# CITY OF OREGON CITY, OREGON SANITARY SEWER EASEMENT



KNOW ALL MEN BY THESE PRESENTS, THAT Anna M. Barney 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.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 Anna M. Barney and Wayne M. Barney recorded in Book 269, Page 392 and Book 323, Page 89, Clackamas County Deed Records, being more particularly described as follows:

A 15.0 foot wide strip of land being 7.5 feet on each side of the following described centerline:

Commencing at the intersection of the centerline of S. Holcomb Blvd. (County Road No. 354) and the west line of the east one-half of said Abernathy D.L.C.;

thence, along the west line of said east 1/2 of the Abernathy D.L.C., also being the east right-of-way line of S. Swan Avenue, South 1°45'02" West, 907.13 feet to a 1/2" iron pipe at the Southwest corner of said Barney tract;

thence, along the south line of said Barney tract, North 88°31'42" East, 328.47 feet to the True Point of Beginning of said centerline;

thence, North 32°18'27" East, 184.11 feet;

thence, North 1°43'56" East, 164.42 feet;

thence, North 30°02'09" East, 195.33 feet;

thence, North 18°00'16" East, 26.27 feet to a point on the north line of said Barney tract being the termination point of said centerline, said point also being North 88°46'55" East, 98.56 feet from an iron bar at the Southwest corner of that tract of land conveyed by deed to Timothy Hammond-Williams et. al. recorded in Fee No. 90-26753.

Sidelines subject to lengthening and/or shortening so as to terminate upon the proper boundary lines.

The area of the permanent is 8,554 square feet (0.196 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 being 25.0 feet on each side of the above described centerline, and also a tract of land being more particularly described as follows:

All that land lying within said Barney tract, Southerly of the following described line;

Commencing at the Southwest corner of said Barney Tract;

thence, North 1°45'02" East, 29.95 feet to the True Point of Beginning;

thence, North 88°46'19" East, 232.24 feet;

thence, South 1°13'41" East, 13.28 feet;

thence, North 88°46'19" East, 87.61 feet;

thence, North 1°55'20" East, 21.15 feet to a point on the westerly sideline of the above described 50.0 foot wide temporary easement.

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 THOUSAND THREE HUNDRED FIFTY and no/100 dollars (\$1,350.00), 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 July 17, 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 20 th day of 5 y here ber, 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.

Anna M. Barney

STATE OF OREGON

County of Clackamas

SS.

Personally appeared the above named Anna M. Barney and acknowledged the foregoing instrument to be her voluntary act and deed

instrument to be her voluntary act and deed.

NOTARY PUBLIC FOR OREGON

Stern W Hanning

My Commission Expires: September 15, 1992

GRANTEE

Before mee

City of Oregon City 320 Warner Milne Road

Oregon City, OR 97045

GRANTOR

Anna M. Barney 16470 S. Swan Ave.

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

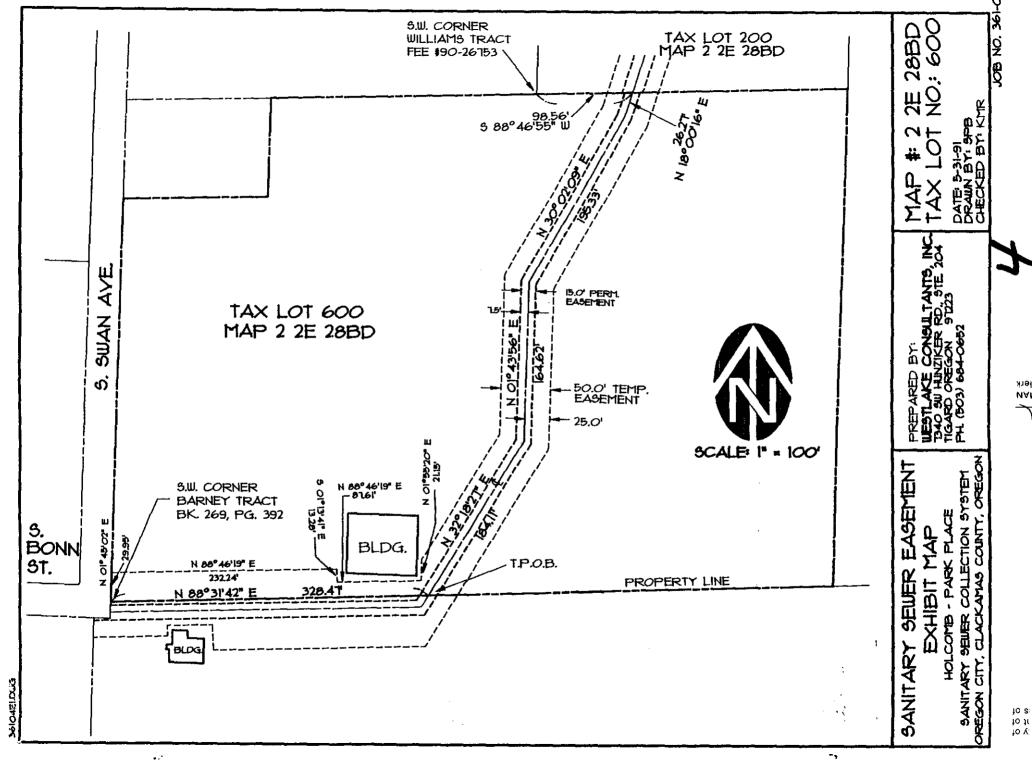
ity Recorder

After recording return to:

City Engineer, City of Oregon City

320 Warner Milne Road

Oregon City, OR 97045



NAN



#### CITY OF OREGON CITY

**INCORPORATED 1844** 

FOR AGENDA

DATED

November 6, 1991

## **COMMISSION REPORT**

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page Page 1 of 1

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		Bergen, Ronald & Erthith, c/o Best, Frank D. & Helen L.
2100		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		Lucht, Gerald W. & Marie H.
28BB		Reed, John L. & Sharilee Ann
28BB		Sweinink, Hendricus J.
28BB		Sweinink, Hendricus J.
28BC		Meyers, Marvin W. & Shirley M.
28BC		Newton, Loyde & Hazel
28BC		Newton, Loyde & Hazel
28BC		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

<sup>32</sup> Total easements secured

F:\123FLESNEAL\HOPP\FROPERTY\TITLEREP.WK3 Printed: 10/29/91 02:44 PM

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

				Notes			Secured	Appraised	Perm.	Temp.	Perm.	Temp.	Imprvmts.	comments
Мар	Taxlot	Owner	AB	C	D	Ε	Value	Value	(SF)	(SF)	(\$/SF)	(\$/SF)		
20	503	Tri - City Service District	$\prod$	$\top$	Т			1	Ī					1
20DA	2700	McKee, Edgar & Beverly Hays	1	1	T	17		\$800	4,400	11.000	\$0.05	\$0.05	\$0.00	
20DC	501	Farrell, Joseph, & Dunmire, Dallas	<b>—</b>	1 1	1-	$\top$		\$1,600	11.153	•	\$0.10	•	\$0.00	
20DC	1400	Triway Investment Co.	1	1	†	$\forall \exists$		\$2,300	5.081	·-	\$0.20		\$0.00	
20DC	1500	Farrell, Joseph, & Dunmire, Dallas		+	+	1		<b>42,0</b> 00	, 5,55	12,700	40.20	ψο.10	<b>\$</b> 0.00	
20DD	4400	Bergen, Ronald & Erthith, c/o Best, Frank D. & Helen L.		1	1-	1	\$250	\$250	382	1 368	\$0.13	\$0.04	\$128.00	400sf gravet d/w @\$.32
20DD	4500	Kendrick, Steven R. & Debbie E.	1	1	╁╴		, ,	\$550	1,662		\$0.05		\$0.00	<u> </u>
20DD	4600	Kendrick, Robert E. & Virginia	<del>     </del>	1	十	1-		\$100	400	=	\$0.05	• -	\$0.00	
20DD	5100	Isaak, Arthur & Elma Ann	1	1	1	+		\$100	45	-	\$0.20	-	\$0.00	
21C	2900	Endres, Henry C. & Margaret M., c/o Plerce, Craig	<del></del>	1	+-	+		\$100	460		\$0.05	-	\$0.00	
21CC	200	Gibb, Edward A. & Terry L.	1	+	+-	$\forall$		\$3,500	7.825		\$0.03	•	-	438.5 lf c, fence @ \$5.45, I fir tree @ \$250
21CC	500	Teel, Darrel E. & Shannon L.	<del> </del>	1 2		+		\$3,100	12,813	•	\$0.03	•	\$2,160.00	
21CC	600	Teel, Darrel E. & Shannon L.	1	┿	+-	╅┈		<b>45</b> , 105	12,510	10,110	40.00	<b>#</b> 0.00	ψε,100.00	(3) DONA
21CC	700	Tolle, Viola Jean	1	1 2	+	1-1		\$550	3,060	8 400	\$0.03	\$0.03	\$200.00	Oak tree @ \$200
2100	800	Teel, Darrel E. & Shannon L.		+-	+-	+		7000	0,000	0,100	45.00	•0.00	<b>\$200.00</b>	Can not & troo
21CC	900	Tolle, Viola Jean	1	1-	+									
21CC	1000	Tolle, Viola Jean		$\top$	+-	1								
21CC	1100	Parker, Terri	1	1	1	+		\$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.		-	Ť	1	\$400	\$400	400		\$0.03		\$300.00	Cedar Tree @ \$300
21CD	2900	Monroe, William A. & Glenda C.			+	⇈	<b>*</b> 100	\$300	2,701		\$0.03	•	\$0.00	1
21D	1402	U.S. National Bank of OR, c/o Mura, Lawrence R. & Jean		+	1	1	\$500	\$400	3,407	•	\$0.03	\$0.03	\$0.00	
28A	1100	Oregon City School District #62	<del>      -   -   -   -   -   -   -   -   -</del>	1	╁	1	\$100	\$100	237	700		0.03	0.00	
28A	1200	Joli, Stephen & Delores	1	+	1	+		\$850		650	5,00	0.03	\$817.50	150lf cyclone fence @ \$5.45
28A	1300	Wilson, Robert A. & Leo - Wilson, Desiree		-	+~	1	\$400	\$400	228	-	\$0.03	\$0.03		40if cedar fence @ \$8.5
28A	1500	Barney, Anna M.	<del>      -</del>	1	†	1	\$2,400	\$2,400	22,498				\$0.00	1 40% 60021 10% 60 \$6.0
28A	1600	Clackamas County		+-	╁		, <b>42</b> ,	\$100	956		\$0.06		\$0.00	
28A	1702	Stirling, John & Jeanette M.	1		1			\$3,750	3,732		\$0.03	· ·		see note (4) below
28A	1703	Weaver, Sharon & Powers, Nancy & Messina, Mario			1			\$600	3,742	•	\$0.03	• • •		2 oak treas @ \$100, 4 cedar trees @ \$50
28A	1704	Karam, Issa S. & Ragehda		-	╁	1		\$400	3,439		\$0.06	•	\$0.00	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
28A	1705	Kristensen, Conrad R. & Linda G.		!  -	+	$\top$		\$1,300	4,073	•	-		\$1,070.00	   1640sf lawn @ \$.5, 5 Oaks @ \$50
28A	1712	Wittke, Lowell Gene & Judy Ann	<del>      -</del>	1 2	+	+-		\$2,050	20,143		\$0.06		\$0.00	107001 RWIT @ \$.3, 3 Caks @ \$50
28A	1714	Wittke, Lowell Gene & Judith Ann		1 -	+	+-		\$2,000	20,710	21,100	ψ0.00	ψ0,00	\$0.00	
28A	1715	Easterly, Charles E. & Irene		;   -	†	+		\$550	3,938	9.831	\$0.06	\$0.03	\$0.00	
28A	1717	Wittke, Lowell Gene & Judy Ann	<del>                                    </del>	1	T	$\dagger$		7,550	[ 5,555	0,001	40.00	JUU	+5.50	
28A	1718	Nelson, Douglas J. & Jacquelyn J.	11	1	Ť	$\dagger \exists$		\$625	5,790	9.225	\$0.06	\$0.03	\$0.00	
28B A	800	_ · · ·	0.5 0.9	5	$\dagger$	1		<b>4329</b>	] -,,,,,,,	-,0	40.00	<b>40.00</b>	40,00	
28BA	800	Clackamas Co. Housing Authority	0.5 0.	+	1-	†-		\$2,025	4,007	10.250	\$0.05	\$0.02	\$1.625	2,500sf & 1,500sf concrete walk & grass @\$.5 & \$.2
2886	400	Lucht, Gerald W. & Marie H.	1 1	1-	1	1	\$200	\$200	3.027		\$0.03		\$0.00	The control of the same
	500	Holsworth, Robert D. & Millie A.	1	+-	+ -	╅┷┪		\$1,250	_,	8,580	40.00		45,54	

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			Secured	• • • •	Perm.	Temp.	Perm.	Temp.	Impremts.	comments
Мар	Taxlot	Owner		8	CDE	Value	Value	(SF)	(SF)_	(\$/SF)	(\$/SF)	L,	
28B8	600	Casey, Donald D. & Susan M.	1	1		]	\$450	25	930	\$2.00	\$0.05	\$328.00	955SF pasture @ \$.03, 150LF barbed fence @ \$2
288B	1000	Wymore, Steve		1			\$700	1,600	4,000	\$0.06	\$0.03		see (5) below
2888	1100	Reed, John L. & Sharilee Ann		1		\$150	\$150	450	4,250	\$0.03	\$0.03	\$0.00	
2888	1201	McKinley, Mark & Teresa M.	1	1		]	\$350	1,650	4,125	\$0.06	\$0,02	\$150.00	6 maples @ \$25
288B	1202	Holland, David		1	2		\$1,350	5,227	13,425	\$0.03	\$0.01	\$1,020.85	see (6) below
28BB	1300	Holland, David					İ	1					
26BB	1400	Schleichert, Donald L. & Beth M.	1			7	ļ						
28BB	1503	Schleichert, Donald L. & Beth M.		1	1		\$400	2,400	3,850	\$0.04	\$0.03	\$187.50	6,250 SF erosion control seeding @ \$.03
2888	1504	Sweinink, Hendricus J.	1	1	1 2 :	\$500	\$500	4,000	6,000	\$0.03	\$0.02	\$300.00	10,000 SF erosion control seeding @ \$.03
28BB	1505	Swelnink, Hendricus J.	$\lceil 1 \rceil$	$\neg$		\$0	ŗ	}					
28BB	1700	Clackamas County, c/o Deroo	1	$\exists$		7							
28BB	1702	White, Irene P.	[1	1	1	7	\$1,100	5,822	12,718	\$0.02	\$0.01	\$851.00	17,040 SF pasture @ \$.03, 170LF fence @ \$2
288B	2000	Holland, David				7							
28BC	300	Holschu, Floyd G. & Dorotha	1	1	1	7	\$1,800	12,540	31,350	\$0.04	\$0.04	\$0.00	
28BÇ	400	Holschu, Floyd G. & Dorotha	1			7	i		-				
28BC	501	Meyers, Marvin W. & Shirley M.	Ti	1	1	\$50	\$50		765		\$0.06	\$0.00	
28BC	900	Newton, Loyde & Hazel	1	1	1 :	\$275	\$275	1,300	3,250	\$0.06	\$0.06	\$0.00	***
28BC	1000	Newton, Loyde & Hazel	T			\$0							
288C	1200	Merril, Cress & Paulette		1		\$315	\$315	1,500	3,750	\$0.06	\$0.06	\$0.00	old shed to be demolished
28BC	1301	Byrnes, Iris J.	1	1	1	\$175	\$175	640	1,600		\$0.07	\$0.00	
28BC	1500	Lumpkin, Lanney	1	1		R/Entry	\$270	500	3,350	\$0.07	\$0.07	\$0.00	
28BC	1600	Lewallen, Steven & Jan	1	1		\$625	\$625	741	1,291	\$0.06	\$0.06	\$500.00	50LF chain link fence @ \$8, 250SF lawn @ \$.40
288C	1700	Emmert, Terry W.		1	$\top$	7	\$810	3,470	8,675	\$0.06	\$0.06		10ff chain link fence @ \$8
28BC	2400	Janz, Loreina	1	1		7	\$420	2,000	4,000	\$0.07	\$0.07	\$0.00	•
28BC	2500	Grant, Bradley	1	1		1	\$1,225	675	1,025	\$0.07	\$0.07	\$1,096.00	see (3) below
26BD	100	Wicklander, Gordon L. & Sandra S.	1	1	1	\$825	\$825	6,815	8,669	\$0.07	\$0.04	\$0.00	. ,
28BD	200	Hammond – Williams, Tim & Jacqueline	$\Box$	1	1	\$800	\$725	5,567	8,130	\$0.07	\$0.04	\$0.00	negotiation agreed \$75 for fence @ property lines
28BD	600	Barney, Anna M.		1		\$1,350	\$1,350	8,554	27,498	\$0.06	\$0.03	\$0.00	G propon, mas
28BD	1000	Riggs, John L. Jr. & Della M.	1	1	2 3	\$5,950	\$5,950	6,598	10.550	\$0.02	\$0.01	\$5.750.00	see (1) below
28BD	1001	Riggs, John L. Jr. & Della M.	1		1	\$0		,	•				(,,
28BD	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.	$\Box$		1	\$0			•	•		,	
28BD	1400	Colman, Edward S. & Herrell, Robert D.	1	1	1	\$1,200	\$1,000	8,967	13,933	\$0.01	\$0.01	\$757.00	22,9006F pasture @ \$.03, 7 Hawthome clumps @ \$1
28CA	600	Hathaway, Virginia Ł. & Goulding, Donald E.	1	1		\$1,150	\$1,150	5,058	9,200	•			310LF woven wire fence @ 1.75/LF
29AA	100	Laskey, Randy W. & Kim E.	1	1	1 :	\$2,025	\$2,025	5,000		\$0.03	•	- 1	see note (7) below
29AA	200	Apostolic Chr. Ch. of Port. c/o Laskey, Randy W. & Kim E.	1	$\exists$		\$0	.	' '	,			,	,
29AA	300	Dailing, Daryi & Trucene	H	1		1	\$1,300	2,500	6.250	\$0.04	\$0.02	\$1,087.50	see note (10) below
29AA	3400	Taylor, Lois I.	1	1	1 7	\$550	\$400	2,500	3,750			I	6250sf pasture @ \$.03
29AA	3500	Loeffelbein, Iven I. & Reva F.		1	1-1-	\$400	\$400	1,000	•	\$0.10	•	1	2500sf pasture @ \$.03, fruit tree @ \$50
			ب			7 4.00	W-00	,,000	2,000	ψυ. Ιψ	<b>₩</b> 0.07	WE 50.00	Francis hastning & 4:00' lingt (199 ff. 300)

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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

				tes		Secured	Appraised	Perm.	Temp.	Perm.	Temp.	Imprvmts.	comments
Мар	Taxlot	Owner	Α	ВС	DE	Value	Value	(SF)	(SF)	(\$/SF)	(\$/SF)	<u> </u>	
29AA	3501	Taylor, Lois I.	1		$\prod$	\$0		-					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	TL		\$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	
	81	Tax Lots	66	62 1	8 16 32	\$22,990	\$62,540	249,619	507,973			\$543.74	
COMMENT MOTEO.				80 Ap	praised					Aver	age		J

#### COMMENT NOTES:

- (1) 16,210sf pasture @ \$.03, 151ff barb fence @ \$2, 100LF chain fence @\$8, 900sf AC @ \$.9, 6,700 sf lawn @ \$.5, 5 trees @ \$50
- (2) 14,8956F pasture @ \$.03, 268LF b. fence @ /c\$2, Hawthorne tree @ \$50
- (3) 80LF fence @ \$8, 850SF lawn @ \$.36, 300SF barkdust @ \$.50
- (4) 9,300sf lawn @ \$.2, 3 Oaks @ \$100, 4 fruit trees @ \$50, .86MBF fir @ \$450, 100if chain fence @ \$8
- (5) 4,000sf reseed @ \$.03, .7MBF fir @ \$450, 1 maple @ \$50
- (6) 6895sf pasture @ \$.03,232lf b. fence @ \$2,3 cypress @ \$50, 2 Cedar @ \$100
- (7) 5000sf lawn@ \$.2,50lf C.fence @ \$8, C. link dog run @ \$400, 7 trees @ \$25
- (8) 5000st pasture @ \$.03, 100 if w. fence @ \$8, 2 Veg. clumps @ \$25
- (9) 2 Oaks @ \$250, 24 Arborvitae @ \$15, 125 if laurael hedge @ \$5, 540 if elec. fence @ \$1.25
- (10) 6250sf pasture @ \$.03, 50lf B. fence @ \$2, 4 fruit trees @ \$200

PARK PLACE SEWER EASEMENT

28 ED TL 600

Anna M. BARNEY

1991

2-2E-28BO 600

DOCH 91-66735

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