

20-  
CITY OF OREGON CITY, OREGON  
SANITARY SEWER EASEMENT

PARK PLACE SEWER  
2 2E 2B BB TL 500

KNOW ALL MEN BY THESE PRESENTS, THAT **Robert D. Holsworth and Millie A. Holsworth** hereinafter called the GRANTOR, does 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 sewer line, mains, and conduits over across and through the following described land:

A tract of land situated in the N.W. 1/4 of Section 28, T.2S., R.2E., W.M., in the George Abernathy D.L.C. No. 58, Clackamas County, Oregon, also being a portion of that tract of land conveyed by deed to Robert D. Holsworth and Mildred A. Holsworth recorded in Fee No. 80-7688 on February 29, 1980, and in Book 563, Page 471, Clackamas County Deed Records, being more particularly described as follows:

A 20.00 foot wide strip of land lying 10.0 feet on each side of the following described centerline:

Commencing at the southwest corner of said Holsworth tract, said point being at the intersection of the west line of Tract 44, "CLACKAMAS HEIGHTS" with the north right-of-way line of Cleveland Street, 16.50 feet from centerline when measured at right angles;

thence, along said north right-of-way line, South 88°07'19" East, 107.38 feet to the True Point of Beginning of said centerline;

thence, North 10°23'27" East, 317.00 feet to a point on the north line of said Holsworth tract, being the termination point of said centerline, said point being South 88°07'55" East, 154.60 feet from the northwest corner of said Tract 44.

EXCEPTING THEREFROM that portion of that tract of land conveyed by deed to Donald D. Casey and Susan M. Casey recorded in Fee No. 89-20735 on May 17, 1989.

The area of the permanent easement is 6,315 square feet (0.145 acres);

TO HAVE AND TO HOLD, the above described easement unto the City, its successors in interest and assigns forever.

The GRANTOR does bargain, sell, convey, transfer and deliver unto CITY a temporary easement and right-of-way upon, across and under so much of the aforesaid land as described as:

ALSO AND TOGETHER WITH a temporary construction easement, being a 50.0 foot wide strip of land lying 25.0 feet on each side of the above described centerline.

EXCEPTING THEREFROM that portion of that tract of land conveyed by deed to Donald D. Casey and Susan M. Casey recorded in Fee No. 89-20735 on May 17, 1989.

Sidelines subject to lengthening and/or shortening so as to terminate upon the

grantor's property line.

It being understood that said temporary easement is only for the original excavation and construction of said utility line and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion hereinbefore described as being a permanent easement.

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 **Four Thousand Three Hundred Forty and no/100 dollars (\$4,340.00)**, 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 of any encumbrance that would prevent or limit the use of the property for a sanitary sewer or result in such easement being subject to extinguishment, and from any encumbrance not of record as of August 14, 1991.

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 21<sup>st</sup> day of January, 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.

Robert D. Holsworth  
Robert D. Holsworth

Millie A. Holsworth  
Millie A. Holsworth

STATE OF OREGON

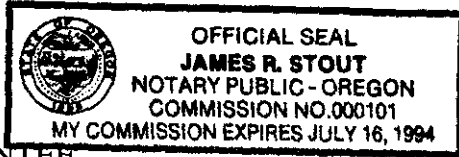
County of Clackamas

)  
) 2 ss.

County of Clackamas )

Personally appeared the above named **Robert D. Holsworth** and **Millie A. Holsworth** and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



GRANTEE

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

NOTARY PUBLIC FOR OREGON

My Commission Expires: 7-16-94

*James R. Stout*

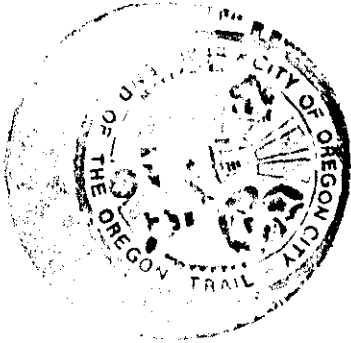
GRANTOR

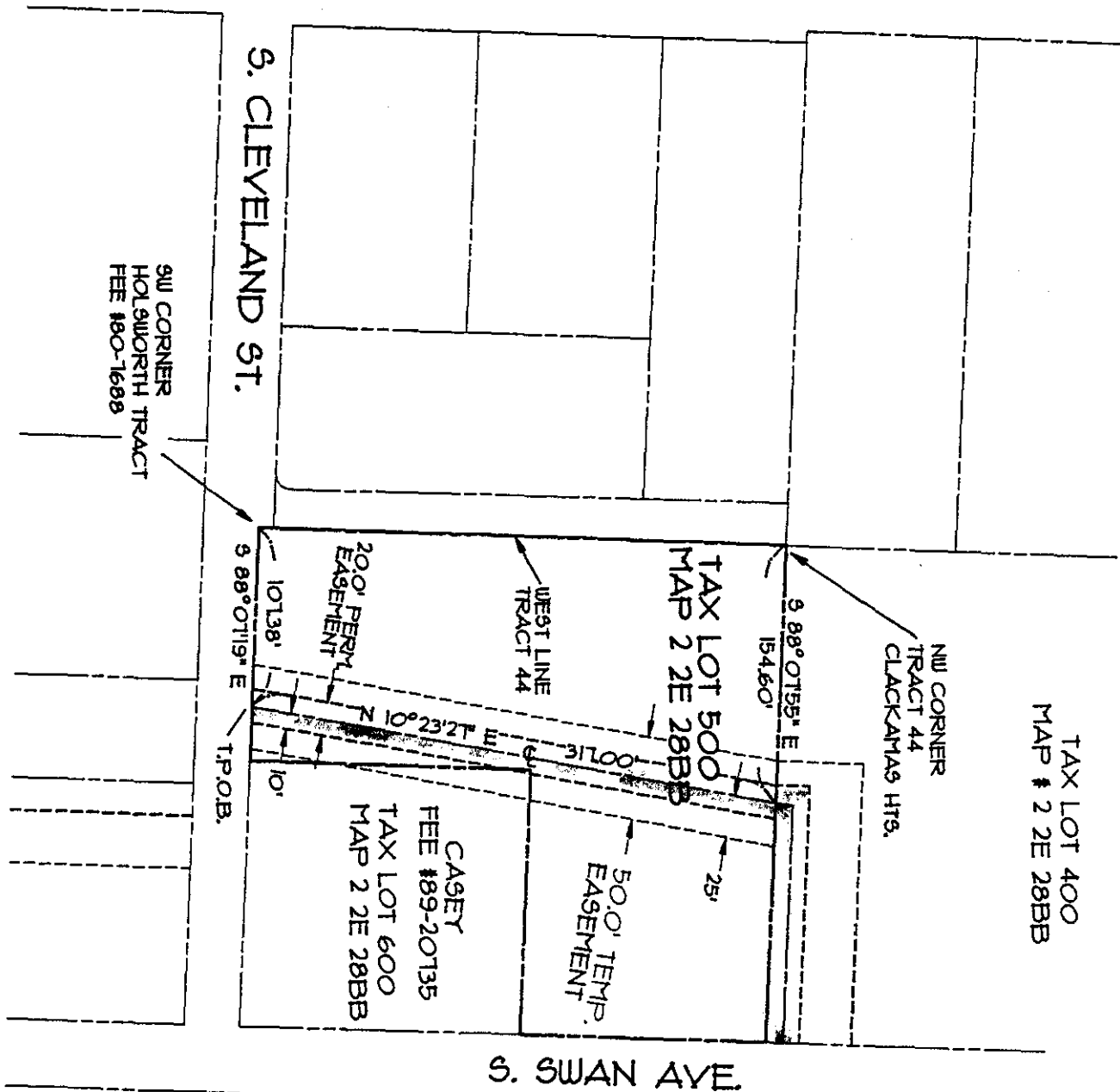
Robert D. and Millie A.  
Holsworth  
16143 S. Swan Avenue  
Oregon City, OR 97045

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  
*Mark K. Elliott*  
City Recorder 2-5-92

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





# SANITARY SEWER EASEMENT EXHIBIT MAP

HOLCOMB - PARK PLACE  
SANITARY SEWER COLLECTION SYSTEM  
OREGON CITY, CLACKAMAS COUNTY, OREGON

PREPARED BY:  
WESTLAKE CONSULTANTS, INC.  
1340 SW HUNZIKER RD., STE. 204  
TIGARD OREGON 97223  
PH. (503) 684-0652

MAP # 2 2E 28BB  
TAX LOT NO.: 500

DATE: 6-6-91  
DRAWN BY: SPB  
CHECKED BY: SB, KR



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

18  
FOR AGENDA

DATED

February 5, 1992

Page 1 of 1

Subject: Sanitary Sewer Easement Acceptance  
Park Place Sewer Project

Report No. 92-15

On the February 5, 1992 City Commission agenda are the following sanitary sewer easements for Commission acceptance:

Map	Tax Lot	Owner	Address	
28A	1702	Stirling, John & Jeanette M.	14570 S. Holcomb Blvd.	Oregon City
28A	1705	Kristensen, Conrad R. & Linda G.	14682 S. Holcomb Blvd.	Oregon City
28BB	500	Holsworth, Robt. D. & Millie A.	16143 S. Swan Avenue	Oregon City
28BB	600	Casey, Donald D. & Susan M.	16173 S. Swan Avenue	Oregon City
28BB	1700	Clack. County, c/o Deroo, Richard S. & Julia	14055 S. Cleveland St.	Oregon City
28BB	1702	White, Irene P., c/o Deroo, Richard S. & Julia	14055 S. Cleveland St.	Oregon City

Easement documents are available for review and will be at the meeting for signing.

It is recommended that the City Commission adopt a motion to accept the above sanitary sewer easements and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON  
City Manager

JGB/im

attach.

cc - Development Services Director  
- Neal Robinson, Project Manager

## Easements Secured between January 8, 1992 and January 30, 1991

Map	Taxlot	Owner	Address
28A	1702	Stirling, John & Jeanette M.	14570 S. Holcomb Blvd. Oregon City, OR 97045
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PARK PLACE SEWER EASEMENT

28 BB TL 500

Robert/Millie HOLSWORTH

1992

2-2E-28 BB 500

DOC# 92-09199

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