

20'

**CITY OF OREGON CITY, OREGON  
SANITARY SEWER EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, THAT **John Stirling and Jeanette M. Stirling** 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.E. 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 John Stirling and Jeanette M. Sterling recorded in Fee No. 79-17253 on April 27, 1979, 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 Stirling tract being the southwest corner of Lot 1, "HOLCOMB HILL";

thence, along the south line of said Stirling tract, South 85°57'26" East, 38.39 feet to the True Point of Beginning of said centerline;

thence, North 56°15'01" East, 36.98 feet;

thence, South 88°04'05" East, 149.61 feet to a point on the east line of said Stirling tract, being the termination point of said centerline, said point being North 11°07'37" East, 28.39 feet from the southeast corner of said Stirling tract.

The area of the permanent easement is 3,732 square feet (0.086 acres);

Sidelines subject to lengthening and/or shortening so as to terminate upon the grantor's property line.

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:

Beginning at the southeast corner of said Lot 1, "HOLCOMB HILL";  
thence, along the south line of said Lot 1, North 85°57'26" West, 213.62 feet;  
thence, North 55°07'54" East, 75.38 feet;  
thence, South 88°04'05 East, 161.70 feet to a point on the east line of said Lot 1;  
thence, along the east line of said Lot 1, South 11°07'37" West, 53.71 feet to the Point of Beginning.

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 SEVEN HUNDRED AND NO/100 DOLLARS (\$4,700.00).

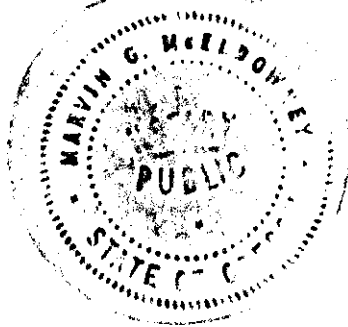
And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free of any encumbrance that would prevent or limit the use of the property for a sanitary sewer or result in such easement being subject to extinguishment, and from any encumbrance not of record as of July 11, 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.

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IN WITNESS WHEREOF, the GRANTOR has executed this 17 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.



John Stirling  
John Stirling

Jeanette M. Stirling  
Jeanette M. Stirling

STATE OF OREGON           )  
  )  
County of Clackamas       )       SS.

Personally appeared the above named John Stirling and Jeanette Stirling and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Marvin G. McElowney  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 3-17-93

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

GRANTOR  
John and Jeanette M. Stirling  
14570 S. Holcomb Blvd.  
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.

Daniel W. Fowler  
Mayor  
John 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



3

HOLCOMB BLVD.

TAX LOT 1600  
MAP 2 2E 28A

SCALE: 1" = 100'



TAX LOT 1702  
MAP 2 2E 28A

HOLCOMB HILL

**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 NO: 2 2E 28A  
TAX LOT NO: 1702

DATE: 6-6-91  
DRAWN BY: KMR  
CHECKED BY: SPB

JOB NO. 3



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

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. & Millic 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

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28A	1702	Stirling, John & Jeanette M.	14570 S. Holcomb Blvd.	Oregon City, OR 97045
28A	1705	Kristensen, Conrad R. & Linda G.	14682 S. Holcomb Blvd.	Oregon City, OR 97045
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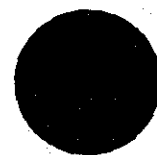
PARK PLACE SEWER EASEMENT

28 A TL 1702

John/Jeanette STIRLING

1992

2-2E-28A 1702



DOC# 92-09197

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ENV#  
596