

25
CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT SHURGARD EVERGREEN LIMITED PARTNERSHIP, a Delaware Limited Partnership, 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 water line 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 one dollar, 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 26
day of February, 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

Signer's Name

Shurgard Evergreen Limited Partnership
By Shurgard Incorporated,
General partner

Signer's Name, Title

Signer's Name, Title
By R. Teller, its
Secretary

(If executed by a corporation
affix corporate seal)

Signer's Name, Title

Signer's Name, Title

Personal Acknowledgement
STATE OF OREGON)
County of _____) .ss

Personally appeared the above
named _____ and
acknowledged the foregoing
instrument to be _____
voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

(OFFICIAL SEAL)

Shurgard Evergreen Limited Partnership
1201 Third Avenue, Suite 2200
Seattle, Washington 98101
(Grantor's Name & Address)

City of Oregon City
320 Warner-Milne Road
Oregon City, Oregon 97045
(Grantee's Name & 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.

David W. Fowler
Mayor

Jan K. Elliott
City Recorder 3-4-92

After Recording Return to:

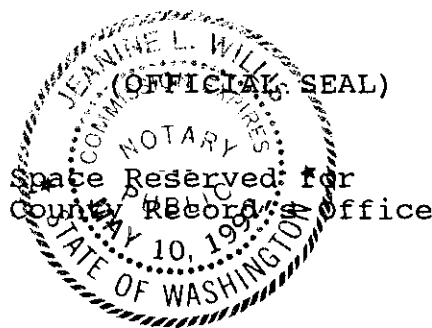
City Engineer
City of Oregon City
320 Warner-Milne Road
Oregon City, Oregon 97045

Corporate Acknowledgement
STATE OF OREGON Washington)
_____) .ss

Personally appeared Ralph
Teller 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~~
Shurgard Evergreen Limited
Partnership, a corporation and
that the seal affixed to the limited
foregoing instrument was signed and
sealed in behalf of said corporation
by authority of its board of partnership
directors; and each of them
acknowledged said instrument to be
its voluntary act and deed.

Before me:

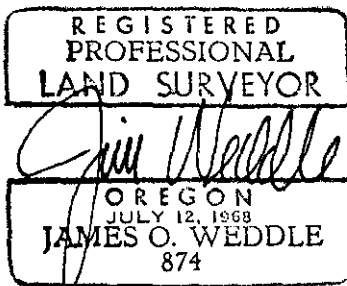
Jeanne Willis
NOTARY PUBLIC FOR OREGON Washington
My Commission Expires: 5-10-92



Secretary of Shurgard
Incorporated, General
Partner



Jim Weddle
& Associates, Inc.



November 13, 1991
File No. 91-1899 WE
SHURGARD

**WATERLINE EASEMENT
CENTERLINE DESCRIPTION**

A strip of land, 15.00 feet in width, for underground waterline purposes, situated on that certain tract of land heretofore conveyed to SHURGARD EVERGREEN LIMITED PARTNERSHIP, a Delaware Limited Partnership, by DEED OF PERSONAL REPRESENTATIVE, recorded September 13, 1991, Recorder's Fee No. 91-48134, Deed Records, in the NE 1/4 Section 8 and NW 1/4 Section 9, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, the centerline of said easement being more particularly described as follows:

COMMENCING at the True Point of Beginning of the aforesaid Fee No. 91-48134, being a point in the easterly right-of-way line of Molalla Avenue, 60 feet wide; thence North 89°40'43" East (Deed = East) 5.75 feet along the south line of the therein referenced Wm. C. Wanke tract of land, Book 132, page 68, Deed Records, to a point therein; thence South 29°49'50" East parallel to and 35.00 feet (measured at right angles) from the centerline of Molalla Avenue 153.06 feet to the True Point of Beginning of the hereinafter described centerline; thence along said centerline North 60°10'10" East 75.00 feet; thence South 54°00'16" East 7.94 feet to a point hereafter designated Point "A"; thence continuing South 54°00'16" East 16.03 feet; thence North 89°40'43" East 410.00 feet; thence North 16°07'46" East 11.77 feet to a point hereafter designated Point "B"; thence continuing North 16°07'46" East 118.66 feet to the termination of said centerline.

ALSO:

BEGINNING at said Point "A"; thence along said centerline North 29°07'28" East 52.26 feet; thence North 89°40'43" East 12.23 feet to the termination thereof.

ALSO:

BEGINNING at said Point "B"; thence along said centerline South 73°52'14" East 38.33 feet to a point in the westerly right-of-way line of Cascade Highway South and the termination thereof.

The bearings for this description are based on P.S. No. 24406 on file with the Clackamas County Surveyor's Office, Oregon City.

EXHIBIT "A"
4

3:36

man
N KAUFFMAN
County Clerk

027

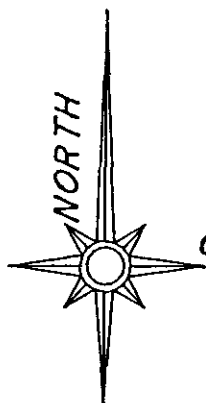


EXHIBIT MAP
WATER LINE EASEMENT
NE 1/4 SEC. 8 & NW 1/4 SEC. 9
T. 3S., R. 2E., WILLAMETTE MERIDIAN
Oregon City, Clackamas County, Oregon

SCALE: 1" = 80'

P. O. B.
FEE NO. 91-48134

N 89°40'43" E
5.75'

SOUTH LINE WM. C. WANKE
BOOK 132 PAGE 68
REC. MAY 26, 1913

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 1968
JAMES O. WEDDLE
874

N 89°40'43"E
125.47'
N 00°19'17"W 243.68'
L 335.13'
SOUTH
HWY.
CASCADE
R 3374.04'
S 00°11'17"E
125.11'
101.36'
1952 WE

N 89°40'43"E 553.75'

SHURGARD

RECORDER'S FEE NO. 91-48134

N 29°07'28"E
52.26'

N 89°40'43"E
12.23'

N 29°49'50"W
153.06'

N 60°10'10"E
75.00'

POINT "A"

N 89°40'43"E 410.00'

7.5'

POINT "B"

11.77'

S 54°00'16"E
16.03'

S 54°00'16"E
7.94'

5' DEDICATION

7.5'

S 73°52'14"E
38.33'

S 89°40'43"W 490.19'


EXHIBIT "B"

MOLALLA
AVE.

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

Date: February 27, 1992

To: John Block, Development Services Director

From: John W. Hawthorne, Civil Engineer 

Subject: Shurgard (SP-27), Easement and Dedication Documents

Enclosed are the waterline easement and street dedication along Molalla Ave. that we required. Please forward to the City Commission for acceptance.



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

March 4, 1992

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Public Utility Easement and
Deed of Dedication Acceptance
Shurgard Mini-Storage (SP-27)

Report No. 92-40

On the March 4, 1992 City Commission agenda is a public utility easement and deed of dedication for City Commission acceptance. The easement and dedication are necessary for construction of sanitary sewer and road improvements to serve the Shurgard project. Attached are easement and deed of dedication documents for review.

It is recommended that the City Commission adopt a motion accepting the easement and dedication 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