

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Prince of Life Lutheran Church, an Oregon Corporation 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 sanitary sewer 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.

The GRANTORS 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 dollar, 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 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 13th day of August, 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.

Individuals,
general partnerships

Corporation
limited partnership

Signer's Name

Prince of Life Lutheran Church
Corporation/Partnership Name

Signer's Name

James R. Hachibart PASTOR
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 _____

ss.

Personally appeared the above
named _____

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

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

(OFFICIAL SEAL)

Prince of Life Lutheran Church
19677 S. Molalla Avenue
Oregon City, Oregon 97045

(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.

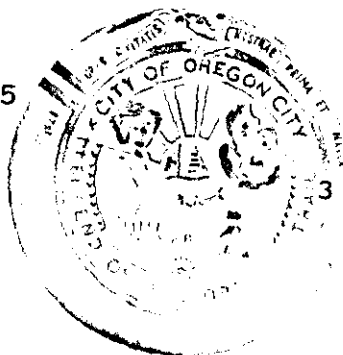
Daniel W. Fowler

Mayor

John K. Elliott
City Recorder

After Recording Return to:

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



Corporate Acknowledgment

STATE OF OREGON

County of Clackamas

ss.

Personally appeared James
Flachsbart who being duly sworn,
did say that the former is the
Pastor of Prince of Life Lutheran
Church a corporation, and that the
signature affixed to the foregoing
instrument was signed in behalf of
said corporation by authority of its
board of directors; and above
acknowledged said instrument to be
its voluntary act and deed.

Before me:

William D. Finnegan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92

(OFFICIAL SEAL)

Space reserved for County
Records Office

August 7, 1991

Sewer Easement, Tax Lot 401 - Revised
File No.: 647-0101

A sewer easement over, across, in and through that tract of land described and conveyed to Prince of Life Lutheran Church of Oregon City, an Oregon Corporation in Fee No. 84-25181, Records of Clackamas County, Oregon, situated in the Robert Caufield D.L.C. No. 53, in the southeast one-quarter of Section 8, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, said easement being fifteen (15) feet in width and located 7.50 feet on each side of the following described centerline:

Commencing at the southwesterly corner of said parcel of land conveyed and described in Fee No. 84-25181, records of said County, said corner bears North 75°41'26" East 1,467.28 feet and North 14°18'34" West 612.56 feet from the southeast or most southerly corner of the Samuel N. Vance D.L.C. No. 51 in said Township and Range; thence northeasterly along the southerly line of said parcel 40.61 feet to the **TRUE POINT OF BEGINNING** of this easement; thence North 09°45'00" West 207.85 feet to a point on the northerly line of said parcel, said point lies 58.00 feet northeasterly of the northwest corner of said parcel, said point also being the **TERMINUS** of this easement, the side lines of said 15 foot easement to be extended or shortened to terminate at the southerly and northerly lines of said parcel.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Oran D. Abbott

OREGON
JULY 30, 1976
ORAN D. ABBOTT
1066

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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

August 21, 1991

Page 1 of 1

Subject: Public Utility Easement Acceptance
Prince of Life Lutheran Church
Meyers Road Project

Report No. 91-145

On the August 21, 1991 City Commission agenda is another public utility easement for the Meyers Road Project for Commission acceptance. At the August 7 Commission meeting the Commission was advised there would be two (2) additional easements required for the project. This easement from the Prince of Life Lutheran Church is one of those easements. Attached is the easement document for review.

It is recommended that the City Commission adopt a motion accepting the easement and authorizing the Mayor and City Recorder to execute respectively.

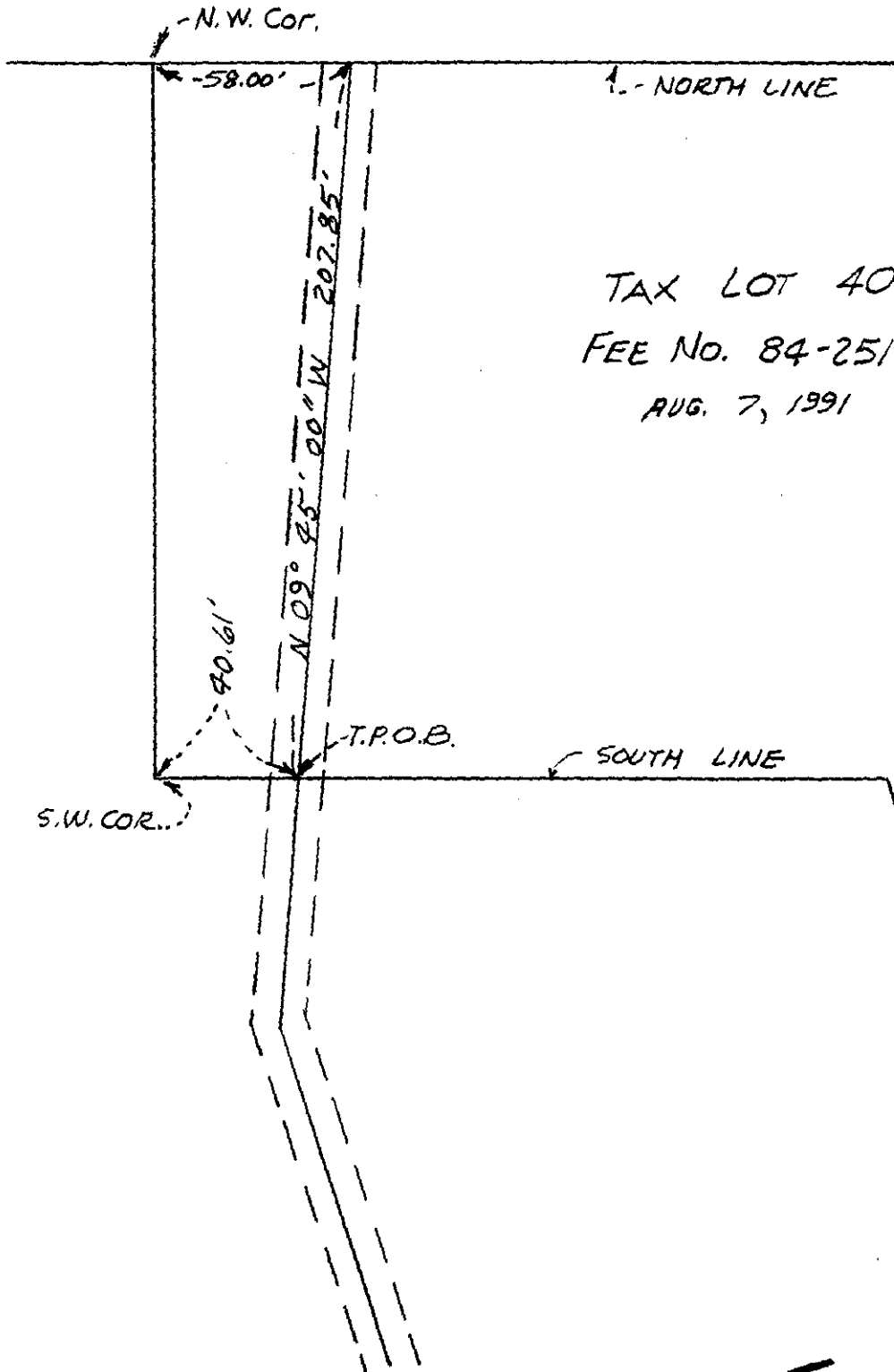
CHARLES LEESON
City Manager

JGB/im

attach.

cc - Development Services Director
- Neal Robinson, Project Manager

Scale: 1" = 50'



TAX LOT 401
FEE No. 84-25181
AUG. 7, 1991

EXHIBIT
SEWER EASEMENT - TAX LOT 401

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W&H PACIFIC
1099 S.W. Columbia Street
Portland, Oregon 97201
(503) 227-0455
Fax (503) 274-4607

Planning • Engineering • Surveying • Landscape Architecture

SEWER

(113)

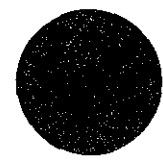
Meyers Road Sanitary Sewer

3-2E-8D, TL 401

Prince of Life Lutheran Church

1991

3-2E-8D 401



DOC# 91-49924

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