

15
**CITY OF OREGON CITY, OREGON
SANITARY SEWER EASEMENT**

28 BC 1200
Park Place sew

KNOW ALL MEN BY THESE PRESENTS, THAT **Cress Merrill aka Edward Cressey Merrill, III and Paulette L. Merrill** 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 Cress Merrill and Paulette Merrill, recorded in Fee No. 83-17490, on June 9, 1983, Clackamas County Deed Records, being more particularly described as follows:

The East 10.0 feet of said Merrill tract;

The area of the permanent easement is 1,500 square feet (0.034 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 the East 25.0 feet of said Merrill tract.

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 **Three hundred fifteen and no/100 dollars (\$315.00)**, the receipt of which is hereby acknowledged by GRANTOR.

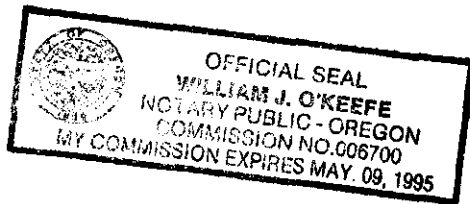
And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free of any encumbrance that would prevent or limit the use of the property for a sanitary sewer or result in such easement being subject to extinguishment, and from any encumbrance not of record as of August 19, 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 2nd 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.



upon acceptance of condition 10/2/91
Cress Merrill
Cress Merrill
Paulette L. Merrill
Paulette L. Merrill
T,

STATE OF OREGON)

County of Clackamas)

ss.

Personally appeared the above named Cress Merrill and Paulette L. Merrill and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

William J. O'Keefe
NOTARY PUBLIC FOR OREGON

My Commission Expires: 5-9-95

GRANTEE

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

GRANTOR

T,
Cress and Paulette L. Merrill
16390 S. Hiram Avenue
Oregon City, OR 97045

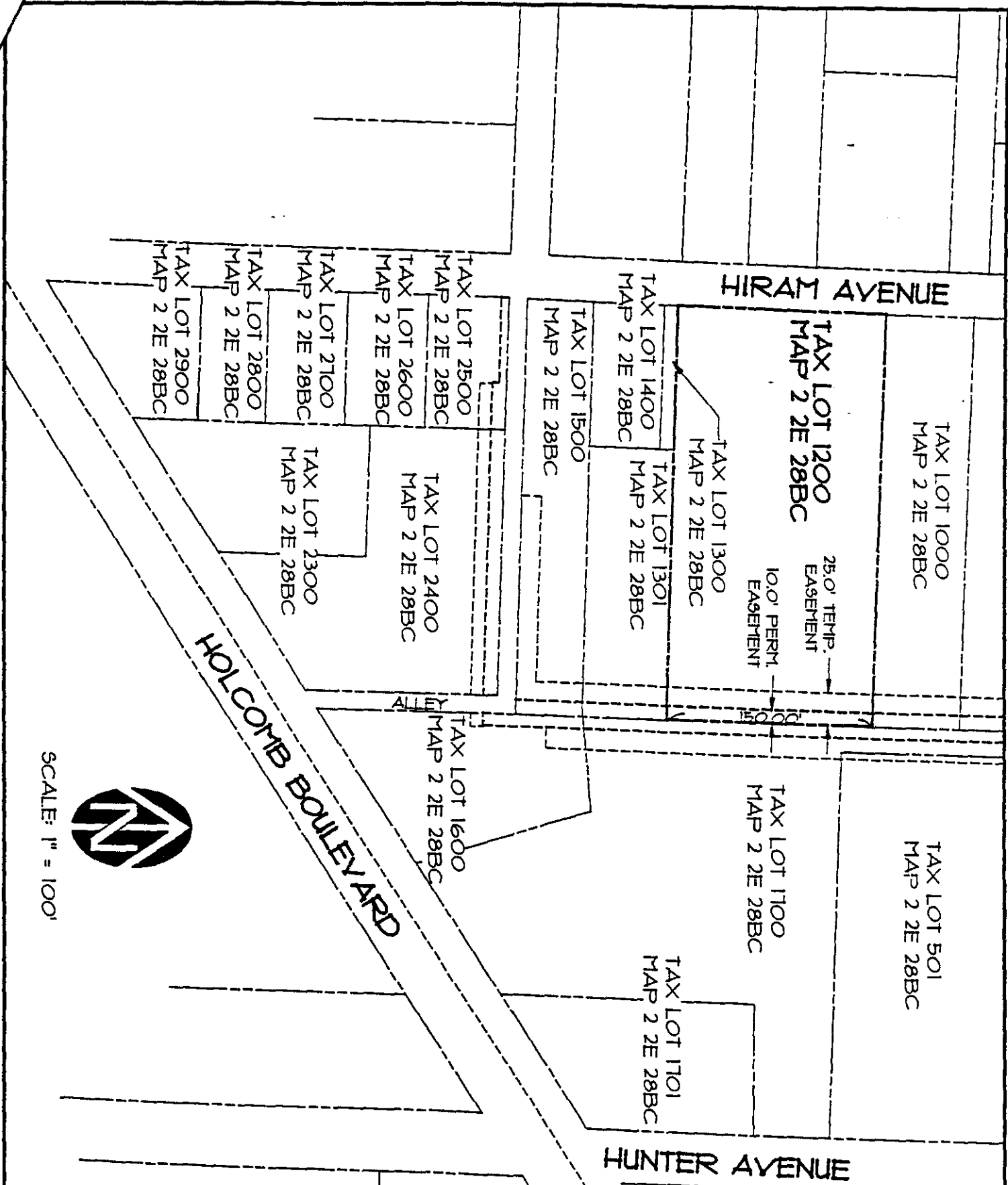
Accepted on behalf of the City of Oregon City on the condition that the easement granted is free and clear from taxes, liens and encumbrances.

Daniel W. Fawcett
Mayor
Paul K. Elliott
City Recorder

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



2



SCALE: 1" = 100'



**SANITARY SEWER EASEMENT
EXHIBIT MAP**
HOLCOMB - PARK PLACE
SANITARY SEWER COLLECTION SYSTEM
OREGON CITY, CLACKAMAS COUNTY, OREGON

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

MAP #: 2 2E 28BC
TAX LOT NO.: 1200
DATE: 6-18-91
DRAWN BY: KMR
CHECKED BY: SPB

3



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

November 6, 1991

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

Map	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	Wicklender, 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

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

EXHIBIT 'B'

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

Map	Taxlot	Owner	Notes					Secured Value	Appraised Value	Perm. (SF)	Temp. (SF)	Perm. (\$/SF)	Temp. (\$/SF)	Imprvmnts.	comments
			A	B	C	D	E								
20	503	Tri-City Service District													
20DA	2700	McKee, Edgar & Beverly Hays	1	1					\$800	4,400	11,000	\$0.05	\$0.05	\$0.00	
20DC	501	Farrell, Joseph, & Dunmire, Dallas	1	1	1				\$1,600	11,153	8,800	\$0.10	\$0.05	\$0.00	
20DC	1400	Trlway Investment Co.		1					\$2,300	5,081	12,703	\$0.20	\$0.10	\$0.00	
20DC	1500	Farrell, Joseph, & Dunmire, Dallas	1												
20DD	4400	Bergen, Ronald & Erthlith, c/o Best, Frank D. & Helen L.	1	1			1	\$250	\$250	382	1,368	\$0.13	\$0.04	\$128.00	400sf gravel d/w @\$0.32
20DD	4500	Kendrick, Steven R. & Debbie E.	1	1					\$550	1,662	8,500	\$0.05	\$0.05	\$0.00	
20DD	4600	Kendrick, Robert E. & Virginia		1					\$100	400	1,000	\$0.05	\$0.05	\$0.00	
20DD	5100	Isaak, Arthur & Elma Ann	1	1					\$100	45	200	\$0.20	\$0.10	\$0.00	
21C	2900	Endres, Henry C. & Margaret M., c/o Pierce, Craig		1					\$100	460	1,250	\$0.05	\$0.05	\$0.00	
21CC	200	Gibb, Edward A. & Terry L.	1	1					\$3,500	7,825	20,609	\$0.03	\$0.03	\$2,640.00	438.5 lf c. fence @ \$5.45, 1 fir tree @ \$250
21CC	500	Teel, Darrel E. & Shannon L.	1	1	2				\$3,100	12,813	18,178	\$0.03	\$0.03	\$2,160.00	see (9) below
21CC	600	Teel, Darrel E. & Shannon L.	1												
21CC	700	Tolle, Viola Jean	1	1	2				\$550	3,060	8,400	\$0.03	\$0.03	\$200.00	Oak tree @ \$200
21CC	800	Teel, Darrel E. & Shannon L.	1												
21CC	900	Tolle, Viola Jean	1												
21CC	1000	Tolle, Viola Jean	1												
21CC	1100	Parker, Terri	1	1		1			\$2,800	9,333	29,175	\$0.03	\$0.03	\$1,604.00	733.5 lf woven fence @ \$1.75, Oak tree @ \$250
21CC	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	0	
28A	1200	Joli, Stephen & Delores		1					\$850		650		0.03	\$817.50	150lf cyclone fence @ \$5.45
28A	1300	Wilson, Robert A. & Leo - Wilson, Deslree		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	\$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.	1	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					\$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												
28A	1715	Easterly, Charles E. & Irene	1	1					\$550	3,938	9,831	\$0.06	\$0.03	\$0.00	
28A	1717	Wittke, Lowell Gene & Judy Ann	1												
28A	1718	Nelson, Douglas J. & Jacquelyn J.	1	1					\$625	5,790	9,225	\$0.06	\$0.03	\$0.00	
28BA	800	Clackamas Co. Housing Authority	0.5	0.5											
28BA	800	Clackamas Co. Housing Authority	0.5	0.5					\$2,025	4,007	10,250	\$0.05	\$0.02	\$1,625	2,500sf & 1,500sf concrete walk & grass @\$5 & \$25
28BB	400	Lucht, Gerald W. & Marie H.	1	1		1	1	\$200	\$200	3,027	8,400	\$0.03	\$0.01	\$0.00	
28BB	500	Holsworth, Robert D. & Millie A.	1	1					\$1,250	6,315	8,580	\$0.02	\$0.01	\$1,232.00	see (2) below

Notes: A Title Report Received
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			A	B	C	D	E								
28BB	600	Casey, Donald D. & Susan M.	1	1					\$450	25	930	\$2.00	\$0.05	\$328.00	955SF pasture @ \$.03, 150LF barbed fence @ \$2
28BB	1000	Wymore, Steve	1	1					\$700	1,600	4,000	\$0.06	\$0.03	\$485.00	see (5) below
28BB	1100	Reed, John L. & Sharilee Ann		1			1	\$150	\$150	450	4,250	\$0.03	\$0.03	\$0.00	
28BB	1201	McKinley, Mark & Teresa M.	1	1					\$350	1,650	4,125	\$0.06	\$0.02	\$150.00	6 maples @ \$25
28BB	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													
28BB	1400	Schleichert, Donald L. & Beth M.	1												
28BB	1503	Schleichert, Donald L. & Beth M.	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	\$300.00	10,000 SF erosion control seeding @ \$.03
28BB	1505	SweinInk, Hendricus J.	1					\$0							
28BB	1700	Clackamas County, c/o Deroo	1												
28BB	1702	White, Irene P.	1	1	1				\$1,100	5,822	12,718	\$0.02	\$0.01	\$851.00	17,040 SF pasture @ \$.03, 170LF fence @ \$2
28BB	2000	Holland, David													
28BC	300	Holschu, Floyd G. & Dorothea	1	1	1				\$1,800	12,540	31,350	\$0.04	\$0.04	\$0.00	
28BC	400	Holschu, Floyd G. & Dorothea	1												
28BC	501	Meyers, Marvin W. & Shirley M.	1	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	Merrill, Cress & Paulette	1	1			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	1	\$175	\$175	640	1,600	\$0.07	\$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			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.	1	1					\$810	3,470	8,675	\$0.08	\$0.06	\$80.00	10lf chain link fence @ \$8
28BC	2400	Janz, Loreina	1	1					\$420	2,000	4,000	\$0.07	\$0.07	\$0.00	
28BC	2500	Grant, Bradley	1	1					\$1,225	675	1,025	\$0.07	\$0.07	\$1,096.00	see (3) below
28BD	100	Wicklander, Gordon L. & Sandra S.	1	1		1	1	\$825	\$825	6,815	8,669	\$0.07	\$0.04	\$0.00	
28BD	200	Hammond-Williams, Tim & Jacqueline	1	1		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			1	\$1,350	\$1,350	8,554	27,498	\$0.06	\$0.03	\$0.00	
28BD	1000	Riggs, John L. Jr. & Della M.	1	1	2	3	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	\$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			1		\$0							
28BD	1400	Colman, Edward S. & Herrell, Robert D.	1	1		1	1	\$1,200	\$1,000	8,967	13,933	\$0.01	\$0.01	\$757.00	22,900SF pasture @ \$.03, 7 Hawthorne dumps @ \$10
28CA	600	Hathaway, Virginia L. & Goulding, Donald E.	1	1			1	\$1,150	\$1,150	5,058	9,200	\$0.06	\$0.03	\$543.00	310LF woven wire fence @ 1.75/LF
29AA	100	Laskey, Randy W. & Kim E.	1	1	1		2	\$2,025	\$2,025	5,000	12,500	\$0.03	\$0.01	\$1,825.00	see note (7) below
29AA	200	Apostolic Chr. Ch. of Port. c/o Laskey, Randy W. & Kim E.	1					\$0							
29AA	300	Dalling, Daryl & Trucene	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		2	\$550	\$400	2,500	3,750	\$0.04	\$0.03	\$187.50	6250sf pasture @ \$.03
29AA	3500	Loeffelbein, Iven I. & Reva F.	1	1			1	\$400	\$400	1,000	2,500	\$0.10	\$0.04	\$200.00	2500sf pasture @ \$.03, fruit tree @ \$50

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	Owner	Notes					Secured Value	Appraised Value	Perm. (SF)	Temp. (SF)	Perm. (\$/SF)	Temp. (\$/SF)	Imprvmts.	comments
			A	B	C	D	E								
29AA	3501	Taylor, Lois I.	1					\$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					\$600	2,000	5,000	\$0.05	\$0.02	\$400.00	2 fruit trees @ \$200
29DA	2800	Miller, Elsie H. & Kretzinger, Ruth		1			1	\$100	\$100	401	1,625	\$0.03	\$0.03	\$0.00	
81 Tax Lots			66	62	18	16	32	\$22,990	\$62,540	249,619	507,973	\$0.09	\$0.04	\$543.74	
			80 Appraised											Average	

COMMENT NOTES:

- (1) 16,210sf pasture @ \$.03, 151lf barb fence @ \$2, 100LF chain fence @\$8, 900sf AC @ \$.9, 6,700 sf lawn @ \$.5, 5 trees @ \$50
- (2) 14,895SF 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, 100lf 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) 5000sf pasture @ \$.03, 100 lf w. fence @ \$8, 2 Veg. clumps @ \$25
- (9) 2 Oaks @ \$250, 24 Arborvitae @ \$15, 125 lf laurel hedge @ \$5, 540 lf elec. fence @ \$1.25
- (10) 6250sf pasture @ \$.03, 50lf B. fence @ \$2, 4 fruit trees @ \$200

PARK PLACE SEWER EASEMENT

28 BC TL 1200

Edward Cressey/Paulette L. MERRILL

1991

2-2E-28 BC 1200

DOCH# 91-66730

pg item
416/6

Env#
634