#### CITY OF OREGON CITY, OREGON SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Iven I. Loeffelbein, Reva F. Loeffelbein, Royal M. Taylor and Lois I. Taylor 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:

See attached Exhibit "A" Legal Description and attached Exhibit "B" Sketch for Legal Description.

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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:

See attached Exhibit "A" Legal Description and attached Exhibit "B" Sketch for Legal Description.

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 **One hundred fifty and no/100 dollars (\$150.00)**, 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 8, 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.

29 AA 3501 Park Place Sewer 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 <u>244</u> day of <u>September</u>, 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.

Luca I Looffelbein Iven I. Lootfelbein

re Steffelber - 1/200501 bein Reva STATE OF OREGON

County of Clackamas

Lois I. Taylor

Personally appeared the above named Royal M. Taylor and Lois I. Taylor and acknowledged the foregoing instrument to be thier voluntary act and deed.

SS.

Before me:



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

Steven W Hammen NOTARY PUBLIC FOR OREGON

NOTARY PUBLIC FOR OREGON ( My Commission Expires: <u>Septenber 15</u>, 1992

GRANTOR Royal M. Taylor and Lois I. Taylor 16195 S. Front 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.

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

# EXHIBIT A

HOPP Sewer 20.0 Foot Permanent 50.0 Foot Temporary Construction Sanitary Sewer Easement Tax Lot 3501, 2 2E 29 AA Project No. 361-04-90 June 20, 1991

#### EASEMENT DESCRIPTION

A tract of land situated in the N.E. 1/4 of Section 29, T.2S., R.2E., W.M., in the Hiram Straight D.L.C. No. 42, Clackamas County, Oregon, also being a portion of that tract of land described in contract of sale from Iven I. Loeffelbein and Reva F. Loeffelbein to James R. Payne and Susan G. Payne, recorded in Fee No. 85-17187 on May 20, 1985, 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 Northwest corner of said Loeffelbein and Payne tract, being the Northwest corner of Lot 3, Block 6, "J.T. APPERSON'S SUBDIVISION OF BLOCKS 5, 6 AND 7, PARK PLACE";

thence, along the north line of said Lot 3, South 83°31'46" East, 14.78 feet to the True Point of Beginning of said centerline;

thence, South 6°54'26" West, 50.0 feet to a point on the south line of Lot 3, being the termination point of said centerline, said point being South 83°31'46" East, 14.87 feet from the Southwest corner of said Lot 3.

The area of the permanent easement is 1,000 square feet (0.023 acres);

ALSO AND TOGETHER WITH a temporary construction easement, being the West 50.0 feet of said Lot 3.

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

LEGAL DESCRIPTION

# 3





Subject: Public Utility Easement Acceptance Park Place Sewer Project

Report No. 91-211

On the November 6, 1991 City Commission agenda is a recommendation to accept the first group of public utility easements negotiated so far for the sewer project. Thirty-two easements are included. As additional groups of easements are ready they will be brought forward for Commission acceptance.

Attached as Exhibit A is a list of the thirty-two easements by map, tax lot and property ownership. A status report of all the easements is attached as Exhibit B for review.

To simplify the acceptance, it is recommend that the City Commission adopt one motion to accept all thirty-two easements as identified in the attached Exhibit A, and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON City Manager

Attach.

cc: John Block, Development Services Director Neal Robinson, Project Manager

### Easements Secured as of October 29, 1991

. . . . . . . .

Мар	Taxlot	Owner
20DD	4400	Bergen, Ronald & Erthith, c/o Best, Frank D. & Helen L.
21CC	1200	Isbell, James D. & Lois D.
21D	1402	U.S.National Bank of OR, c/o Mura, Lawrence R. & Jean
28A	1100	Oregon City School District #62
28A	1300	Wilson, Robert A. & Leo-Wilson, Desiree
28A	1500	Barney, Anna M.
28BB	400	Lucht, Gerald W. & Marie H.
28BB	1100	Reed, John L. & Sharilee Ann
28BB	1504	Sweinink, Hendricus J.
28BB	1505	Sweinink, Hendricus J.
28BC	501	Meyers, Marvin W. & Shirley M.
28BC	900	Newton, Loyde & Hazel
28BC	1000	Newton, Loyde & Hazel
28BC	1200	Merril, Cress & Paulette
28BC	1301	Byrnes, Iris J.
28BC	1600	Lewallen, Steven & Jan
28BD	100	Wicklander, Gordon L. & Sandra S.
28BD	200	Hammond-Williams, Tim & Jacqueline
28BD	600	Barney, Anna M.
28BD	1000	Riggs, John L. Jr. & Della M.
28BD	1001	Riggs, John L. Jr. & Della M.
28BD	1002	Secor, Samuel P. & Olive B.
28BD	1100	Riggs, John L. Jr. & Della M.
28BD	1400	Colman, Edward S. & Herrell, Robert D.
28CA	600	Hathaway, Virginia L. & Goulding, Donald E.
29AA	100	Laskey, Randy W. & Kim E.
29AA	200	Apostolic Chr. Ch. of Port. c/o Laskey, Randy W. & Kim E.
29AA	3400	Taylor, Lois I.
29AA	3500	Loeffelbein, Iven I. & Reva F.
29AA	3501	Taylor, Lois I.
29AA	3600	Clackamas Co. c/o Bywater, Richard & Rebecca
29DA	2800	Miller, Elsie H. & Kretzinger, Ruth
	32	Total easements secured

## FILE PURPOSE: Park Place Sewer Easements, Status Summary

			Notes			Secured	Appraised	Pemi.	Temp.	Perm.	Temp.	imprvmts.	comments
Мар	Taxlot	Owner	AB	CD	E	Value	Value	(SF)	(SF)	(\$/SF)	(\$/SF)		
20	503	Tri-City Service District	FTT	1	17							1	 ]
20DA	2700	McKee, Edgar & Beverly Hays	111		1-1		\$800	4,400	11,000	\$0.05	\$0.05	\$0.00	
2000	501	Farrell, Joseph, & Dunmire, Dallas	1 1	1			\$1,600	11,153	8,800	\$0.10	\$0.05	\$0.00	
20DC	1400	Triway investment Co.					\$2,300	5,081	12,703	\$0.20	\$0.10	\$0.00	
20DC	1500	Farrell, Joseph, & Dunmire, Dallas		1	$\mathbf{T}$								
20DD	4400	Bergen, Ronald & Erthith, c/o Best, Frank D. & Helen L.	111		1	\$250	\$250	382	1,368	\$0.13	\$0.04	\$128.00	400sf gravel d/w @\$.32
20DD	4500	Kendrick, Steven R. & Debbie E.	1 1		$\square$		\$550	1,662	8,500	\$0.05	\$0.05	\$0.00	
2000	4600	Kendrick, Robert E. & Virginia	1		1		\$100	400	1,000	\$0.05	\$0.05	\$0.00	
20DD	5100	Isaak, Arthur & Elma Ann	11	1			\$100	45	200		\$0.10	\$0.00	
210	2900	Endres, Henry C. & Margaret M., c/o Pierce, Craig	11	1			\$100	460	1,250	\$0.05	\$0.05	\$0.00	
2100	200	Glbb, Edward A. & Terry L.	1 1				\$3,500	7,825	20,609	\$0.03	\$0.03	\$2,640.00	438.5 ff c. fence @ \$5.45, i fir tree @ \$250
2100	500	Teel, Darrei E. & Shannon L.	1 1	2			\$3,100	12,813	18,176	\$0.03	\$0.03	\$2,160.00	see (9) below
2100	600	Teel, Darrel E. & Shannon L.	1					{				{	
2100	700	Tolle, Viola Jean	1 1	2			\$550	3,060	8,400	\$0.03	\$0.03	\$200.00	Oak tree @ \$200
2100	800	Teel, Darrel E. & Shannon L.	1			1							
2100	900	Tolle, Viola Jean	1	1_		1						ł	
2100	1000	Tolle, Viola Jean				i i						ł	
2100	1100	Parker, Terri	1 1	11			\$2,800	9,333	29,175	\$0.03	\$0.03	\$1,604.00	733.5 If woven fence @ \$1.75, Oak tree @ \$250
2100	1200	isbell, James D. & Lois D.	1 1		1	\$400	\$400	400	1,750	\$0.03	\$0.03	\$300.00	Cedar Tree @ \$300
21CD	2900	Monroe, William A. & Glenda C.	1 1				\$300	2,701	7,139	\$0.03	\$0.03	\$0.00	
21D	1402	U.S.National Bank of OR, c/o Mura, Lawrence R. & Jean	1 1	1	1	\$500	\$400	3,407	9,500	\$0.03	\$0.03	\$0.00	
28A	1100	Oregon City School District #62	1		1	\$100	\$100	237	700	0.03	0.03	o	
28A	1200	Joli, Stephen & Delores					\$850		650		0.03	\$817.50	150/f cyclone tence @ \$5.45
28A	1300	Wilson, Robert A. & Leo – Wilson, Desiree	1	_	1	\$400	\$400	228	578	\$0.03	\$0.03	\$340.00	40lf cedar fence @ \$8.5
28A	1500	Barney, Anna M.	1 1	1_	1	\$2,400	\$2,400	22,498	33,475	\$0.06	\$0.03	\$0.00	
28A	1600	Clackamas County				1	\$100	956	1,350	\$0.06	\$0.03	\$0.00	
28A	1702	Stirling, John & Jeanette M.	111			1	\$3,750	3,732	9,300	\$0.03	\$0.01	\$3,547.00	see note (4) below
28A	1703	Weaver, Sharon & Powers, Nancy & Messina, Mario	1				\$600	3,742	5,370	\$0,03	\$0.02	\$400.00	2 oak treas @ \$100, 4 cedar trees @ \$50
28A	1704	Karam, Issa S. & Ragehda	1 1				\$400	3,439	5,975	\$0.06	\$0.03	\$0.00	
28A	1705	Kristensen, Conrad R. & Linda G.	1 1		$\left[ \right]$		\$1,300	4,073	9,750	\$0.02	\$0.01	\$1,070.00	1640sf lawn @ \$.5, 5 Oaks @ \$50
28A	1712	Wittke, Lowell Gene & Judy Ann	1 1	2			\$2,050	20,143	27,700	\$0.06	\$0.03	\$0.00	
28A	1714	Wittke, Lowell Gene & Judith Ann	1			1		}					
28A	1715	Easterly, Charles E. & Irene	1 1			1	\$550	3,938	9,631	\$0.06	\$0.03	\$0.00	
28A	1717	Wittke, Lowell Gene & Judy Ann	11			1							
28A	1718	Nelson, Douglas J. & Jacquelyn J.	111			i	\$625	5,790	9,225	\$0.06	\$0.03	\$0.00	
288A	800	Clackamas Co. Housing Authority	0.5 0.5		╞─┤								
28BA	800	Clackamas Co. Housing Authority	0.5 0.5			1	\$2,025	4,007	10,250	\$0.05	\$0.02	\$1,625	2,500sf & 1,500sf concrete walk & grass @\$.5 & \$.25
2888	400	Lucht, Gerald W. & Marie H.	1 1	1	1	\$200	\$200	3,027	8,400	\$0.03	\$0.01	\$0.00	
2888	500	Holsworth, Robert D. & Millie A.	111	_1_			\$1,250	6,315	8,580	\$0.02	<b>\$0</b> .01	\$1,232.00	see (2) below

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Notes: A Title Report Received B Appraisal Report Received C Appr. Value Incl. Adjacent Property D Approved offer letter E Easement Secured

### FILE PURPOSE: Park Place Sewer Easements, Status Summary

			NO	Øŝ			Secured	Appraised	Perm.	Temp.	Perm.	Temp.	imprvmts.	comments
Мар	Taxlot	Owner	A	в]	c	DE	Value	Value	(SF)	(SF)	(\$/SF)	(\$/SF)	·	<u> </u>
28BB	600	Casey, Donald D. & Susan M.	(II	1	Т		]	\$450	25	930	\$2,00	\$0.05	\$328.00	955SF pasture @ \$.03, 150LF barbed fence @ \$2
28BB	1000	Wymore, Steve	1	1		1	1	\$700	1,600	4,000	\$0.06	\$0.03	\$485.00	see (5) below
28BB	1100	Reed, John L. & Sharilee Ann	$\square$	1		1	\$150	\$150	450	4,250	\$0.03	\$0.03	\$0.00	
26BB	1201	McKinley, Mark & Teresa M.	1	1.	1		1	\$350	1,650	4,125	\$0.06	\$0.02	\$150.00	6 maples @ \$25
28BB	1202	Holland, David		1	2	7-	1	\$1,350	5,227	13,425	\$0.03	\$0.01	\$1,020.85	see (6) below
288B	1300	Holland, David		1			1	Į.						
2888	1400	Schleichert, Donald L. & Beth M.	11			-1-	1							
28BB	1503	Schleichert, Donald L. & Beth M.	[1]	1	1		1	\$400	2,400	3,850	\$0.04	\$0,03	\$187.50	6,250 SF erosion control seeding @ \$.03
28BB	1504	Sweinink, Hendricus J.	1	1	1	2 2	\$500	\$500	4,000	6,000	\$0.03	\$0.02		10,000 SF erosion control seeding @ \$.03
2688	1505	Sweinink, Hendricus J.	1		T		\$0	Į						
2688	1700	Clackamas County, c/o Deroo	TI				1	4						
2888	1702	White, Irene P.	11	1	1	1-	1	\$1,100	5,822	12,718	\$0.02	\$0.01	\$851.00	17,040 SF pasture @ \$.03, 170LF fence @ \$2
2888	2000	Holland, David					1	j)						
28BC	300	Holschu, Floyd G. & Dorotha	1	1	1		1	\$1,800	12,540	31,350	\$0.04	\$0.04	\$0.00	
28BC	400	Holschu, Floyd G. & Dorotha		-	1		1	9						
288C	501	Meyers, Marvin W. & Shirley M.	11	1		1 1	\$50	\$50		765		\$0.06	\$0.00	
28BC	900	Newton, Loyde & Hazel	1	1	1	2	\$275	\$275	1,300	3,250	\$0.06	\$0.06	\$0.00	
28BC	1000	Newton, Loyde & Hazel	1			-	\$ \$0		-					
28BC	1200	Merril, Cress & Paulette	11	1		1	\$315	\$315	1,500	3,750	\$0.06	\$0.06	\$0.00	old shed to be demolished
28BC	1301	Byrnes, Iris J.	11	1	1	1 1	\$175	\$175	640	1,600	\$0.07	\$0.07	\$0.00	
28BC	1500	Lumpkin, Lanney	11	1	1		R/Entry	\$270	500	3,350	\$0,07		\$0.00	
28BC	1600	Lewallen, Steven & Jan	11	1	1	1	\$625	\$625	741	1.291	\$0.06	\$0.06	\$500.00	   50LF chain link fence @ \$8, 250SF lawn @ \$.40
28BC	1700	Emmert, Terry W.	11	1			1	\$610	3,470	-	\$0,06			10lf chain link fence @ \$8
288C	2400	Janz, Loreina	11	1	1		1	\$420	2,000	-	\$0.07	-	\$0.00	
28BC	2500	Grant, Bradley	h	1	1	-1	1	\$1,225	675	1,025	-	\$0.07		see (3) below
28BD	100	Wicklander, Gordon L. & Sandra S.	11	1	1	1 1	\$825	\$825	6,815	8,669		•	\$0.00	(-)
288D	200	Hammond – Williams, Tim & Jacqueilne	1	1	-†	1 1	\$800	\$725	5,567	8,130				negotiation agreed \$75 for fence @ property lines
26BD	600	Barney, Anna M	11	1	-	-	\$1,350	\$1,350	8,554	27,498	•	•	\$0.00	
288D	1000	Riggs, John L. Jr. & Delia M.		1	2	3 3		\$5,950	6,598			-		see (1) below
268D	1001	Riggs, John L. Jr. & Deila M.		-+	Ť	1	\$0	•-,•-•]			40.0L		•••	
26BD	1002	Secor, Samuel P. & Olive B.		1	-†	1 1	\$1,100	\$1,100	2,872	4,308	\$0.03	\$0.02	\$900.00	1800 SF lawn @ \$.50
28BD	1100	Riggs, John L. Jr. & Della M.		÷	- †		1 \$0	4.1.55	-107 -	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	<b>4</b> 0.00		<b>4</b> .00.00	
288D	1400	Colman, Edward S. & Herrell, Robert D.		1	+	1 1	\$1,200	\$1,000	8,967	13,933	\$0.01	\$0.01	\$757.00	/ 22,900SF pasture @ \$.03, 7 Hawthome clumps @ \$10
28CA	600	Hathaway, Virginia L. & Goulding, Donald E.	<b>├</b> - <b>f</b>	1	Ť			\$1,150	5,058	9,200		•	1	310LF woven wire fence @ 1.75/LF
29AA	100	Laskey, Randy W. & Kim E.	1	1	1	2		\$2,025	5,000	12,500				see note (7) below
29AA	200	Apostolic Chr. Ch. of Port. c/o Laskey, Randy W. & Kim E.		+	÷	-+-	\$0		-,000	1000	40.00			
29AA	300	Dailing, Daryi & Trucene		1	-†		1 1	\$1,300	2,500	6,250	\$0.04	\$0.02	\$1.087.50	   see note (10) below
2944	3400	Taylor, Lois I.	1	1	1	12	\$550	\$400	2,500	3,750			1	6250sf pasture @ \$.03
29AA	3500	Loeffelbein, Iven I. & Reva F.	L I	1	1	$-\frac{1}{1}$	\$400	\$400	í		\$0,10			2500sf pasture @ \$.03, fruit tree @ \$50
			<u> </u>	<u>.</u>	-1	· - L - '		4-00 ji	1,000	2,000	40,10	40.04	Ψε.00.00 [	I maaren brasena (2. 4.00' mait maa (2. 400

- Notes: A Title Report Received B Appraisal Report Received C Appr. Value Incl. Adjacent Property D Approved offer letter E Easement Secured

#### FILE PURPOSE: Park Place Sewer Easements, Status Summary

Map Taxlot 29AA 3501 Taylor, Lois I.	Owner		1 1								comments
2944 3501 Taylor Lois			CDE	Value)	Value	(SF)	(SF)	(\$/SF)	(\$/SF)		
LANU AAAA AAAAA		1	TT	\$0		ļ					appraised as Lois Taylor's property
29AA 3600 Clackamas Co	. c/o Bywater, Richard & Rebecca	1 1	1	\$1,200	\$1,200	2,000	5,000	\$0.05	\$0.02	\$1,000.00	see note (8) below
29AA 3700 Brown, Les		1			\$600	2,000	5,000	\$0.05	\$0.02	\$400.00	2 fruit trees @ \$200
29DA 2800 Miller, Elsie H.	& Kretzinger, Ruth		1	\$100	\$100	401	1,625	\$0.03	\$0.03	\$0.00	
Toy Loto		<u> </u>								·	
a1 Tax Lots				\$22,990	\$62,540	249,619	507,973			\$543.74	
COMMENT NOTES:		80 A	ppraised					Avera	age		
	(1) 16,210sl pasture @ \$.03, 151lf barb fence @ \$2, 100LF chain fence @\$8, 900sf AC @ \$.9, 6,700 sf lawn @ \$.5, 5 trees @ \$50										
(2) 14,6955P pasture @ \$.05, 200 (3) 80LF fence @ \$8, 650SF lawr	BLF b. fence @ /c\$2, Hawthorne tree @ \$50										
	\$100, 4 fruit trees @ \$50, .86MBF fir @ \$450, 100if ch	nin fonce G	) et ci								
(4) \$,500\$ awir @ \$.2, 5 Cars @ (5) 4,000\$ reseed @ \$.03, .7MBF			( <del>1</del> 0								
	. fence @ \$2,3 cypress @ \$50, 2 Cedar @ \$100										
	@ \$8, C. link dog run @ \$400, 7 trees @ \$25										
	(8) 5000sf pasture @ \$.03, 100 if w. fence @ \$8, 2 Veg. clumps @ \$25										
(9) 2 Oaks @ \$250, 24 Arborvitae @ \$15, 125 # laurael hedge @ \$5, 540 # elec. fence @ \$1.25											
(10) 6250sf pasture @ \$.03, 50lf B. fence @ \$2, 4 fruit trees @ \$200											
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1											

PARK PLACE SEWER EASEMENT TL 3501 29 AA Iven I/Reva F LOEFFELBEIN Royal M/Lois | TAYLOR 1991 2-2E-29AA 3501 DOC#91-66743 29 fitem 315/4 pg. 315 #4 Env# 689