

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Virginia J. Miller, as trustee, u/a 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 storm drainage lines on the following described land:

A 20.0 foot wide permanent utility easement centered on the following described line and further shown on the attached drawing labeled "EXHIBIT A";

BEGINNING at a point on the west line of Lot 4 of the CLAIRMONT ACREAGE TRACTS NO.3, a duly recorded subdivision plat (County Surveyors No.277), situated in the northeast quarter of Section 8, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, said point being South, a distance of 95.5 feet from the northwest corner thereof; **THENCE** East parallel to the north line of said Lot 4, a distance of 150.00 feet, terminating at the east line thereof.

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 (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 12 day of August, 1998.

Individuals,
general partnerships

Virginia J. Miller
Signer's Name

Signer's Name

Personal Acknowledgment

STATE OF OREGON

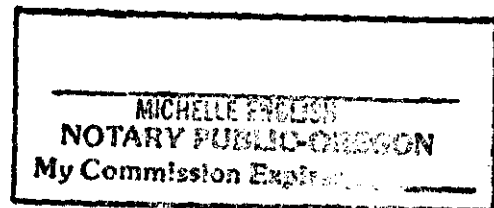
)
) ss.

County of Clackamas

Personally appeared the above named

Virginia J. Miller and acknowledged the foregoing
instrument to be her voluntary act and deed.

Before me: Michelle English
Notary Public for State of Oregon
My Commission Expires 8/24/92



Virginia J. Miller
13923 Fir Street
Oregon City, OR 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.

Samuel W. Fowler
Mayor
Alan K. Elliott
City Recorder

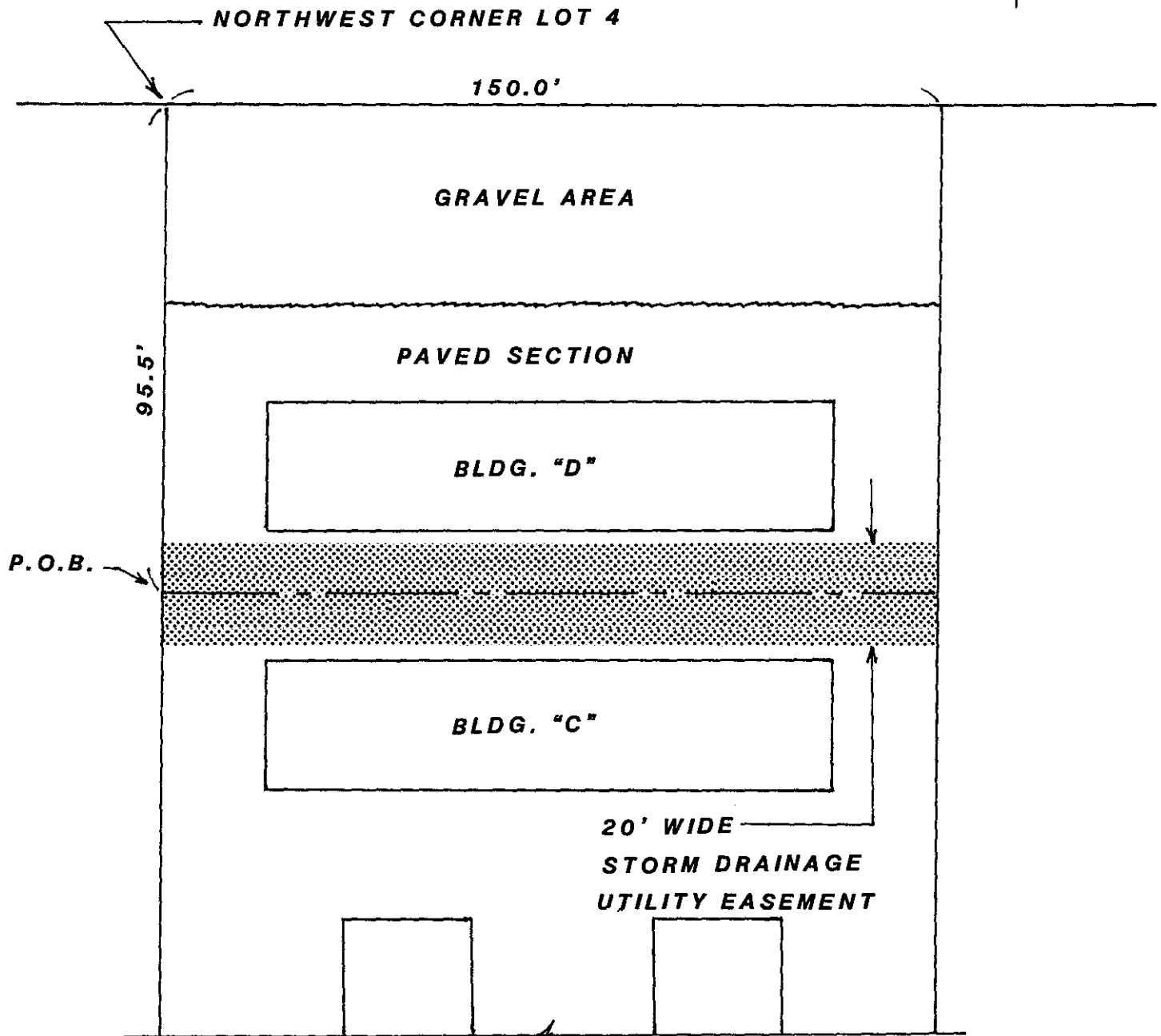
8-19-92



EXHIBIT A

SCALE: 1" = 30'

PERMANENT UTILITY EASEMENT
LOT 4, CLAIRMONT ACREAGE TRACTS NO.3
TOWNSHIP 3 SOUTH, RANGE 2 EAST, SECTION 8





CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

August 19, 1992

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Public Utility Easement Acceptance
Fir Street Local Improvement District

Report No. 92-172

On the August 19, 1992 City Commission agenda is a public utility easement necessary for construction of the Fir Street Local Improvement District for City Commission acceptance. Attached are two easements for Commission review.

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

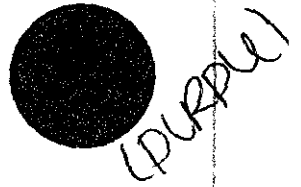
CHARLES LEESON
City Manager

attach.

cc - John Block, Development Services Director
- John Hawthorne, Civil Engineer

FIRST STREET LOCAL Improvement
DISTRICT

3-2E-9B 1000



Virginia J. Miller 1992

DOG# 92-73653 Water
92-73652 storm

pg	item
1515	3

ENV #28