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

KNOW ALL MEN BY THESE PRESENTS, THAT **Clackamas County Housing Authority** 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 lands:

Parcel 1

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 Housing Authority of the County of Clackamas, recorded in Book 594, Page 836, on November 7, 1961, 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 northeast corner of said Clackamas County tract;

thence, along the southeasterly line of said Clackamas County tract, South 51°36'08" West, 448.06 feet to the True Point of Beginning of said centerline;

thence, North 38°25'26" West, 135.28 feet to a point on the southerly line of that tract of land described in Fee No. 76-37309, being the termination point of said centerline.

The area of the permanent easement is 2,719 square feet (0.062 acres);

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

Also and Together with:

Parcel 2

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 Housing Authority of the County of Clackamas, recorded in Book 601, Page 816 on April 12, 1962, Clackamas County Deed Records, being more particularly described as follows:

A 20.0 foot wide strip of land lying 10.0 feet on each side of the following described centerline:

Commencing at the intersection of the northerly right-of-way line of S. Holcomb Blvd. (being 30.00 feet from centerline when measured at right angles) with the east right-of-way line of S. Swan Avenue (being 7.00 feet East of the east line of "CLACKAMAS HEIGHTS" when measured at right angles);

thence, along said east right-of-way line, North 1°47'39" East, 49.28 feet to the True Point of Beginning;

thence, South 82°54'46" East, 52.89 feet to a point on the northerly right-of-way line of said S. Holcomb Blvd., being the termination point of said centerline, said point also being North 51°39'37" East, 68.88 feet from the above described intersection point.

The area of the permanent easement is 1,057 square feet (0.024 acres).

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

Also and together with:

Parcel 3

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 Housing Authority of the County of Clackamas, recorded in Book 594, Page 836, on November 7, 1961, 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 northeasterly corner of said Clackamas County tract;

thence, along the northerly line of said Clackamas County tract, also being the north line of said Abernathy D.L.C. No. 58, North 65°21'29" West, 677.0 feet to the True Point of Beginning of said centerline;

thence, South 1°42'52" West, 11.57 feet to the termination point of said centerline.

The area of the permanent easement is 231 square feet (0.005 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:

Being a 50.0 foot wide strip of land lying 25.0 feet on each side of the above described centerline in Parcel 1.

Together with a strip of land described as:

Being a 50.0 foot wide strip of land lying 25.0 feet on each side of the above described centerline of Parcel 2.

Together with a strip of land described as:

Being a 50.0 foot wide strip of land lying 25.0 feet on each side of the following described centerline of Parcel 3.

Beginning at the above described True Point of Beginning;

thence, South 1°42'52" West, 17.04 feet to the termination point of said centerline.

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

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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 **TWO THOUSAND FIVE HUNDRED no/100 DOLLARS (\$2,500.00)**, 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 21, 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 2<sup>nd</sup> day of DECEMBER, 1991; 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.

Clackamas County Housing Authority

Gary D. Dicenzo Exec. Director  
Name and Title

\_\_\_\_\_  
Name and Title

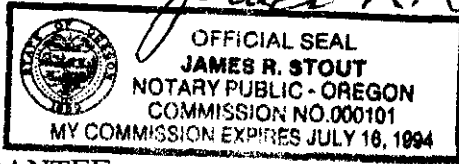
STATE OF OREGON                    )  
  ) ss.  
County of Clackamas                )

Personally appeared GARY DICENZO and Executive Director who  
duly being sworn, ~~each for himself and not one for the other did say that the former~~ is the  
EXECUTIVE DIRECTOR and that ~~the latter~~ HE is the

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Executive Director, and that the seal affixed to the foregoing instrument was signed and sealed in behalf of said Housing Authority 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: July 16, 1994

GRANTEE:

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

GRANTOR:

Clackamas Co. Housing  
Authority  
13930 S. Gain Street  
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

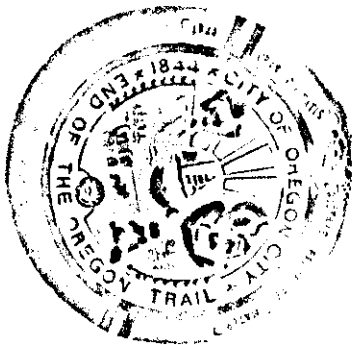
Mayor

Frank H. Elliott

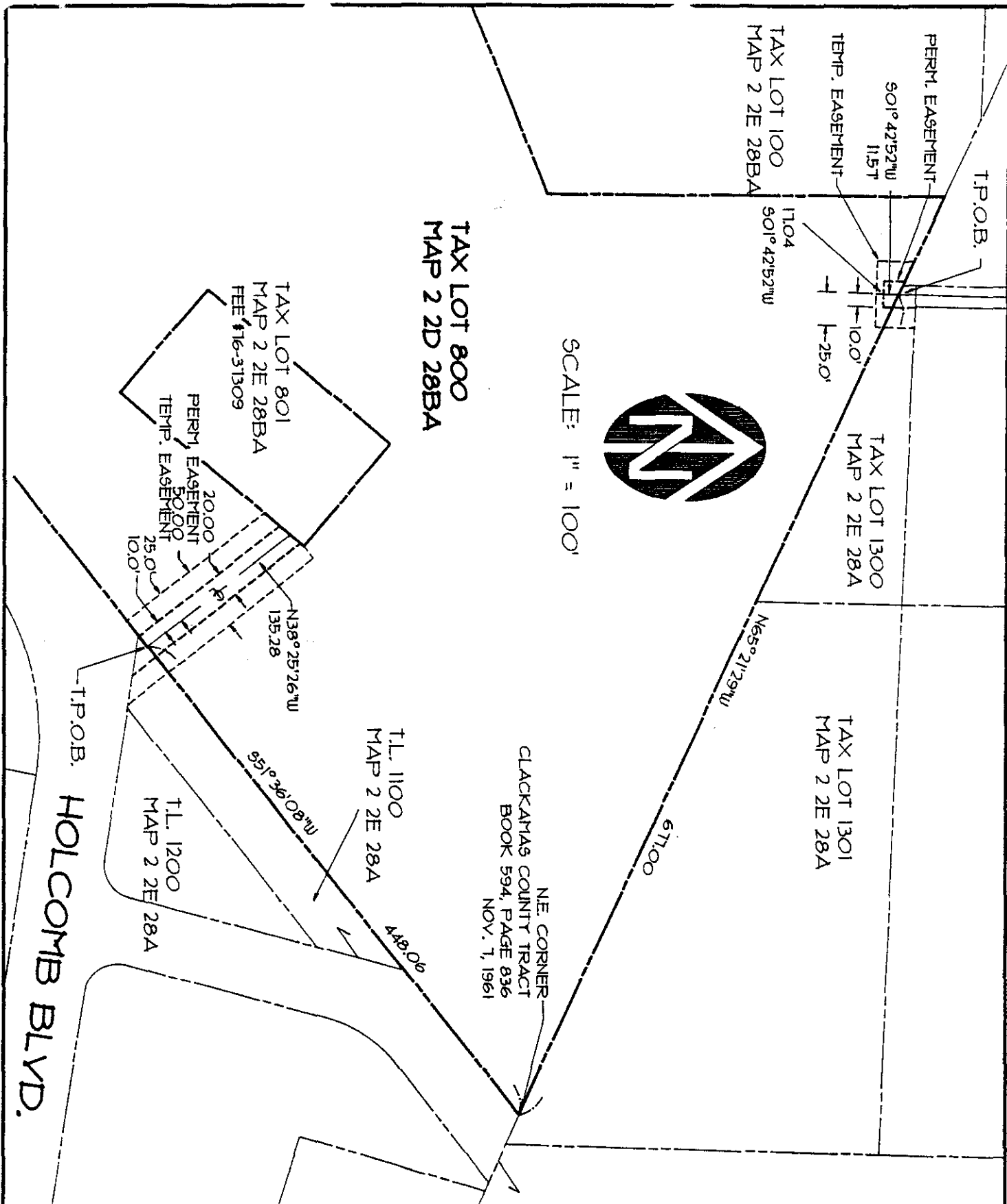
City Recorder

After recording return to:

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



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<p><b>SANITARY SEWER EASEMENT EXHIBIT MAP</b></p> <p>HOLCOMB - PARK PLACE SANITARY SEWER COLLECTION SYSTEM OREGON CITY, CLACKAMAS COUNTY, OREGON</p>	<p>PREPARED BY: <b>WESTLAKE CONSULTANTS, INC.</b> 1340 SW HUNZIKER RD., STE. 204 TIGARD OREGON 97123 PH. (503) 684-0652</p>	<p><b>MAP NO: 2 2E 28BA TAX LOT NO: 800</b></p> <p>DATE: 1-15-91 DRAWN BY: KMR CHECKED BY: SPB</p>
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SWAN AVENUE

TAX LOT 1100  
MAP 2 2E 28BD

TAX LOT 800  
MAP 2 2E 28BA

TAX LOT 1001  
MAP 2 2E 28BD

TAX LOT 1000-  
MAP 2 2E 28BD

TAX LOT 1002  
MAP 2 2E 28BD

TAX LOT 900  
MAP 2 2E 28BD

HOLCOMB

NOI° 4739'E  
49.28'

20.0' PERM. ESMT.  
- 50.0' TEMP. ESMT.  
- 25.0'

-EAST LINE  
CLACKAMAS HEIGHTS

HOLCOMB - PARK PLACE

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

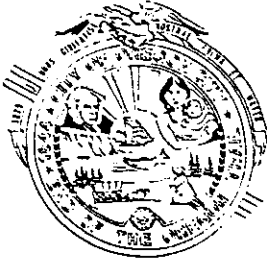
MAP #: 2 2E 28BA  
TAX LOT NO.: 800

DATE: 6-10-91  
DRAWN BY: SPB  
CHECKED BY:

**JOB NO. 361-04**

County of \_\_\_\_\_  
 State of \_\_\_\_\_  
 \_\_\_\_\_

FFMAN  
City Clerk



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

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FOR AGENDA

DATED

January 15, 1992

Page 1 of 1

Subject: Sanitary Sewer Easement Acceptance  
Park Place Sewer Project

Report No. 92-05

On the January 15, 1992 City Commission agenda are the following sanitary sewer easements for Commission acceptance:

Map	Tax Lot	Owner	Address	
20DA	2700	McKee, Edgar & Beverly Hays	18620 Boynton St.	Oregon City
20DA	2800	Glass, Eldean	15720 S. Harley,	Oregon City
20DD	4500	Kendrick, Steven R. & Debbie E.	16020 S. Short Ave.	Oregon City
20DD	4600	Kendrick, Robert E. & Virginia	15990 S. Short Ave.	Oregon City
21C	2900	Endres, Henry C. & Margaret M. c/o Pierce, Craig	13300 S. Clack. River Dr.	Oregon City
21CC	700	Tolle, Viola Jean	15921 S. Hunter Ave.	Oregon City
21CC	900	Tolle, Viola Jean	15921 S. Hunter Ave.	Oregon City
21CC	1000	Tolle, Viola Jean	15921 S. Hunter Ave.	Oregon City
28A	1200	Joli, Delores	14601 S. Holcomb Blvd.	Oregon City
28A	1600	Clackamas County	121 Library Court	Oregon City
28A	1715	Cornutt, David P.	534 E. Clarendon	Gladstone
28A	1718	Nelson, Douglas J. & Jacquelyn J.	16267 S. Oaktree Terrace	Oregon City
28BA	800	Clackamas Co. Housing Authority	13930 S. Gain	Oregon City
28BB	1202	Holland, David	206 NE 41st Ave.	Portland
28BB	1300	Holland, David	206 NE 41st Ave.	Portland
28BB	1400	Schleichert, Donald L. & Beth M.	16201 S. Hunter Ave.	Oregon City
28BB	1503	Schleichert, Donald L. & Beth M.	16201 S. Hunter Ave.	Oregon City
28BB	2000	Holland, David	206 NE 41st Ave.	Portland

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 Engineer

PARK PLACE SEWER EASEMENT

28 BA TL 800

Cl. Co. Housing Authority 1992

2-2E-28 BA 800

DOC# 92-09194

Pg	Item
417	1

Env#  
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