

92-853 20-

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

3-2E-5C-00800 (SEE T.L. 812)
Adolescent Day Treatment Facility

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Clackamas County 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 water line 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 (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 ____ day of _____, 19____; 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.

Clackamas County
906 Main Street
Oregon City, Oregon 97045
(Grantor's Name and Address)

CLACKAMAS COUNTY, by and through the Board of County Commissioners

N/A Chair
Darlene Hovley Commissioner
[Signature] Commissioner
Space reserved for County Record's Office

STATE OF OREGON)
County of Clackamas

This instrument was acknowledged before me on 8/20/92 by
Darlene Hovley, C'd Lindquist as COMMISSIONERS of CLACKAMAS COUNTY.
[Signature] My commission expires: 5/13/93
(Notary signature)

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
[Signature] 9-2-92
City Recorder



EXHIBIT A

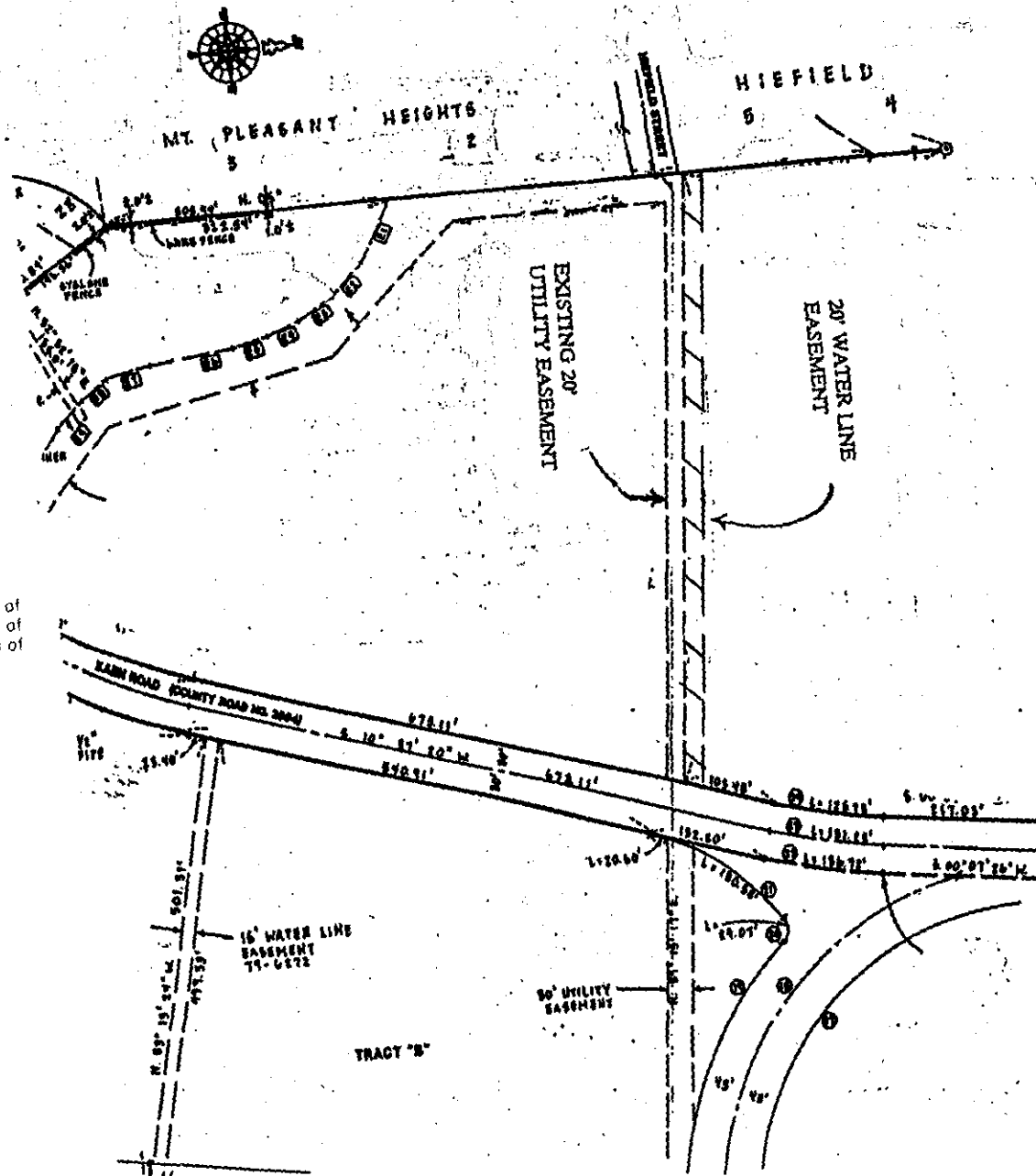
**Legal Description
for a 20 Foot Wide
Permanent Water Line Easement**

1

A 20 foot wide permanent water line easement being a portion of Tract "B" of the duly recorded plat of "Red Soils" (No 2980) situated in the southwest quarter of section 5 and the southeast quarter of section 6, Township 3 South, Range 2 east of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

Commencing at a 2 inch iron pipe, said pipe noted as the initial point of said Red Soils Plat, which is also the initial point of the duly recorded "Hiefield" plat; THENCE South 05°52'10" East, along the west line of said Red Soils Plat, a distance of 309.15 feet, to a point 20 feet north of a 20 foot utility easement shown on said plat of "Red Soils" when measured at right angles and the **POINT OF BEGINNING** of the easement herein to be described; THENCE South 05°52'10" East along said west plat line, a distance of 20.09 feet, to the north boundary line of the existing 20 foot wide permanent utility easement; THENCE North 89°20'29" East, along the north line of said existing utility easement, a distance of 672.43 feet to the west right-of-way line of Kaen Road (County Road No. 2594); THENCE North 10°37'20" East, along said right-of-way line, a distance of 20.37 feet to a turning point; THENCE South 89°20'29" West, parallel with the north line of said utility easement, 678.16 feet to the **POINT OF BEGINNING**, containing 0.31 acres more or less.

[TES:f:wp51:Bob:Easement.LGL]

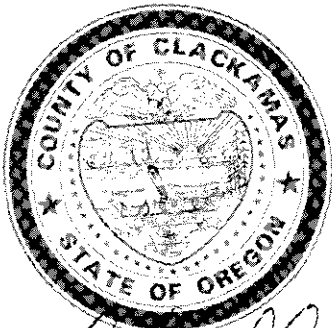


STATE OF OREGON
County of Clackamas

SS.

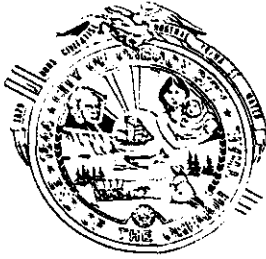
I, John Kauffman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

92 NOV 18 PM 1:51



Witness my hand and seal affixed

John Kauffman
JOHN KAUFFMAN
County Clerk



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

September 2, 1992

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Public Utility Easement Acceptance
Hiefield Court - Kaen Road Water Line

Report No. 92-194

On the September 2, 1992 City Commission agenda is a public utility easement for the Hiefield Court - Kaen Road Water Line for Commission acceptance. The easement document is attached for Commission review.

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

CHARLES LEESON
City Manager

attach.

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

CITY OF OREGON CITY

Memorandum

TO: John Block, Development Services Director

FROM: Henry Mackenroth, Project Mackenroth

DATE: August 28, 1992

SUBJECT: Hiefield Ct - Kaen Road Water Line Easement

Clackamas County was required to provide a water line easement as a condition of approval for their new Adolescent Day Treatment Facility. Transmitted herewith is the easement as signed by the appropriate county officials. The easement is ready for acceptance by the City Commission.

Kaen Road Water Line '92
State Intake Facility '90

3-2E-5C 800
(SEE 812)



(purple)

CLACKAMAS COUNTY 1992

CLACKAMAS Co. Doc # 92-73648

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ITEM # 9

Env. 203