

70-202 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 James R. Irvine and Kenneth W. Leavens 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 and utility, utility, storm drainage, sanitary sewer, waterline, and fire hydrant respectively on the following described land:

See attached Exhibits "A", "B", "C", "D", "E", "F" Legal Descriptions and attached Exhibits "A1", "B1", "C1", "D1", "E1", "F1" Sketchs for Legal Descriptions

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 4th day of Sept, 1992.

Individuals,
general partnerships

James R. Irvine
James R. Irvine

Kenneth W. Leavens
Kenneth W. Leavens

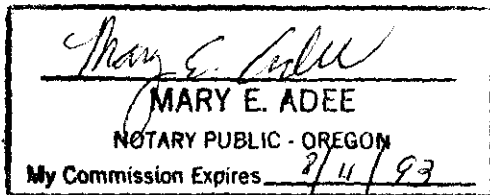
Personal Acknowledgment
STATE OF OREGON

County of Clackamas

)
) ss.
)

Personally appeared the above named
James R. Irvine and Kenneth W. Leavens
and acknowledged the foregoing instrument
to be their voluntary act and deed.

Before me:



James R. Irvine and Kenneth W. Leavens
3140 S.E. Hawthorne
Portland, OR 97214

(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 9-16-92
Kim K. Elliott
City Recorder



Storm Drainage and Utility Easement Description

MT. PLEASANT MOBILE HOME PARK

EXHIBIT "A"

Part of that tract of land described in deed to Kenneth Leavens, et al, recorded November 4, 1970, Clackamas County Deed Record Fee No. 70-24866, located in the S.S. White D.L.C. No. 41 in Section 6, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, described as follows:

Commencing at a stone found at the Southeast corner of said S.S. White D.L.C. and running thence along the easterly line thereof, which is also the centerline of "Leland Road" (County Road No. 342), N. 11° 49' 10" W., 2273.95 feet to a 1/2-inch iron pipe (DTM 660) found at the intersection with the southeasterly line of said Leavens tract; thence, along said southeasterly line of the Leavens tract, S. 42° 40' 50" W., 657.20 feet to a 5/8-inch diameter iron rod at the South corner thereof and the true point-of-beginning; thence, from said point-of-beginning the boundary of the easement to be described runs along the southwesterly line of said Leavens tract, N. 48° 24' 05" W., 252.60 feet to a 5/8-inch diameter iron rod at the West corner thereof; thence, along the northwesterly line of said Leavens tract, N. 41° 28' 22" E., 273.16 feet; thence S. 47° 39' 19" E., 30.00 feet; thence, parallel with and 30 feet from said northwesterly line of the Leavens tract, S. 41° 28' 22" W., 252.77 feet; thence parallel with and 20 feet from said southwesterly line of the Leavens, S. 48° 24' 05" E., 193.02 feet; thence, parallel with and 30 feet from said southeasterly line of the Leavens tract, N. 42° 40' 50" E., 338.05 feet; thence S. 47° 19' 10" E., 30.00 feet to said southeasterly line of the Leavens tract; thence, along said southeasterly line of the Leavens tract, S. 42° 40' 50" W., 357.49 feet to the point-of-beginning.

This description was prepared from the map of private survey no. 8923 on file in the Clackamas County Surveyor's Office; and said map by reference is made a part hereof.

Job No. 1822
03/15/91 WC
Revised 12/20/91 WC

**UTILITY EASEMENT DESCRIPTION
ALONG ROADWAY
MT. PLEASANT MOBILE HOME PARK**

EXHIBIT "B"

Part of that tract of land described in deed to Kenneth Leavens, et al, recorded November 4, 1970, Clackamas County Deed Record Fee No. 70-24866, and that tract described in deed to Harold L. Chapin, et al, recorded January 12, 1971, Clackamas County Deed Fee No. 71-604 located in the S.S. White D.L.C. No. 41 in Section 6, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, described as follows:

Commencing at a stone found at the Southeast corner of said S.S. White D.L.C. and running thence along the easterly line thereof, which is also the centerline of "Leland Road" (County Road No. 342), N. 11° 49' 10" W., 2273.95 feet to a 1/2-inch iron pipe (DTM 660) found at the intersection with the southeasterly line of said Leavens tract; thence, along said southeasterly line of the Leavens tract, S. 42° 40' 50" W., 657.20 feet to a 5/8-inch diameter iron rod at the South corner thereof; thence, along the southwesterly line of said Leavens tract, N. 48° 24' 05" W., 151.30 feet to the true point-of-beginning; thence, from said point-of-beginning, the boundary of the easement to be described runs N. 42° 20' 41" E., 388.97 feet; thence 56.72 feet along the arc of a curve left, concave West, the radius of which is 60.00 feet, the central angle is 54° 09' 51", and the long chord bears N. 15° 15' 45" E., 54.63 feet; thence N. 11° 49' 10" W., 174.49 feet; thence N. 78° 10' 50" E., 40.00 feet; thence S. 11° 49' 10" E., 174.49 feet; thence 94.53 feet along the arc of a curve right, concave west, the radius of which is 100.00 feet, the central angle is 54° 09' 51", and the long chord bears S. 15° 15' 45" W., 91.05 feet; thence S. 42° 20' 41" W., 66.17 feet; thence S. 45° 59' 21" E., 10.00 feet; thence S. 42° 20' 41" W., 321.85 feet to the southwesterly line of said Leavens tract; thence, along said southwesterly line of the Leavens tract, N. 48° 24' 05" W., 50.00 feet to the point-of-beginning.

This description was prepared from the map of private survey no. 8923 on file in the Clackamas County Surveyor's Office; and said map by reference is made a part hereof.

EASEMENT DESCRIPTION
STORM SEWER
MT. PLEASANT MOBILE HOME PARK

EXHIBIT "C"

A strip of land, fifteen feet wide, being a part of that tract of land described in deed to Kenneth Leavens, et al, recorded November 4, 1970, Clackamas County Deed Record Fee No. 70-24866, located in the S.S. White D.L.C. No. 41 in Section 6, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, the centerline which is described as follows:

Commencing at a stone found at the Southeast corner of said S.S. White D.L.C. and running thence along the easterly line thereof, which is also the centerline of "Leland Road" (County Road No. 342), N. 11° 49' 10" W., 2273.95 feet to a 1/2-inch iron pipe (DTM 660) found at the intersection with the southeasterly line of said Leavens tract; thence, along said southeasterly line of the Leavens tract, S. 42° 40' 50" W., 657.20 feet to a 5/8-inch diameter iron rod at the South corner thereof; thence, along the southwesterly line of said Leavens tract, N. 48° 24' 05" W., 252.60 feet to a 5/8-inch diameter iron rod at the West corner thereof; thence, along the northwesterly line of said Leavens tract N. 41° 28' 22" E., 240.87 feet to a 5/8"-inch diameter iron rod at the South corner of that tract described in deed to Harold L. Chapin, et al, recorded January 12, 1971, Clackamas County Deed Fee No. 71-604; thence continuing along said northwesterly line of the Leavens tract N. 41° 28' 22" E., 32.28 feet to the true point-of-beginning; thence, from said point-of-beginning, the centerline of the easement to be described runs S. 47° 39' 19" E., 228.32 feet to the terminus at a point which lies 30.00 feet from the southerly line of said Leavens tract.

This description was prepared from the map of private survey no. 8923 on file in the Clackamas County Surveyor's Office; and said map by reference is made a part hereof.

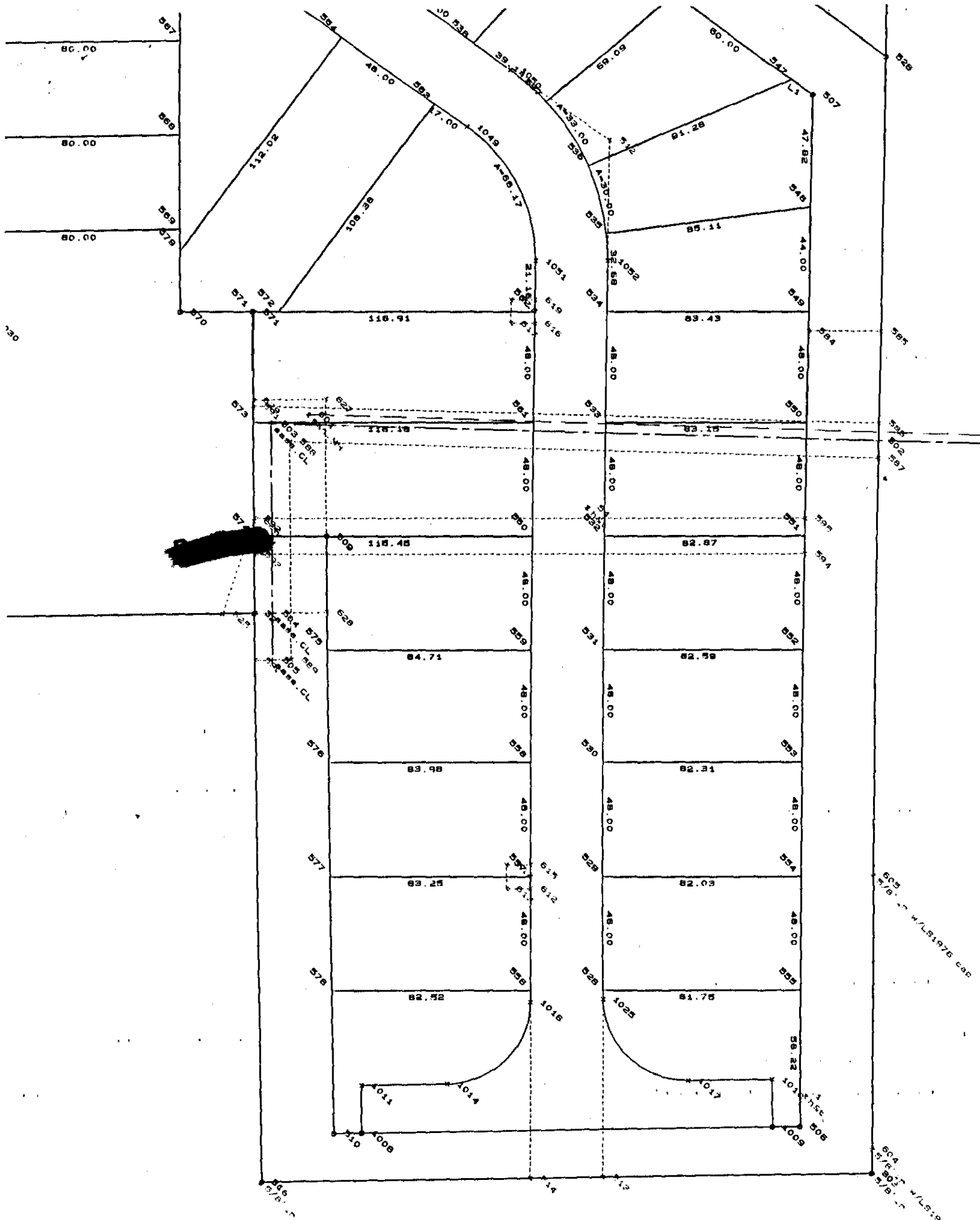


EXHIBIT C1 8

EASEMENT DESCRIPTION
SANITARY SEWER
MT. PLEASANT MOBILE HOME PARK

EXHIBIT "D"

Part of that tract of land described in deed to Kenneth Leavens, et al, recorded November 4, 1970, Clackamas County Deed Record Fee No. 70-24866, and that tract described in deed to Harold L. Chapin, et al, recorded January 12, 1971, Clackamas County Deed Fee No. 71-604 located in the S.S. White D.L.C. No. 41 in Section 6, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, described as follows:

Commencing at a stone found at the Southeast corner of said S.S. White D.L.C. and running thence along the easterly line thereof, which is also the centerline of "Leland Road" (County Road No. 342), N. 11° 49' 10" W., 2273.95 feet to a 1/2-inch iron pipe (DTM 660) found at the intersection with the southeasterly line of said Leavens tract; thence, along said southeasterly line of the Leavens tract, S. 42° 40' 50" W., 657.20 feet to a 5/8-inch diameter iron rod at the South corner thereof; thence, along the southwesterly line of said Leavens tract, N. 48° 24' 05" W., 252.60 feet to a 5/8-inch diameter iron rod at the West corner thereof; thence, along the northwesterly line of said Leavens tract N. 41° 28' 22" E., 240.87 feet to a 5/8-inch diameter iron rod at the South corner of said Chapin tract, and the true point-of-beginning; thence, from said point-of-beginning, the boundary of the easement to be described runs along the southwesterly line of said Chapin tract N. 48° 24' 05" W., 12.89 feet; thence N. 59° 57' 03" E., 40.68 feet to said northwesterly line of the Leavens tract; thence, along said northwesterly line of the Leavens tract, N. 41° 28' 22" E., 51.39 feet; thence S. 48° 31' 38" E., 30.00 feet; thence S. 41° 28' 22" W., 90.07 feet; thence N. 48° 24' 05" W., 30 feet to the point-of-beginning.

This description was prepared from the map of private survey no. 8923 on file in the Clackamas County Surveyor's Office; and said map by reference is made a part hereof.

**EASEMENT DESCRIPTION
FOR WATER LINE
MT. PLEASANT MOBILE HOME PARK**

EXHIBIT "E"

An easement strip, ten feet wide, being a part of that tract of land described in deed to Kenneth Leavens, et al, recorded November 4, 1970, Clackamas County Deed Record Fee No. 70-24866, and that tract described in deed to Harold L. Chapin, et al, recorded January 12, 1971, Clackamas County Deed Fee No. 71-604 located in the S.S. White D.L.C. No. 41 in Section 6, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, the centerline of which is described as follows:

Commencing at a stone found at the Southeast corner of said S.S. White D.L.C. and running thence along the easterly line thereof, which is also the centerline of "Leland Road" (County Road No. 342), N. 11° 49' 10" W., 2273.95 feet to a 1/2-inch iron pipe (DTM 660) found at the intersection with the southeasterly line of said Leavens tract; thence continuing along said D.L.C. line N. 11° 49' 10" W., 186.34 feet to the true point-of-beginning; thence, from said point-of-beginning the centerline to be described runs along the boundary line (and its extensions) between Parcel II and Parcel III of that partition plat no. 1991-186 by Dale L. Hult, R.P.L.S. 2427, dated February 1, 1991, S. 78° 10' 50" W., 158.04 feet; thence S. 33° 10' 50" W., 18.23 feet; thence S. 78° 10' 50" W., 79.07 feet to the terminus of said centerline at a 40-foot wide roadway utility easement serving the addition to the Mt. Pleasant Mobile Home Park.

This description was prepared from the map of private survey no. 8923 on file in Clackamas County Surveyor's Office and the partition plat no. 1991-186 by Dale L. Hult, R.P.L.S. 2427, dated February 1, 1991; and said maps by reference are made a part hereof.

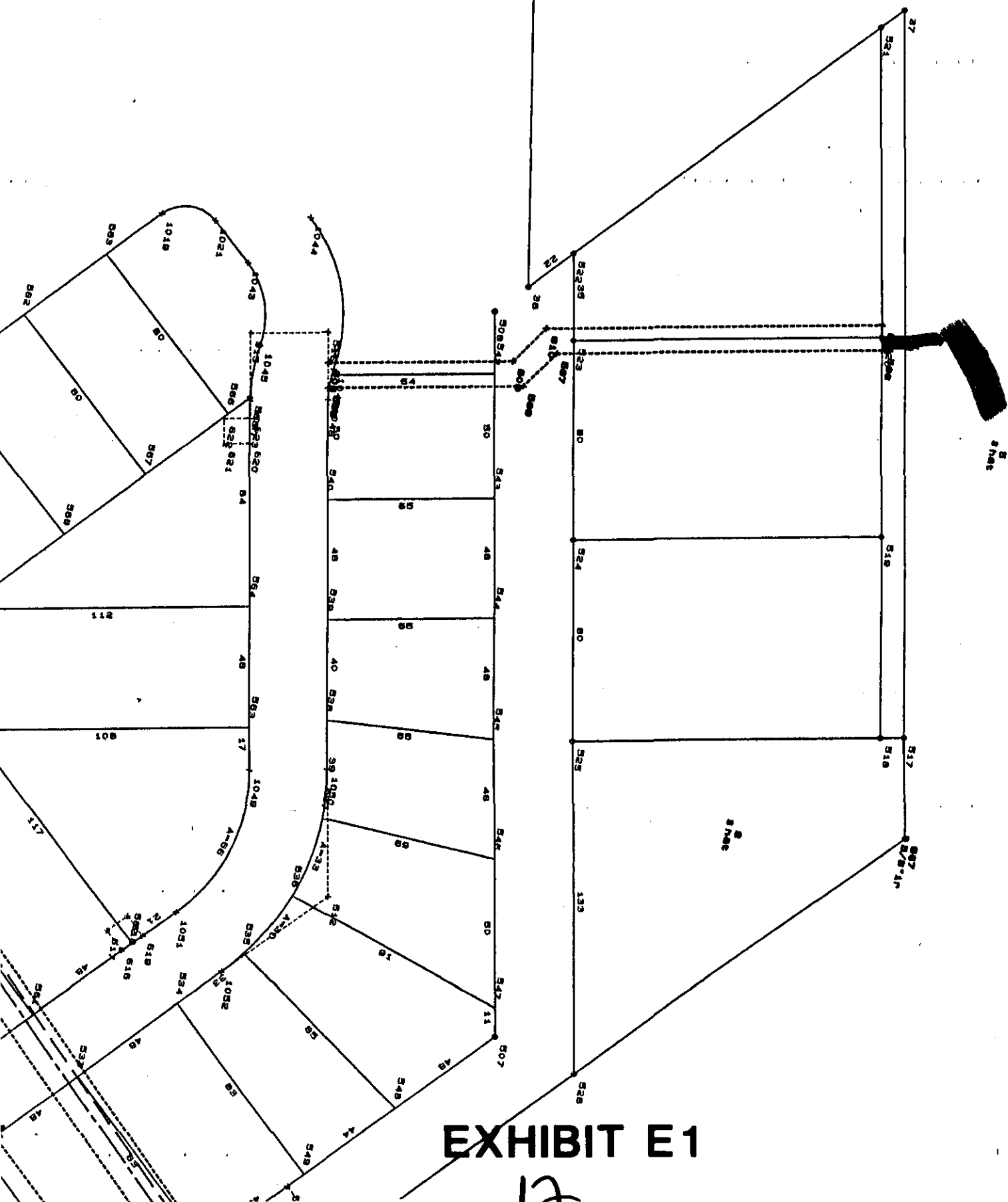


EXHIBIT E1

12

**EASEMENT DESCRIPTION
FOR FIRE HYDRANT
ON CENTRAL POINT ROAD
MT. PLEASANT MOBILE HOME PARK**

EXHIBIT "F"

Part of that tract of land described in deed to Harold L. Chapin, et al, recorded January 12, 1971, Clackamas County Deed Fee No. 71-604 located in the S.S. White D.L.C. No. 41 in Section 6, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, described as follows:

Commencing at the North corner of said S.S. White D.L.C. No. 41 and running thence along the northwesterly line thereof S. 42° 15' W., 462.37 feet; thence S. 39° 45' E., 30.28 feet to a 5/8-inch diameter iron rod at the most northerly corner of said Chapin tract on the southeasterly right-of-way line of Central Point Road (Market Road No. 24), 30 feet from centerline, and running thence along said right-of-way line S. 42° 15' 00" W., 95.00 feet to the true point-of-beginning; thence from said point-of-beginning the boundary of the easement area to be described continues along said right-of-way line S. 42° 15' 00" W., 20.00 feet; thence S. 47° 45' 00" E., 52.00 feet; thence N. 42° 15' 00" E., 20.00 feet; thence N. 47° 45' 00" W., 52.00 feet to the point-of-beginning.

This description was prepared from the map of private survey no. 8923 on file in the Clackamas County Surveyor's Office; and said map by reference is made a part hereof.

3.4 HORT.
CONTROL 5/8" I.R.
N. 11157.327
E. 4981.238

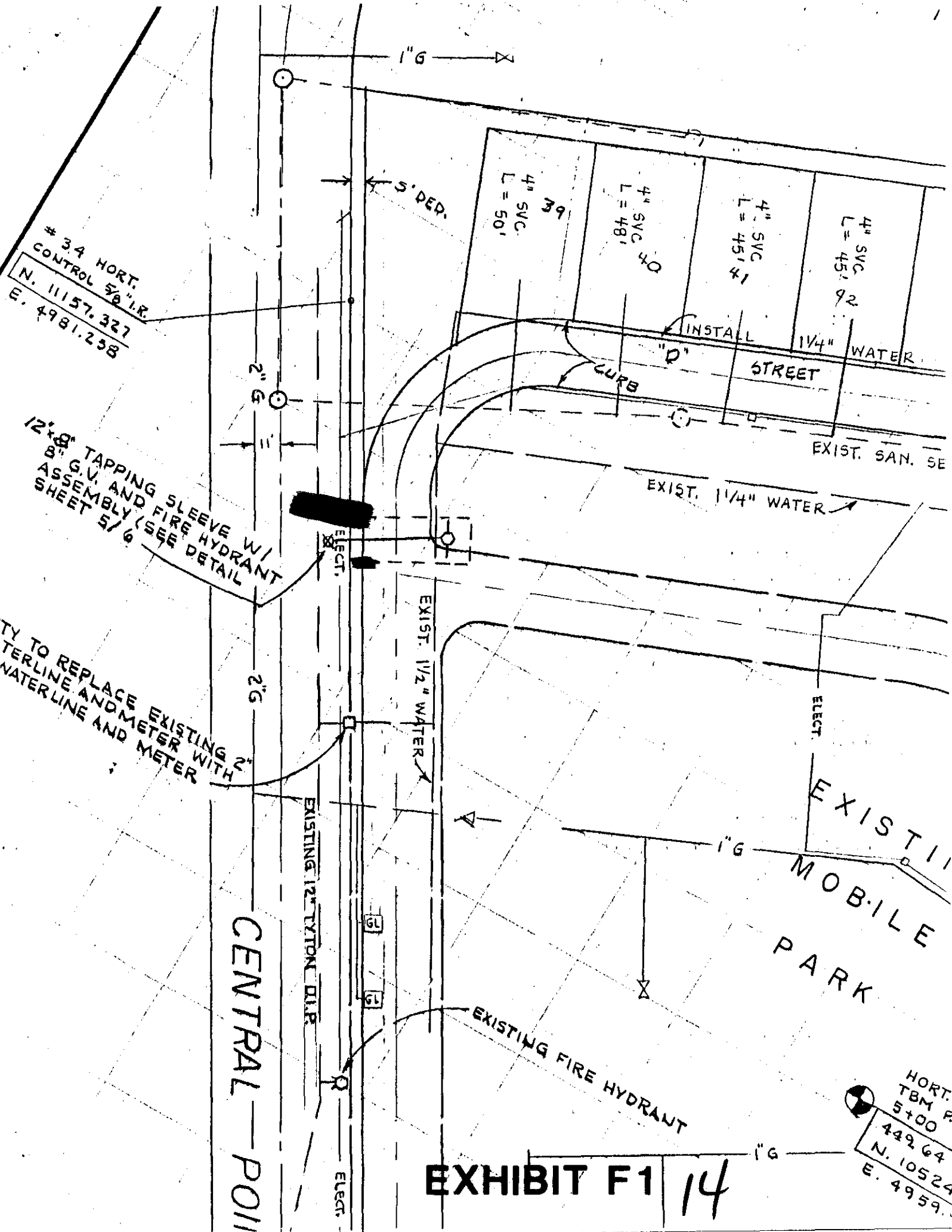
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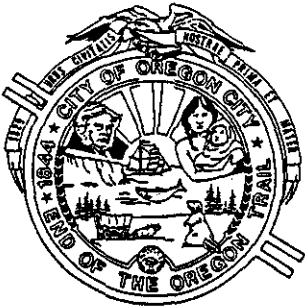
TY TO REPLACE EXISTING 2"
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CENTRAL POH

EXHIBIT F1 14

HORT.
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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

September 16, 1992

Page 1 of 1

Subject: Public Utility Easement Acceptance
Mt. Pleasant Mobile Home Park
Tax Lot 101, 3-2E-6DC
Tax Lot 2301, 3-2E-6DB

Report No. 92-209

Being added to the September 16, 1992 City Commission agenda is a public utility easement for Mt. Pleasant Mobile Home Park, Tax Lot 101, Map 3-2E-6DC, and Tax Lot 2301, Map 3-2E-6DB. The easement document is 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 Block, Development Services Director
- John Hawthorne, Civil Engineer

Mt. Pleasant Mobile Home
Park

3-2E-6DC 101

James R. Irvine
Kenneth W. Leavens

(PURPLE)
1992

Env. 418

DOC# 92-73636

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1310	15
1410	26
1411	24