

NIC

05-1096

CITY OF OREGON CITY, OREGON

[State Intake Facility]  
[3-2E-5C, TL 800]

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 sanitary sewer on the following described land:

See attached Exhibit "H" Legal Description and attached Exhibit "J" Sketch 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 18<sup>th</sup> day of October 1990, 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.

195 117  
92 27363

Clackamas County  
902 Abernethy Road  
Oregon City, OR 97045

(Grantor's Name and Address)

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

(Grantee's Name and Address)

CLACKAMAS COUNTY, by and through the Board of  
County Commissioners

Chair

Commissioner

Commissioner

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.

By:

Mayor

Attest:

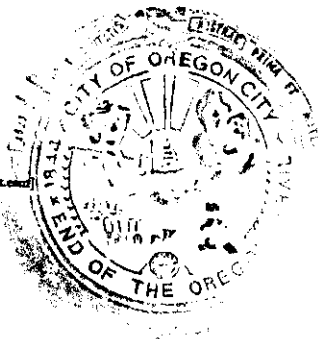
By:

City Recorder

After Recording Return to:

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

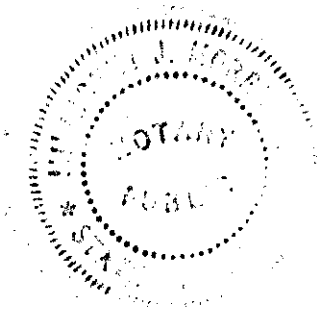
Space reserved for County  
Record's Office



State of Oregon            )  
County of Clackamas        )

SS

On this October 18, 1990, before me, Millicent J. Morrison,  
a Notary Public in and for said state, personally appeared,  
Darlene Hooley and Judie Hammerstad, known to me to be the  
persons who executed the within statement, and acknowledged to me  
that they executed the same for the purposes therein stated.



*Millicent J. Morrison*  
Notary Republic

My term expires 5/13/93

## EXHIBIT "H"

### STRIP 1

A strip of land, 20.00 feet wide, the centerline of which is more particularly described as follows:

BEGINNING at the intersection of the Westerly line of that parcel recorded as Fee Number 77-4139 on February 3, 1977, Clackamas County Deed Records, with a line which is parallel to and 80.00 feet Southerly of, when measured at right angles to, the Southerly line of that parcel recorded as Fee Number 87-24028 on May 28, 1987, Clackamas County Deed Records; THENCE North  $89^{\circ} 47'$  W. parallel to said Southerly line, 9 feet to the center of an existing sanitary sewer manhole; THENCE South  $71^{\circ} 16' 07''$  W., 316.83 feet to the center of an existing sanitary sewer manhole; THENCE North  $89^{\circ} 59' 45''$  W., 1028.34 feet to the center of an existing sanitary sewer manhole; THENCE N.  $89^{\circ} 58' 12''$  W., 625.81 feet to the center of an existing sanitary sewer manhole; herein defined as Point "A"; THENCE South  $05^{\circ} 07' 54''$  E., 258.78 feet to the center of an existing sanitary sewer manhole; thence South  $47^{\circ} 00' 20''$  E., 205.60 feet to the center of an existing sanitary sewer manhole; THENCE South  $16^{\circ} 45' 10''$  E., 266.80 feet to the center of an existing sanitary sewer manhole; THENCE South  $52^{\circ} 01' 50''$  E., 256.94 feet to the center of an existing sanitary sewer manhole and the terminus of this strip.

LESS that portion within Kaen Road;

AND LESS that portion Easterly of the Westerly line of that parcel recorded as Fee Number 80-16605 on May 5, 1980.

### STRIP 2

A strip of land 20.00 feet wide, the centerline of which is more particularly described as follows:

BEGINNING at the above-defined Point "A", THENCE South  $80^{\circ}$  W. a distance of 20.0 feet, more or less, to the Easterly terminus of Hiefield Court and the terminus of this strip.

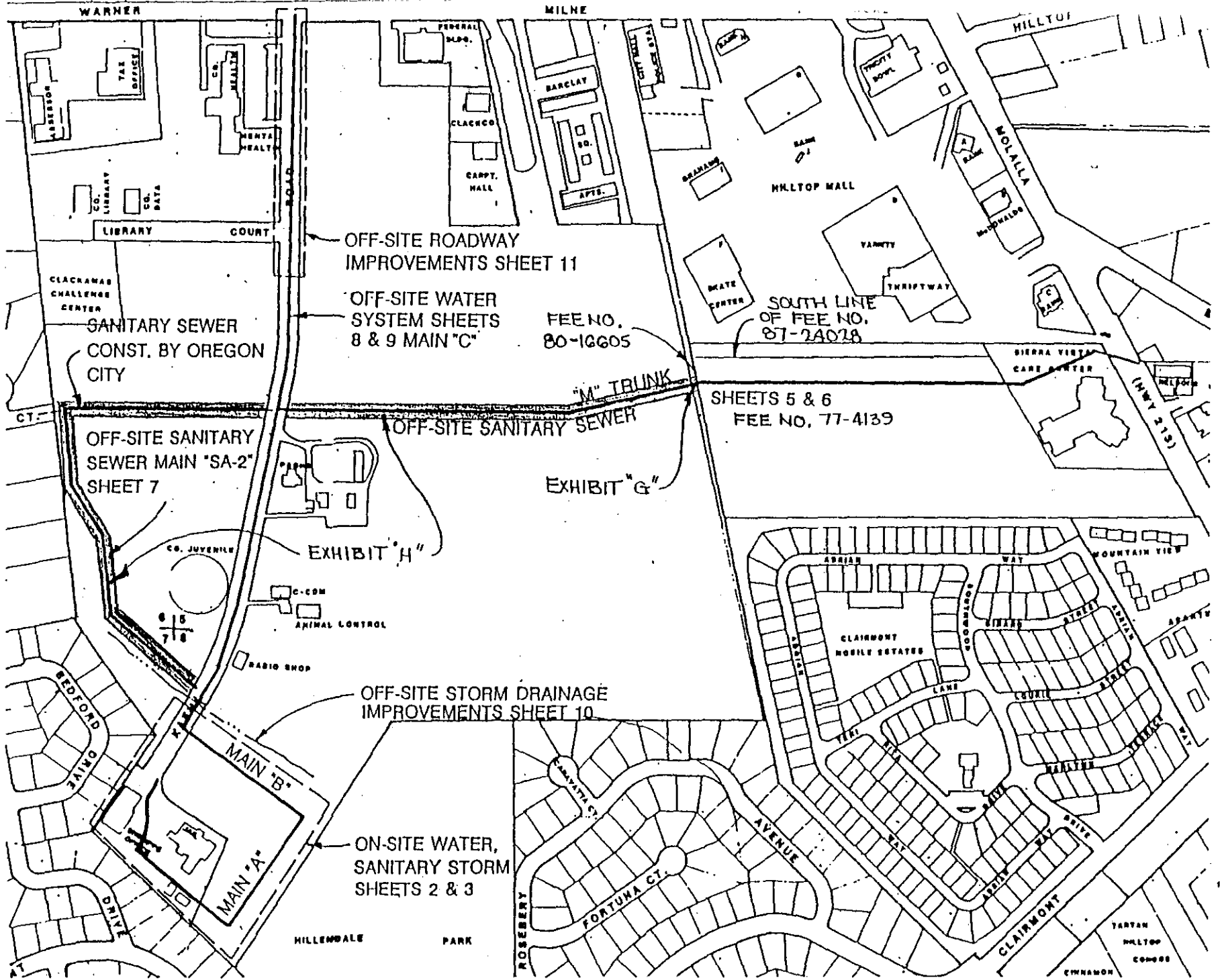
for the County of  
the instrument of  
the records of

9:32

  
I KAUFFMAN  
County Clerk

195 121

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# SITE MAP

SCALE: 1" = 400'

STATE INTAKE FACILITY  
SANITARY SEWER EASEMENTS  
PROJECT NO. 2625  
SEPT., 1990

EXHIBIT "J"