

CITY OF OREGON CITY, OREGON
PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Bryan J. Lindquist

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 drainage channel 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.

The true consideration of this conveyance is \$1.00, 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 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 easement 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 day of , 19 ; 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.

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

Individuals,
general partnerships

Corporation
limited partnership

Bryan Jay Lindquist
Signer's Name (Bryan J. Lindquist)

Corporation/Partnership Name

Vanessa R. Lindquist
Signer's Name

Signer's Name, Title

(if executed by a corporation
affix corporate seal)

Signer's Name, Title

Signer's Name, Title

Personal Acknowledgment

STATE OF OREGON

County of Clackamas

)
)
) ss.

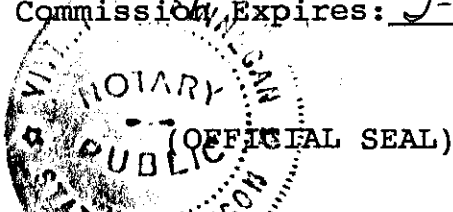
Personally appeared the above
named Bryan J. Lindquist

and
acknowledged the foregoing
instrument to be his
voluntary act and deed.

Before me:

Miriam B. Lunnegan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



Bryan J. Lindquist

18411 S. E. Addie

Milwaukie, Oregon 97267

(Grantor's Name and Address)

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

(Grantee's Name and Address)

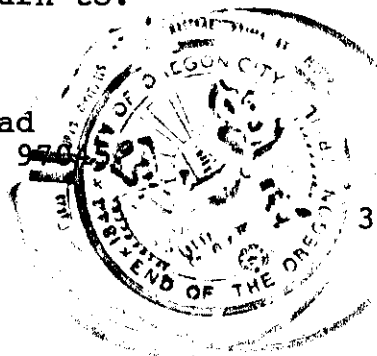
Accepted on behalf of the City of
Oregon City on the condition that
the easement granted is free and
clear from taxes, liens and
encumbrances.

Samuel W. Fowler
Mayor

Jean K. Elliott
City Recorder

After Recording Return to:

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



Corporate Acknowledgment

STATE OF OREGON

County of _____

)
)
) ss.

Personally appeared _____

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 _____
a corporation, and
that the seal affixed to the
foregoing instrument was signed and
sealed in behalf of said corporation
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: _____

(OFFICIAL SEAL)

Space reserved for County
Record's Office

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Block 49, "CANEMAH"

EXHIBIT "A"

LEGAL DESCRIPTION FOR DRAINAGE EASEMENT

A 30 foot strip of land being a portion of Block 49, of the duly recorded plat of "CANEMAH" situated in the Southwest quarter of Section 31, Township 2 South, Range 2 East and the Northwest quarter of Section 6, Township 3 South, Range 2 East of the Willamette Meridian, being 15.00 feet on each side of the following described centerline:

COMMENCING at the most Southerly corner of Lot 5, Block 49 of said "CANEMAH"; THENCE N. $44^{\circ} 37' 30''$ W. along the Southwesterly line thereof a distance of 32 feet, more or less, to the centerline of Coffee Creek and the POINT OF BEGINNING of the centerline herein to be described; THENCE North and Northwesterly along the centerline of said Coffee Creek a distance of 155 feet, more or less, to the Westerly line of said Block 49 and the terminus of said centerline. Said terminus is also located 28 feet, more or less, Southerly from the most Westerly corner of Lot 3, Block 49, of said "CANEMAH".

NARRATIVE: BEDRINGS FOR THIS SURVEY BASED ON P.S. 2180S ON LINE AS INDICATED. THE PURPOSE OF THE SURVEY WAS TO VACATE A PORTION OF 4TH ST. AND ALLEY'S IN BLOCKS 49 & 32, AS WELL AS TO DEED TWO PARCELS (A&B) BACK TO OREGON CITY FDR. ROADWAY PURPOSES. ALSO AN EASEMENT FOR DRAINAGE & MAINTENANCE, CENTERED ON THE EXISTING CREEK. I USED PRIOR SURVEY P.S. 2180S FOR CONTROL & SET NEW MONUMENTS AS REQUIRED.

EXHIBIT "B"

Block 31

S.E. MARSHAL ST.

BL. 32

ABSA LOM F. HEDGES D.L.C. #187ST.

FL. 1" I.Pipe (HELD)

12' DEDICATED ALLEY

CO

ST.

H. 58° 20' 00"E.

(PROPOSED VACATION)
11,515.59 ft.

S. 58° 20' 00"W.
102.60'

Fd. Stone +
(P.S. 2180S)

Fd. S/B I.Rod
POINT OF BEGINNING
VACATION DESC.

ARCHIBOLD McKINLAY
S. 44° 37' 30"E.

D.L.C. #60

P.O.B
PARCEL A

BLOCK 50

P.S. 2180S
BASE OF BEARINGS -
198.97' (M)
198.89' (P.S. 2180S)
N. 18° 00' W. 222.88 B.F.
N. 18° 00' W. 71.521

CREEK

30' WIDE ORANGE
EASEMENT, CENTERED
ON CRIST CREEK

ALLEY (18')
S. 44° 37' 30"E.

PARCEL
"B"
565.51 ft.
P.O.B.

12' DEDICATED
ALLEY

EDGE OF PAVEMENT

FD. S/B I.Rod
(HELD)
(P.S. 17961)

NARRATIVE: BEGINING FOR THIS SURVEY BASED ON P.S. 21805 ON LINE AS INDICATED. THE PURPOSE OF THE SURVEY WAS TO VACATE A PORTION OF 4TH ST. AND ALLEYS IN BLOCKS 49 & 32, AS WELL AS TO DEED TWO PARCELS (A&B) BACK TO OREGON CITY FOR ROADWAY PURPOSES. ALSO AN EASEMENT FOR DRAPAGE & TRANSMISSION, CENTERED ON THE EXISTING CREEK. I USED PRIOR SURVEY P.S. 21805 FOR CONTROL & SET NEW MONUMENTS AS REQUIRED.

150
100
50
25
0

5/8 I-200

ENT OF BEGINNING
VACATION DESC.

- Found monument as shown
- Set $5/8 \times 30$ I. ROBS cap marked "LOVE 747"
- (M) Measured distance
- (C) Calculated data
- (D) Deed data
- (R) Record data
- (P) Plat data
- (Held) Monument of record used for control

(●) $5/8 \times 30$ IRON ROBS with CAPS MARKED

LOVE 747 SET ON P.S. 21805

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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

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FOR AGENDA

DATED

October 2, 1991

Page 1 of 1

Subject: Public Utility Easement Acceptance -
Vicinity of Fifth Avenue - Canemah

Report No. 91-182

On the October 2, 1991 agenda is acceptance of a public utility easement, from Bryan and Vanessa Lindquist. The easement is for drainage, and is a 30-foot easement centered on the existing centerline of Coffee Creek. The easement is granted to the City in conjunction with vacation of alleys through Block 32 and 49 in the Plat of Canemah.

Attached is the public utility easement document, which has been signed by Mr. and Mrs. Lindquist. It is recommended the City Commission adopt a motion accepting the easement and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON
City Manager

cc: Development Services Director
Planning Division
Bryan and Vanessa Lindquist

STORM DRAIN/5th AVENUE, Canemah
(Coffee Creek)
Bryan Lindquist

1991

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DOC# 91-66746

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