### 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 lands:

#### Parcel 1

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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 Wayne Barney and Anna M. Barney recorded in Book 354, Page 583, November 5, 1945, Clackamas County Deed Records, being more particularly described as follows:

A 20.00 foot wide strip of land being 10.0 feet on each side of the following described centerline:

Commencing at the intersection of the west line of said Barney tract with the Southerly right-of-way line of S. Holcomb Blvd. (County Road No. 354), being 30.00 feet from centerline when measured at right angles;

thence, along the west line of said Barney tract, South 1°45'02" West, 83.15 feet to the True Point of Beginning of said centerline;

thence, South 89°23'47" East, 65.03 feet;

thence, North 47°25'53" East, 229.52 feet;

thence, North 56°15'01" East, 150.67 feet to a point on the south line of that tract of land conveyed by deed to Clackamas County in Fee No. 78-28190 and as shown on Record Survey No. PS-4746, Clackamas County Survey Records, also being South 87°55'05" East, 23.79 feet from an angle point in said south line.

The area of the permanent easement is 8,905 square feet (0.204 acres);

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

Also and together with:

### Parcel 2

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 Wayne Barney and Anna M. Barney recorded in Book 354, Page 583 on November 5, 1945, 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:

2BA 1500 ..... Park Place Sense Commencing at the southwest corner of said Barney tract;

thence, along the west line of said Barney tract, North 1°45'02" East, 958.70 feet to the True Point of Beginning of said centerline, said point also being North 1°45'02" East, 191.30 feet from the southeast corner of that tract of land conveyed by deed to Gordon L. Wicklander and Sandra S. Wicklander recorded in Fee No. 91-05847;

thence, North 35°53'11" East, 37.15 feet;

thence, South 53°18'31" East, 218.27 feet;

thence, South 61°32'16" East, 132.90 feet;

thence, South 40°00'08" East, 199.94 feet;

thence, South 87°32'00" East, 90.34 feet to a point on the east line of said Barney tract, being the termination point of said centerline, said point being North 2°07'05" East, 282.87 feet from the southeast corner of said Barney tract.

The area of the permanent easement is 13,593 square feet. (0.312 acres).

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

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 of Parcel No. 1.

Together with a strip of land described as:

Being a 50.0 foot wide strip of land lying 25.0 feet on each side of the above described centerline of <u>Parcel No. 2.</u>

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 Two Thousand four hundred and no/100 dollars (\$2,400.00), 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 11, 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 + hday 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.

Anna M. Base Anna M. Barney

STATE OF OREGON

County of Clackamas

Before me:

SS.

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

Steven W Harmond NOTARY PUBLIC FOR OREGON My Commission Expires: September 15, 199.

GRANTEE City of Oregon City 320 Warner Milne Road Oregon City, OR 97045 GRANTOR Anna M. Barney 16470 S. Swan Avenue Oregon City, OR 97045

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

Mayor lliot City/Recorder

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







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TO THE HONORABLE MAYOR AND COMMISSIONERS

Page Page 1 of 1

Report No. 91-211

Subject: Public Utility Easement Acceptance Park Place Sewer Project

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.
2100	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
88D	100	Wicklander, Gordon L. & Sandra S.
28BD	200	Hammond-Williams, Tim & Jacqueline
28BD	600	Barney, Anna M.
288D	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.
9AA	3600	Clackamas Co. c/o Bywater, Richard & Rebecca
9DA	2800	Miller, Elsie H. & Kretzinger, Ruth

32 Total easements secured

### EXHIBIT 'A'

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# FILE PURPOSE: Park Place Sewer Easements, Status Summary

			Note	S		Secured	Appraised	Perm.	Temp.	Perm.	Temp.	Imprvmts.	comments
Map	Taxlot	Owner	AB	c	DE	Value	Value	(SF)	(SF)	(\$/SF)	(\$/SF)		
20	503	Tri – City Service District	IT	]	TT	}	ľ						}
20DA	2700	McKee, Edgar & Beverly Hays	11	1-	+-+-		\$800	4,400	11,000	\$0.05	\$0.05	\$0.00	
20DC	501	Farrell, Joseph, & Dunmire, Dallas	111	1		ſ	\$1,600	11,153	8,800	\$0.10	\$0.05	\$0.00	
20DC	1400	Triway Investment Co.	1			1	\$2,300	5,081	12,703	\$0.20	\$0,10	\$0.00	
20DC	1500	Farrell, Joseph, & Dunmire, Dallas	11		11	1				-			
20DD	4400	Bergen, Ronald & Erthith, c/o Best, Frank D. & Helen L.	11	1	1 1	\$250	\$250	382	1,368	\$0.13	\$0.04	\$128.00	400sf gravel d/w @\$.32
20DD	4500	Kendrick, Steven R. & Debble E.	1 1	1-		1	\$550	1,662	8,500	\$0.05	\$0.05	\$0.00	
20DD	4600	Kendrick, Robert E. & Virginia	1	1	11	1	\$100	400	1,000	\$0.05	\$0.05	\$0.00	
20DD	5100	Isaak, Arthur & Elma Ann	111	T	1-1-		\$100	45	200	\$0.20	\$0.10	\$0,00	
21C	2900	Endres, Henry C. & Margaret M., c/o Pierce, Cralg	11	T	1-1-	1	\$100	460	1,250	\$0.05	\$0.05	\$0.00	
2100	200	Glbb, Edward A. & Terry L.	111	1-	1-1-	1	\$3,500	7,825	20,609	\$0.03	\$0.03	\$2,640.00	438.5 lf c. fence @ \$5.45, i fir tree @ \$250
2100	500	Teel, Darrel E. & Shannon L.	1 1	2		1	\$3,100	12,813	18,178	\$0,03	\$0.03	\$2,160.00	see (9) below
2100	600	Teel, Darrel E. & Shannon L.	1		11-	1							
21CC	700	Tolle, Viola Jean	11	2			\$550	3,060	8,400	\$0,03	\$0.03	\$200.00	Oak tree @ \$200
2100	800	Teel, Darrel E. & Shannon L.	1	1				l					_
2100	900	Tolle, Viola Jean	1			1							
21CC	1000	Tolle, Viola Jean	1	T		]							
2100	1100	Parker, Terri	11	Γ	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	Isbeil, James D. & Lois D.	111	T	11	\$400	\$400	400	1,750			\$300.00	Cedar Tree @ \$300
21CD	2900	Monroe, William A. & Glenda C.	1 1	T		}	\$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	11	T	1 1	\$500	\$400	3,407	9,500	\$0.03	\$0.03	\$0.00	
28A	1100	Oregon City School District #62	1	Τ	1 1	\$100	\$100	237	700	0.03	0.03	0	
28A	1200	Joll, Stephen & Defores	Ti	1			\$850		650		0.03	\$817.50	150/f cyclone fence @ \$5.45
28A	1300	Wilson, Robert A. & Leo - Wilson, Desiree	1		1	\$400	\$400	228	578	\$0.03	\$0.03	\$340.00	40if 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				]	\$100	956	1,350	\$0.06	\$0.03	\$0.00	
28A	1702	Stirling, John & Jeanette M.	11			]	\$3,750	3,732	9,300	\$0,03	<b>\$0</b> .01	\$3,547.00	see note (4) below
28A	1703	Weaver, Sharon & Powers, Nancy & Messina, Marlo	[ ]	- [ -		}	\$600	3,742	5,370	\$0.03	\$0.02		2 oak treas @ \$100, 4 cedar trees @ \$50
28A	1704	Karam, issa S. & Ragenda	1 1	7		}	\$400	3,439	5,975	\$0.06	\$0.03	\$0.00	
28A	1705	Kristensen, Conrad R. & Linda G.	1 1	Ţ		]	\$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	11	2		}	\$2,050	20,143	27,700	\$0.06	\$0.03	\$0.00	_
28A	1714	Wittke, Lowell Gene & Judith Ann	1	Γ			Į					ļ	
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			}	į,					{	
28A	1718	Nelson, Douglas J. & Jacquelyn J.	1 1			]	\$625	5,790	9,225	\$0.06	\$0.03	\$0.00	
28B A	800	Clackamas Co. Housing Authority	0.5 0.5			ļ	Į.					{	
288A	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
2886	400	Lucht, Gerald W. & Marie H.	11	1.	111	\$200	\$200	3,027	8,400	\$0.03	\$0.01	\$0.00	
2888	500	Holsworth, Robert D. & Millie A.	11			ļ	\$1,250	6,315	8,580	\$0.02	\$0.01	\$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

Мар Та			Note			Secured	Appraised	Perm.	Temp.	Perm.	Temp.	Imprvmts.	comments
	axiot	Owner	AB	c	DE	Value	Value	(SF)	(SF)	(\$/SF)	(\$/SF)		
2688	600	Casey, Donald D. & Susan M.	1 1	T	TT	]	\$450	25	930	\$2.00	\$0.05	\$328.00	955SF pasture @ \$.03, 150LF barbed fence @ \$2
2888 1	1000	Wymore, Steve	1 1	1-	++	1	\$700	1,600	4,000	\$0.06	\$0.03		see (5) below
288B 1	1100	Reed, John L. & Sharilee Ann	1	1		\$150	\$150	450	4,250	\$0.03	\$0.03	\$0.00	
2888 1	1201	McKinley, Mark & Teresa M.	1 1	1	$\uparrow \uparrow$		\$350	1,650	4,125	\$0.06	\$0.02	\$150.00	6 maples @ \$25
2888 1	1202	Holland, David	1	2		1	\$1,350	5,227	13,425	\$0.03	\$0.01	\$1,020.85	( 566 (6) below
2888 1	1300	Holland, David		1	11								
2688 1	1400	Schleichert, Donald L. & Beth M.	1	1		-)	j						
2888 1	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
288B 1	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
2888 1	1505	Sweinink, Hendricus J.	1	1		\$0	l. l.						
2888 1	1700	Clackamas County, c/o Deroo	1	1	TT	7	ļ						
2888 1	1702	White, Irene P.	1 1	1	1-1-	7	\$1,100	5,822	12,718	\$0.02	\$0.01	\$851.00	17,040 SF pasture @ \$.03, 170LF fence @ \$2
2888 2	2000	Holland, David				1	8						
28BC	300	Holschu, Floyd G. & Dorotha	111	1			\$1,800	12,540	31,350	\$0.04	\$0.04	\$0.00	
28BC	400	Holschu, Floyd G. & Dorotha	1	]_		]	8						
28BC	501	Meyers, Marvin W. & Shirley M.	1 1		111	\$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 1	1000	Newton, Loyde & Hazel	1	1		\$0	ł						
28BC 1	1200	Merril, Cress & Paulette	11	ī }	$\overline{1}$	\$315	\$315	1,500	3,750	\$0.06	\$0.06	\$0.00	old shed to be demolished
288C 1	1301	Byrnes, Iris J.	11		111	\$175	\$175	640	1,600	\$0.07	\$0.07	\$0.00	
28BC 1	1500	Lumpkin, Lanney	1 1			R/Entry	\$270	500	3,350	\$0.07	\$0.07	\$0.00	
28BC 1	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
28BC 1	1700	Emmert, Terry W.	1 1			7	\$810	3,470	8,675	\$0.06	\$0.06	\$80.00	10if chain link fence @ \$8
288C 2	2400	Janz, Loreina	1 1	1		]	\$420	2,000	4,000	\$0.07	\$0.07	\$0.00	
28BC 2	2500	Grant, Bradley	1 1	ī]	Π	]	\$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	11		111	\$800	\$725	5,567	8,130	\$0.07	\$0.04	\$0.00	negotiation agreed \$75 for fence @ property lines
288D	600	Barney, Anna M.	$\begin{bmatrix} 1 \end{bmatrix}$			\$1,350	\$1,350	8,554	27,498	\$0.06	\$0.03	\$0.00	
289D ·	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 1	1001	Riggs, John L. Jr. & Della M.	1	1	1	\$0	8						
28BD -	1002	Secor, Samuel P. & Olive B.	11	i [	11	\$1,100	\$1,100	2,872	4,308	\$0.03	\$0.02	\$900.00	1800 SF lawn @ \$.50
28BD -	1100	Alggs, John L. Jr. & Della M.	1	}	1	\$0	<u></u>						
288D -	1400	Colman, Edward S. & Herrell, Robert D.	1 1		11	\$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.	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.	11	<u>r l</u>	112	\$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	¥					i	
29AA	300	Dalling, Daryi & Trucene	11	1	$\downarrow \downarrow$	]	\$1,300	2,500	6,250	\$0.04	\$0.02	\$1,087.50	see note (10) below
29AA :	3400	Taylor, Lois I.	11	11		\$550	\$400	2,500	3,750	\$0.04	\$0.03	\$187.50	6250sf pasture @ \$.03
29AA :	3500	Loeffelbein, Iven I. & Reva F.	11		11	\$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

			Notes		Secured	Appraised	Perm.	Temp.	Perm.	Temp.	Imprvmts.	comments
Мар	Taxlot	Owner	AB	CDE	Value	Value	(SF)	(SF)	(\$/SF)	(\$/SF)		
29AA	3501	Taylor, Lois I.	1		\$0	ţ					-	appraised as Lois Taylor's property
29AA	3600	Clackamas Co. c/o Bywater, Richard & Rebecca	1 1	11	\$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, Elsle H. & Kretzinger, Ruth		1	\$100	\$100	401	1,625	\$0.03	\$0.03	\$0.00	
;		Tax Lots										1
	81	Tax Lois			\$22,990	\$62,540	249,619	507,973	1 -		\$543,74	
004		NOTES	80 A	ppraised					Avera	age		J
COMMENT NOTES:												
(1) 16,210st pasture @ \$.03, 151if barb fence @ \$2, 100LF chain fence @\$8, 900sf AC @ \$.9, 6,700 sf lawn @ \$.5, 5 trees @ \$50												
(2) 14,8955F pasture @ \$.03, 268LF b. fence @ /c\$2, Hawthome tree @ \$50												
•••		e @ \$8, 850SF lawn @ \$.36, 300SF barkdust @ \$.50										
•••		vn @ \$.2, 3 Oaks @ \$100, 4 iruit trees @ \$50, .86MBF fir @ \$450, 100if c	nain tence (g	9 28								
• •		seed @ \$.03, .7MBF fir @ \$450, 1 maple @ \$50										
• •		sture @ \$.03,232lf b. fence @ \$2,3 cypress @ \$50, 2 Cedar @ \$100										
		m@ \$.2,50/f C.fence @ \$6, 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 If laurael hedge @ \$5, 540 If elec. fence @ \$1.25												
(10)	ospoel bas	sture @ \$.03, 501f B. ferice @ \$2, 4 fruit trees @ \$200										

PARK PLACE SEWER EASEMENT TL 1500 28 A Anna M. BARNEY 1991 2-2E-28 A 1500 DOCH 91-66725 page 318 ITem #6 Env# 594