

25-

After Recording Return to:

25

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

Henrici Reservoir

CITY OF OREGON CITY, OREGON

ACCESS, POWER and WATERLINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Neal F. & Myrle L. Lewis 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 an access road and a waterline and the necessary power and telemetry wires 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 said land not used for an access road, 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.

GRANTOR reserves the right to install and maintain a stock fence along the access road. Said fence is subject to removal by the CITY for the purpose of installing and maintaining waterlines. The CITY will install buried power and telemetry wiring for site usage.

Upon completion of the construction, the CITY shall restore the surface of the property not used for access purposes 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 as noted in Clackamas County Recorders Fee No. 82-34858.

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 easement 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 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

Corporation
limited partnership

Neal F. Lewis

Signer's Name

Corporation/Partnership Name

Myrtle L. Lewis

Signer's Name

Signer's Name, Title

(if executed by a corporation
affix corporate seal)

Signer's Name, Title

Signer's Name, Title

Personal Acknowledgment

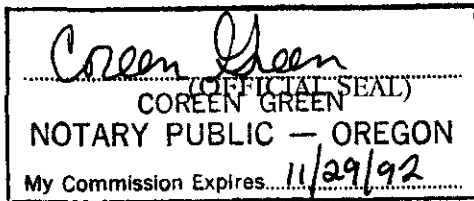
STATE OF OREGON)
) ss.
County of CLACKAMAS)

Personally appeared the above
named Neal F. & Myrle L. Lewis and acknowledged
the foregoing instrument to be his voluntary act and
deed.

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____



Neal F. & Myrle L. Lewis

16017 Henrici Road

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.

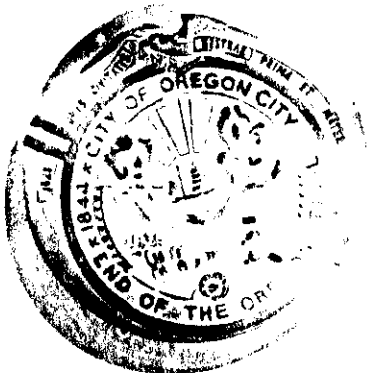
Daniel W. Fawcett

Mayor

Janet Elliott

City Recorder

5-20-92



Corporate Acknowledgment

STATE OF OREGON)
) ss.
County of _____)

Personally appeared _____
and _____ 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 _____
_____ 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:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

(OFFICIAL SEAL)

Space reserved for County
Record's Office

Henrici Reservoir

EXHIBIT "A"

A 30 foot easement for ingress and egress and installation of a water line over grantor's real property extending from that property described in fee 82-34858, south to Henrici Road, being located in the southwest one-quarter of the northwest one-quarter of section 14, Township 3 south, Range 2 east, of the Willamette Meridian, in the County of Clackamas, State of Oregon,

more particularly described as follows:

Commencing at a point in the west line of section 14, Township 3 South, Range 2 East, of the Willamette Meridian, which is 495 feet south of the northwest corner of the southwest one-quarter of the northwest one quarter of said section, said point being the southwest corner of that tract described in deed to Daniel Williams, recorded August 23, 1886, in book 27, page 602, deed records; THENCE continuing south $00^{\circ} 57' 53''$ west, along said west line 185.00 feet, to the south west corner of that particular deed in Clackamas County Deed Records, fee no. 82-34858; THENCE South $88^{\circ} 50' 54''$ east, along the south line of said fee 82-34858, 357.78 feet to a point which is 30 feet west of the south east corner of said fee no. 82-34858, said point being the TRUE POINT OF BEGINNING of the easement to be described; THENCE along a line parallel to the west line of said section 14, south $00^{\circ} 57' 53''$ west, 619.80 feet, more or less, to the north right of way line of Henrici Road (County Road 507); THENCE south $88^{\circ} 53' 56''$ east, along said right of way line, 30 feet; THENCE parallel to the west line of said section 14, north $00^{\circ} 57' 53''$ east, 619.77 feet, more or less, to the south east corner of fee 82-34858; THENCE north $88^{\circ} 50' 54''$ west, along the south line of said fee no. 82-34858, 30 feet to the point of beginning.

S. 88° 50' 54" E. 603.24'

Exhibit "B"

S. 88° 50' 54" E. 300.00'

30' PIPELINE AND ACCESS
EASEMENT AS PER
BOOK 142, PAGE 114

TOP OF BANK

N. 01° 05' 10" E. 494.95'

340.00'

S. 01° 05' 10" W. 525.00'



Scale: 1" = 100'

Zoning:
RRFF-5

Location of Proposed
Well - None

Sewage Disposal-
None Needed

S. 88° 51' 15" E.
88.61'

SLOPE

Parcel 1

Tax Lot 1801
N.W. 1/4 Section 14
T. 3 S., R. 2 E., W. M.
Fee No. 82-34858

Area: 4.0± Acres

184.99'

SLOPE

N. 88° 50' 53" W. 388.22'

30'

Parcel 2

Tax Lot 1800
N.W. 1/4 Sec. 14, T. 3 S., R. 2 E., W.M.
Book 571, Page 462

Area: 19.5± Acres

N. 00° 57' 53" E. 794.68'

609.69'

279.3'

WOOD SHED

BARN

METAL BUILDING

WELL

SEPTIC TANK

GARAGE

HOUSE

EASEMENT

ACCESS

N. 88° 53' 56" W. 693.32'

Henriol Road

S. 00° 56' 46" W. 1289.51'

Applicant

CITY OF OREGON CITY
320 WARNER-MILNE ROAD
OREGON CITY, OREGON 97045
PHONE: 657-0891

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County of
Document of
Records of

Jeffman
City Clerk



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: Public Utility Easement Acceptance -
Access, Power and Waterline for
Henrici Road Reservoir Site Acceptance

Report No. 92-94

On the May 20, 1992 City Commission agenda is an access, power and waterline easement for the Henrici Road Reservoir Site for City Commission acceptance. The easement documents are attached for Commission review.

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

CHARLES LEESON
City Manager

JGB/im

attach.

cc - Development Services Director
- Henry Mackenroth, Project Manager

HenBici Road Reservoir

32E 14B 01801+01800

Neal F. Lewis 1992
Myrie L. Lewis

page 2024
ITEM # 1

CLACK CO. INSTRUMENT # 92-3856

END 2