

After recording return to:  
City Recorder  
City of Oregon City  
320 Warner Milne Road  
Oregon City, Oregon 97045

3 2E 6DA 00200  
Warner Parrott/Warner Milne Realignment

**CITY OF OREGON CITY, OREGON  
SLOPE EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS, THAT** 1st Presbyterian Church 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 street cut slopes 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, plantings, 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 neat and orderly 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)

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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 6<sup>th</sup> day of May, 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.

Individuals,  
general partnerships

\_\_\_\_\_  
Signer's Name

\_\_\_\_\_  
Signer's Name

(if executed by a corporation  
affix corporate seal)



Corporation  
limited partnership

1st Presbyterian Church of Oregon City  
Corporation/Partnership Name

Wallace M. Telford  
Wallace M. Telford, Chairman  
Signer's Name, Title

Mark A. Foster  
Mark A. Foster, Secretary  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

Personal Acknowledgment

STATE OF OREGON )  
 ) ss.  
County of \_\_\_\_\_ )

Personally appeared the above  
named \_\_\_\_\_ a n d  
acknowledged the foregoing instrument to be his  
voluntary act and deed.

Before me:

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

(OFFICIAL SEAL)

\_\_\_\_\_  
1st Presbyterian Church of Oregon City  
1321 Linn Ave  
Oregon City, Oregon 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.

Daniel W. Fowle

Mayor

Stan H. Elliste

City Recorder

After Recording Return to:

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



Corporate Acknowledgment

STATE OF OREGON )  
 ) ss.  
County of Clackamas )

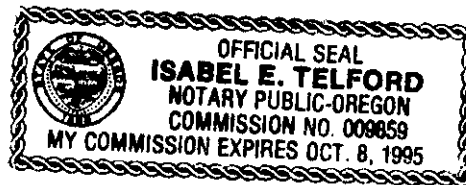
Personally appeared Wallace M. Telford  
and Mark A. Foster who being duly sworn,  
each for himself and not one for the other did say  
that the former is the \_\_\_\_\_ president and that the  
latter is the \_\_\_\_\_ secretary of 1st Pres.  
Church of O.C. a corporation, and that the seal  
affixed 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 voluntary act and deed.

Before me:

Isabel E. Telford  
\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 10-8-95

(OFFICIAL SEAL)



Space reserved for County  
Record's Office

EXHIBIT "A"

3 2E 6DA 200

**WARNER MILNE ROAD - WARNER PARROTT ROAD REALIGNMENT**

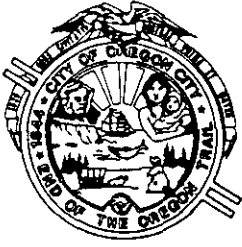
**10' SLOPE EASEMENT**

A parcel of land situated in the southeast quarter of Section 6, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, described as follows:

That portion of a certain parcel of land as described in Book 523, Page 53, recorded March 11, 1957, Clackamas County Deed Records; commencing at the southwest corner of the William Holmes Donation Land Claim No. 38; thence N. 00° 25' 05" W., along the center line of Linn Avenue also being the west line of said Holmes D.L.C., a distance of 30.18 feet to a point; thence N. 89° 34' 55" E., a distance of 30.18 feet to a point; thence N. 89° 34' 55" E., a distance of 30.00 feet to the easterly right-of-way line of Linn Avenue also being the northerly right-of-way line of Warner Milne Road; thence N. 89° 13' 55" E., along the northerly right-of-way line of Warner Milne Road parallel with and 30.00 feet (measured at right angles) from the center line of Warner Milne Road, a distance of 99.44 feet to a point; thence N. 00° 46' 05" W., a distance of 20.00 feet to the True Point of Beginning of said 10' slope easement; thence from said beginning point N. 00° 46' 05" W., a distance of 10.00 feet to a point 60.00 feet northerly (measured at right angles) of the center line of Warner Milne Road; thence N. 89° 13' 55" E., parallel with said center line of Warner Milne Road a distance of 300.00 feet to a point; thence S. 00° 46' 05" E., a distance of 10.00 feet to a point 50.00 feet northerly (measured at right angles) from the center line of Warner Milne Road; thence S. 89° 13' 55" W., parallel with the center line of said Warner Milne Road a distance of 300.00 feet to the True Point of Beginning.

Containing 3,000 square feet, more or less.

This document prepared by Kampe Associates, Inc., on April 24, 1992.



# CITY OF OREGON CITY

Incorporated 1844

May 7, 1992

**DEVELOPMENTAL SERVICES  
DEPARTMENT**  
Planning, Building,  
Engineering  
320 Warner Milne Road  
Oregon City, OR 97045  
(503) 657-0895  
FAX (503) 657-3339

Pastor Dean Rowley  
First Presbyterian Church  
1321 Linn Avenue  
Oregon City, Oregon 97045

Subject: Warner-Parrott Realignment Project

Dear Pastor Rowley:

Thank you for the prompt execution of the dedication and slope easement documents. They are scheduled for City Commission acceptance on May 20 at 8:00 p.m. Following acceptance I will return a fully executed copy for your files.

Regarding the questions involving tree and shrub removal, I have attached the plan sheet for that portion of the project with the trees proposed for removal highlighted in yellow. The 48-inch fir tree is not in the cut slope but, if the roots are damaged during construction, may also have to be removed. The balance of the trees highlighted are in the improvement area and have to be removed. The City may end up removing all of the arborvitae trees along Warner-Milne Road because of grade and sidewalk construction. These trees are all within the existing public right-of-way.

The smaller plantings in the slope area will be removed by the contractor during excavation and disposed of at the contractor's discretion. If you want to salvage any of these plant materials you may salvage them at any time prior to removal by the contractor.

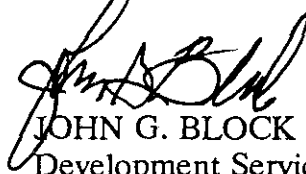
The Church should arrange for the disconnection and salvage of any irrigation systems that are located with the proposed excavation area. This should be done at a point several feet inside from where the slope excavation starts. The advantage to the Church is that the City has no knowledge of the exact system layout, and the excavating equipment that will be used might cause unnoticed damage to the system if it is too close to the excavation area.

A point about which you did not inquire is the preschool sign. The sign will need to be relocated approximately 20 feet north from its present location. This item can be performed by the City's contractor or by the Church. If the Church desires the City to accomplish the relocation, please inform soon so this item can be included in the bid documents.

Pastor Dean Rowley  
May 7, 1992  
Page 2

At this time construction is tentatively planned to begin around July 15, 1992. Any work the Church intends to do should be done prior to the above date.

Sincerely,

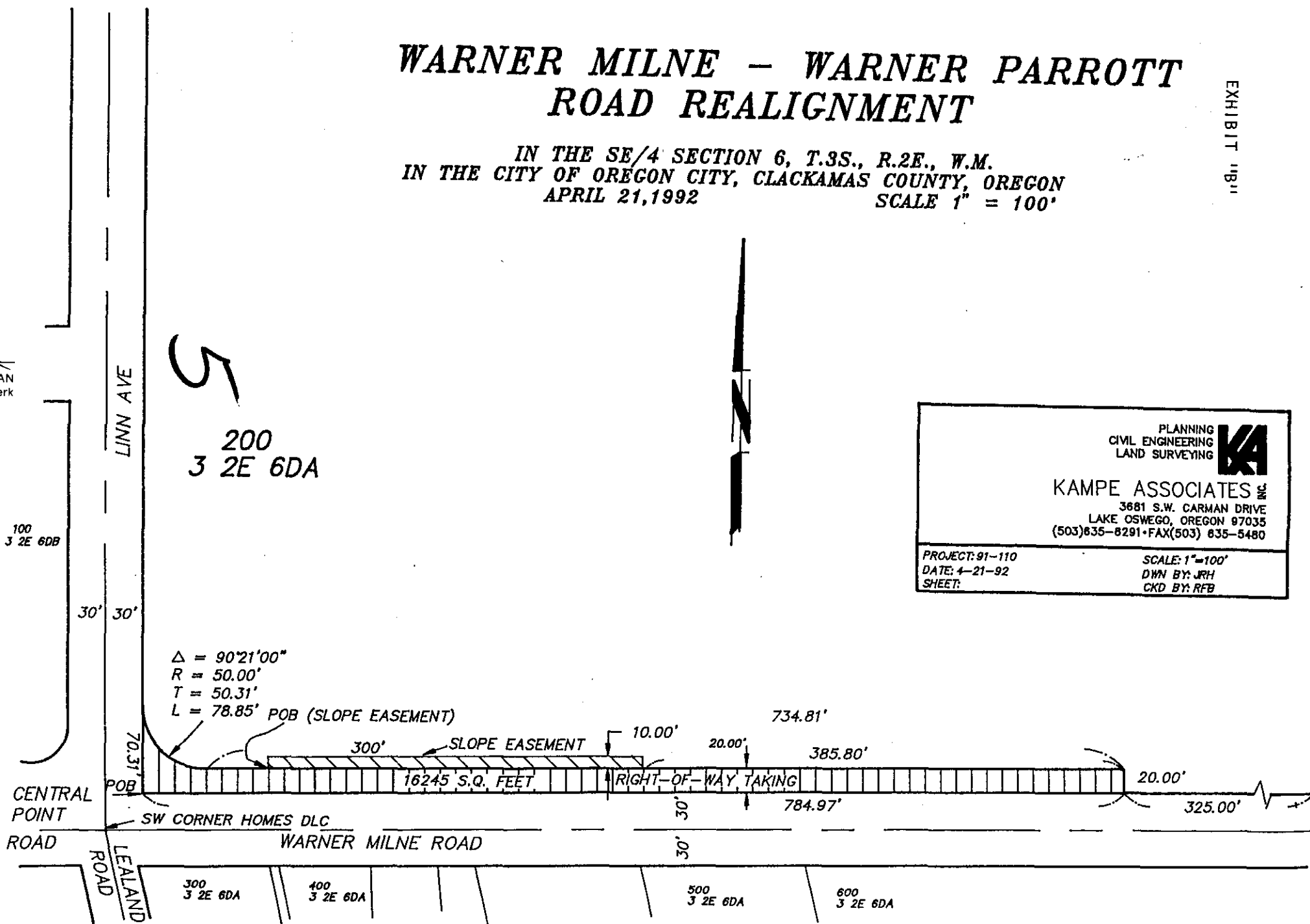
A handwritten signature in black ink, appearing to read "John G. Block", is written over the printed name.

JOHN G. BLOCK  
Development Services Director

JGB/im

Attach.

cc     - Charles Leeson, City Manager  
       - Henry Mackenroth, Project Manager





# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

FOR AGENDA

DATED

May 20, 1992

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Deed of Dedication/Slope  
Easement Acceptance  
First Presbyterian Church  
Warner-Parrott Realignment Project

Report No. 92-89

On the May 20, 1992 City Commission agenda is a deed of dedication and slope easement for the Warner-Parrott Realignment project for Commission acceptance. Copies of the documents are attached for review.

In exchange for the dedication the City will be constructing road and sidewalk improvements on the Linn Avenue and Warner-Milne Road frontages of the Church property.

It is recommended the City Commission adopt a motion accepting the deed of dedication and slope easement, and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON  
City Manager

JGB/im

attach.

cc - John Block, Development Services Director  
- Henry Mackenroth, Project Manager  
- Pastor Dean Rowley, First Presbyterian Church



First Presbyterian Church  
Warner - Parrott Realignment  
Slope Easement

3 2E 60A 200



1<sup>st</sup> Presbyterian Church  
1992

Envelope 1 of 2

(CLACKAMAS CO. DEC. # 9238568)

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ITEM #3

Env. 390