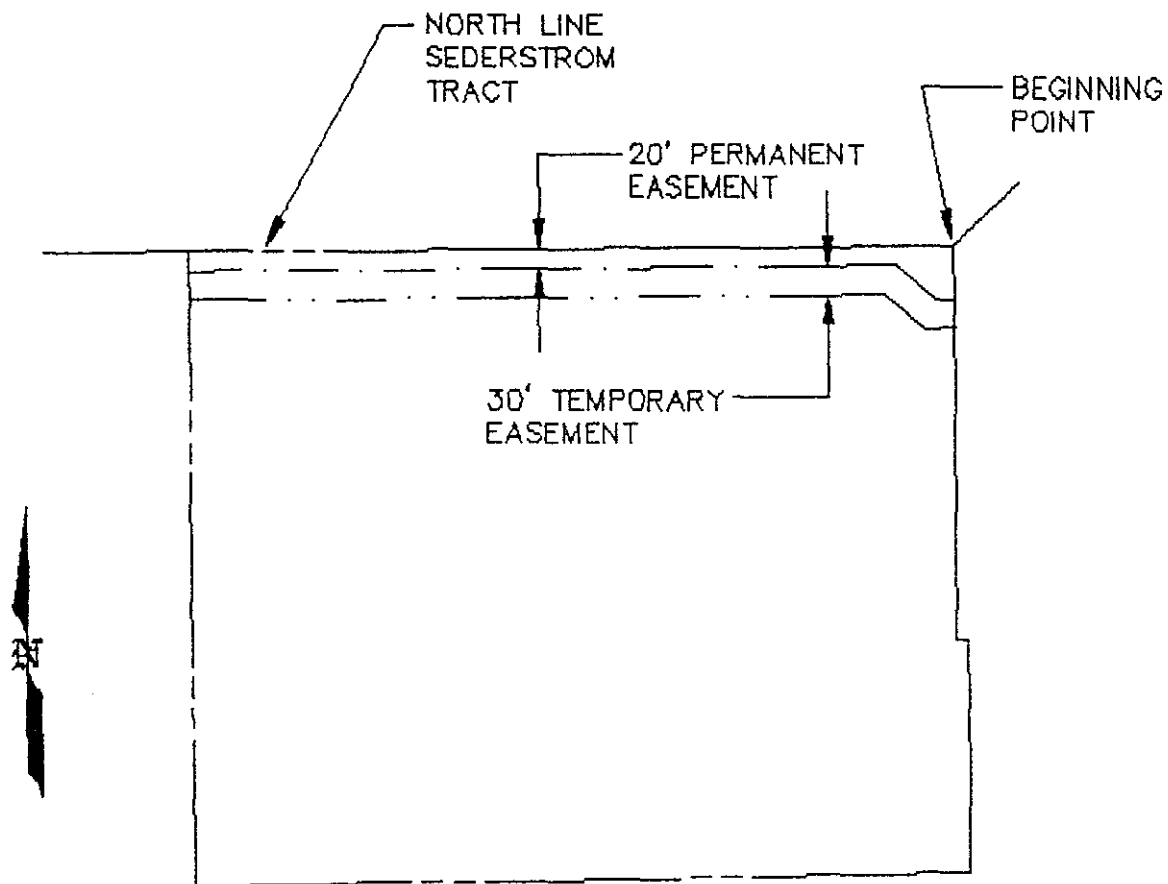
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REVISION

WATERLINE EASEMENT TL 900

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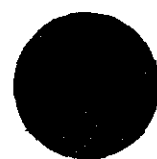
CHARLES LEESON  
City Manager

attach.

cc - John Block, Development Services Director  
- Henry Mackenroth, Project Engineer

Henrici Reservoir  
Pipeline

3 2E 15A 900



Oregon City School  
District No. 62

1992

DOC# 93-26146  
93-26145

<u>Pg</u>	<u>Item</u>
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