

**CITY OF OREGON CITY, OREGON
SANITARY SEWER EASEMENT**

MAR 13 1992

CLACKAMAS COUNTY
DEPT. OF UTILITIES

26
KNOW ALL MEN BY THESE PRESENTS, THAT **Tri-City Service District** hereinafter called the GRANTOR, does 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 sewer line, mains, and conduits over across and through the following described land:

A tract of land situated in the S.E. 1/4 of Section 20, T.2S., R.2E., W.M., in the Hiram Straight D.L.C. No. 42, Clackamas County, Oregon, also being a portion of that tract of land described in Circuit Court Suit No. 83-3-433 to Tri-City Service District, recorded October 1, 1984, Clackamas County Court Records, being more particularly described as follows:

A 30.00 foot wide strip of land lying 15.0 feet on each side of the following described centerline:

Commencing at an iron rod with a plastic cap marked "Blair LS 1981" as set in Survey Record No. P.S. 19334, Clackamas County Survey Records, being at the intersection of the east line of said Tri-City Service District and the northerly right-of-way line of Washington Street;

thence, along the east line of said Tri-City Service District, North 8°47'46" East, 31.66 feet to the True Point of Beginning of said centerline;

thence, South 54°49'09" West, 76.57 feet;

thence, South 71°55'34" West, 203.44 feet;

thence, South 15°08'27" West, 33.43 feet to a point on the westerly right-of-way line of S. Agnes Street, being the termination point of said centerline, said point being North 41°09'22" East, 11.04 feet from a 5/8" iron rod at State Highway right-of-way station H 655+20.72, 60.00 feet right.

The area of the permanent easement is 8,694 square feet (0.20 acres);

TO HAVE AND TO HOLD, the above described easement unto the CITY, its successors in interest and assigns forever.

The GRANTOR does 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:

Being a 50.0 foot wide strip of land lying 25.0 feet on each side of the above described centerline.

Sidelines subject to lengthening and/or shortening so as to terminate upon the grantor's property line.

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

RETURN TO: City Recorder, 320 Warner Milne Road, Oregon City OR 97045

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 for this conveyance is \$ **NONE**, however, the actual consideration consists of or includes other property or value given or promised which is the whole consideration, the receipt of which is acknowledged ~~(\$0)~~ (As specified per the requirements of ORS 93.030.)
B.W.E.

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 of any encumbrance that would prevent or limit the use of the property for a sanitary sewer or result in such easement being subject to extinguishment, and from any encumbrance not of record as of April 13, 1992.

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 13th day of April, 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.

Tri-City Service District

Bruce W. Eichel

Name and Title

ACTING DIRECTOR

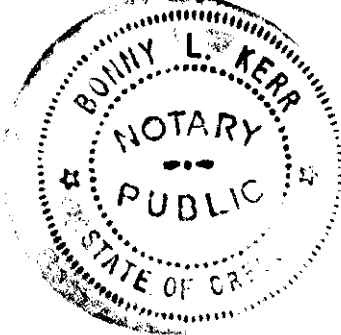
Name and Title

2

STATE OF OREGON)
) ss.
County of Clackamas)

Personally appeared Bruce W. Erickson —and—
who duly being sworn, each for himself and not one for the other did say that the former is the
he is the Acting Director and that the latter is the _____
_____ of Tri-City Service District, a Municipal corporation and that he
~~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~~ his
voluntary act and deed.

Before me:



Bonnie L. Kerr
NOTARY PUBLIC FOR OREGON
My Commission Expires 5/25/93

GRANTEE:

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

GRANTOR:

Tri-City Service District
902 Abernethy Road
Oregon City, OR 97045

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. Fawcett 5-6-92
Mayor

Stan K. Elliott
City Recorder

After recording return to:

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



3

CLACKAMAS RIVER

TAX LOT 503
MAP 2 2E 20

TAX LOT 501
MAP 2 2E 20DC

TAX LOT 502
MAP 2 2E 20DC

TAX LOT 1500
MAP 2 2E 20DC

TAX LOT 500
MAP 2 2E 20DC

TAX LOT 1601
MAP 2 2D 20DC

TAX LOT 1600
MAP 2 2E 20DC

5/8" IRON ROD
STATE HIGHWAY
STATION H
655+20.72
60.00' RIGHT

T.P.O.B.
S54°49'09"W
76.5'

S71°55'34"W
203.44'

N08°41'26"E
31.66'

IRON ROD
W/PLASTIC CAP
"BLAIR L.S. 1981"
P.S. 19334

30.0' PERM.
EASEMENT
50.0' TEMP.
EASEMENT

N41°09'22"E
11.04'

STATE HIGHWAY
STATION H
655+20.72

STREET

POPE LANE

WASHINGTON



SCALE: 1" = 100'

2:2 2E 20
IT NO: 503

11
CHR
P: 9PB

JOB NO. 361-04

4

SANITARY SEWER
EXHIBIT

HOLCOMB - PAI
SANITARY SEWER COLL
OREGON CITY, CLACKAMAS

3610452.DWG



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

May 6, 1992

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Park Place Sewer Project Status
and Sewer Easement Acceptance

Report No. 92-84

On the May 6, 1992 City Commission agenda is a status report on the Park Place Sewer Project and recommended acceptance of the final four (4) easements negotiated. Staff did a good job in securing the 82 different easements and the remaining four (4) in particular. Only one (1) easement had to be condemned.

Map	Tax Lot	OWNER	ADDRESS
20	503	Tri-City Serv. District	902 Abernethy Road, O.C.
21CC	100	Zinzer, Dan W. & Linda M.	14154 S. Forsythe, O.C.
21CC	200	Gibb, Edward A. & Terry L.	14110 S. Thurman, O.C.
21CC	500	Teel, Darrel E. & Shannon L.	14130 S. Thurman, O.C.
21CC	600	Teel, Darrel E. & Shannon L.	14130 S. Thurman, O. C.
28A	1712	Wittke, Lowell Gene & Judy Ann	85 SW Wonderview Ct., Gresham, 97080
28A	1714	Wittke, Lowell Gene & Judy Ann	85 SW Wonderview Ct., Gresham, 97080
28A	1717	Wittke, Lowell Gene & Judy Ann	85 SW Wonderview Ct., Gresham, 97080
28BC	1500	Lumpkin, Lanny	16221 S.E. Royer Road, Clackamas, 97015

As the Commission is aware, the project has been waiting execution of the remaining easements and is now ready to go forward with construction once DEQ's authorization to bid is received. Attached is the revised schedule for Commission review.

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

CHARLES LEESON
City Manager

JGB/im

attach.

cc - John Block, Development Services Director
- Neal Robinson, Project Manager

CITY OF OREGON CITY

Development Services Department Engineering Division

MEMORANDUM

DATE: April 30, 1992

TO: John Block, Development Services Director
FROM: Neal Robinson, Project Manager
RE: PARK PLACE SEWER PROJECT STATUS

EASEMENTS

Easements have been secured through negotiations across 82 taxlots involving 64 property owners.

Negotiations were unsuccessful with only one owner and the circuit court gave the right of immediate possession to construct across the property on April 9, 1992. One final owner has given a right of entry to construct sewer on his property and has agreed to the compensation for the land value, but is unwilling to execute final easement documents until construction has been completed on his property because he is concerned about the extent to which his light industrial tenants will be effected by the construction.

D.E.Q. REVIEW

- A. Preliminary Plan of Operation -
Approval received April 23, 1992. Final Plan of Operation will have to be submitted at the time of 50% construction completion.
- B. Sewer Regulations and User Charge System -
Conditional approval of Sewer Regulations and full approval of User Charge System received April 23, 1992
- C. Project Plans and Specifications -
Final approval received April 23, 1992

REVISED SCHEDULE

May 8, 1992	Anticipated final DEQ authorization to advertise for construction bids.
May 12	Advertise for bids.
June 8	Bid Opening.
June 17	Contract Award
June 29	Begin Construction
March 1, 1993	Complete Construction

FINAL STATE REVOLVING FUND LOAN APPLICATION

The basic application form has been completed. Some remaining financial information attachments and a Land Use Compatibility Statement attachment need to be completed for final submittal.

CITY OF OREGON CITY, OREGON
SANITARY SEWER EASEMENT

MAR 13 1992

CLACKAMAS COUNTY
DEPT. OF UTILITIES

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194 718

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Tri-City Service District

Bruce W. E. Smith
Name and Title
ACTING DIRECTOR

Name and Title

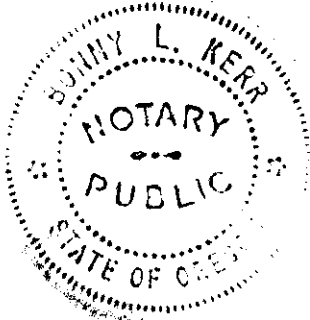
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by authority of its board of directors; and each of them acknowledged said instrument to be its *his*
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Before me:



Bonnie L. Kerr
NOTARY PUBLIC FOR OREGON
My Commission Expires 5/25/93

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GRANTOR:

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Mayor

City Recorder

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194 720

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655+20.12

STREET

POPE LANE

4

WASHINGTON



SCALE: 1" = 100'

MAP NO: 2 2E 20
TAX LOT NO: 503

DATE: 6-28-91
DRAWN BY: KMR
CHECKED BY: SPB

PREPARED BY:
WESTLAKE CONSULTANTS, INC.
1340 SW HUNZIKER RD., STE. 204
TIGARD OREGON 97123
PH. (503) 684-0652

SANITARY SEWER EASEMENT
EXHIBIT MAP
HOLCOMB - PARK PLACE
SANITARY SEWER COLLECTION SYSTEM
OREGON CITY, CLACKAMAS COUNTY, OREGON

JOB NO. 361-04

194 721

FFMAN
y Clerk

County of
ment of

9610445.DWG

Park-Place
SWR

22E20 503

Tri-City Service 1992
DISTRICT
(Bruce Erickson)

DOC# 92-38572
92-23020

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