

CITY OF OREGON CITY, OREGON
SANITARY SEWER EASEMENT

20 /

KNOW ALL MEN BY THESE PRESENTS, THAT Sharon A. Weaver, Nancy L. Powers and Mario A. Messina-Azekri 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 Sharon A. Weaver, Nancy L. Powers and Mario A. Messina-Azekri recorded in Fee No. 90-59198 on November 30, 1990, 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 Weaver, et al tract, said point being at the Southwest corner of Lot 2, "HOLCOMB HILL";

thence, along the west line of said Weaver tract, North 11°07'37" East, 8.24 feet to the True Point of Beginning of said centerline;

thence, South 88°04'05" East, 9.62 feet;

thence, South 71°49'03" East, 177.78 feet to a point on the east line of said Weaver tract, being the termination point of said centerline, said point being North 8°30'58" East, 17.74 feet from the southeast corner of said Weaver tract.

The area of the permanent easement is 3,742 square feet (0.086 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:

The South 50.0 feet of Lot 2, HOLCOMB HILL;

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 **Six hundred and no/100 dollars (\$600.00)**, the receipt of which is hereby acknowledged by GRANTOR.

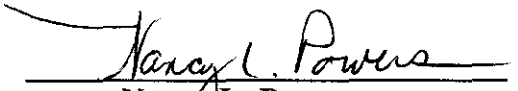
And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free of any encumbrance that would prevent or limit the use of the property for a sanitary sewer or result in such easement being subject to extinguishment, and from any encumbrance not of record as of August 27, 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 28th day of OCTober, 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.


Sharon A. Weaver


Nancy L. Powers


Mario A. Messina-Azekri

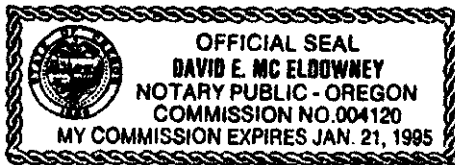
STATE OF OREGON

County of Clackamas

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SS.

Personally appeared the above named Sharon A. Weaver, Nancy L. Powers and Mario A. Messina-Azekri and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



David E. McElDowney
NOTARY PUBLIC FOR OREGON
My Commission Expires: JAN. 21, 1995

GRANTEE

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

GRANTOR

Sharon A. Weaver, Nancy L. Powers
and Mario A. Messina-Azekri
14590 S. Holcomb Blvd.
Oregon City, OR 97045

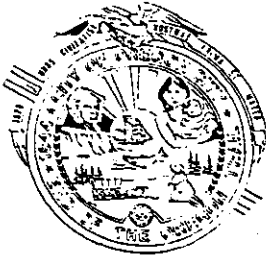
Accepted on behalf of the City of Oregon City on the condition that the easement granted is free and clear from taxes, liens and encumbrances.

David W. Fowler
Mayor
Stan 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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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

December 18, 1991

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Sanitary Sewer Easement Acceptance
Park Place Sewer Project

Report No. 91-248

On the December 18, 1991 City Commission agenda are eight sanitary sewer easements for Commission acceptance.

Map	Tax Lot	Owner	Address
20DD	5100	Isaak, Arthur & Elma Ann	57900 Center St., Gladstone
21CC	1100	Parker, Terri	15961 S. Hunter Ave., Oregon City
28A	1703	Weaver, Sharon & Powers, Nancy & Messina, Mario	14590 S. Holcomb Rd., Oregon City
28BC	300	Holschu, Floyd G. & Dorothy	16276 S. Hiram Ave., Oregon City
28BC	400	Holschu, Floyd G. & Dorothy	16276 S. Hiram Ave., Oregon City
28BC	2400	Janz, Loreina	5094 SE Allen, Milwaukie, 97267
28BC	2500	Grant, Bradley	16444 S. Hiram Ave., Oregon City
29AA	300	Dalling, Daryl & Trucene	14143 S. Front Street, Oregon City

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

CHARLES LEESON
City Manager

JGB/im

cc - Development Services Director
- Neal Robinson, Project Manager

PARK PLACE SEWER EASEMENT

28 A TL 1703

Sharon WEAVER
Nancy POWERS

1992

2-2E-28A 1703

DOC# 92-09163

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