

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Michael Hiefield, 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 a storm drain 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 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 _____

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 11 day of MARCH, 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

Michael Hiefield

Michael Hiefield

Corporation
limited partnership

Corporation/Partnership Name

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

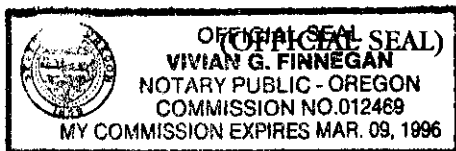
STATE OF OREGON)
) ss.
County of Clackamas)

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

Before me:

Vivian G. Finnegan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-96



Michael Hiefield
424 Weleber Way
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. Fowler

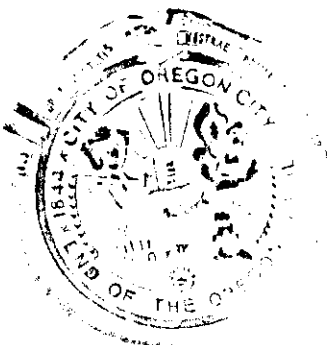
Mayor

Joan K. Elliott
City Recorder

3-18-92

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 _____)

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

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EXHIBIT "A"

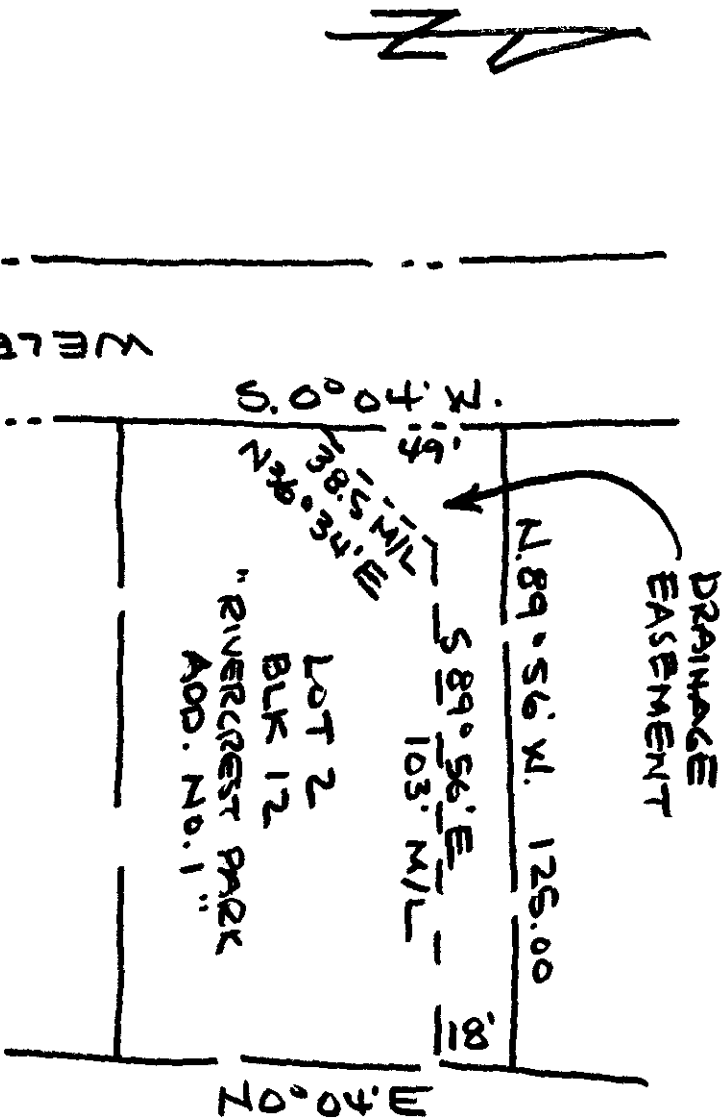
LEGAL DESCRIPTION FOR DRAINAGE EASEMENT

A portion of Lot 2, Block 12, of the duly recorded plat of "RIVERCREST PARK ADDITION NO. 1" situated in the Northeast quarter of Section 6, Township 3 South, Range 2 East of the Willamette Meridian, Clackamas County, State of Oregon, being more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 2; THENCE South $0^{\circ} 04'$ West along the West line thereof a distance of 49.00 feet to a point; THENCE North $36^{\circ} 34'$ East a distance of 38.5 feet, more or less, to a point 18.00 feet South of the North line of said Lot 2 when measured at right angles; THENCE South $89^{\circ} 56'$ East parallel with said North line a distance of 103 feet, more or less, to a point in the East line of said Lot 2; THENCE North $0^{\circ} 04'$ East along said East line a distance of 18.00 feet to the Northeast corner thereof; THENCE North $89^{\circ} 56'$ West along the North line of said Lot 2, a distance of 125.00 feet to the POINT OF BEGINNING.

EXHIBIT "B"

SKETCH FOR LEGAL DESCRIPTION DRAINAGE EASEMENT N.T.S.

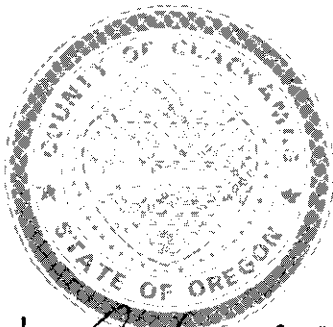


STATE OF OREGON
County of Clackamas

ss.

I, John Kauffman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

92 APR 22 PM 3:37



Witness my hand and seal affixed

John Kauffman

JOHN KAUFFMAN
County Clerk

Recording Certificate
CCP-R4 (Rev. 6/91)

92 23930

5



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

15
FOR AGENDA

DATED

March 18, 1992

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Public Utility Easement Acceptance
Michael Hiefield Property

Report No. 92-52

On the March 18, 1992 City Commission agenda is a public utility easement document for the Michael Hiefield property for Commission acceptance. The easement document is attached for Commission review.

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

CHARLES LEESON
City Manager

JGB/im


attach.

cc - Development Services Director
- John Hawthorne, Civil Engineer

City of Oregon City
M E M O R A N D U M

Date: March 11, 1992

To: John Block, Developments Services Director

From: John W. Hawthorne, Civil Engineer 

Subject: Drainage Easement, Michael Hiefield Building Permit

Enclosed is the signed Drainage Easement that was aquired when Mr. Hiefield applied for a Building Permit. It is for an Existing Drainage line that crosses the site. Please forward to the City Commission for their acceptance. Thanks.

cc Ron Storzbach, Building Official

Michael Hiefield
Property (Public Utility)

3-2E-6AB 2100

Michael Hiefield 1992

DOC# 92-23930

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Env. 356