

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Faith & Life Free Methodist 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 and ingress/egress sanitary sewer pump station 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 7<sup>th</sup> 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

Faith & Life Free Methodist Church  
Corporation/Partnership Name

\_\_\_\_\_  
Signer's Name

Mark D. Todd  
Chairman of the Trustees  
\_\_\_\_\_  
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)

Faith & Life Free Methodist Church  
6035 Barclay  
Gladstone, Oregon 97027

(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. Fawcett

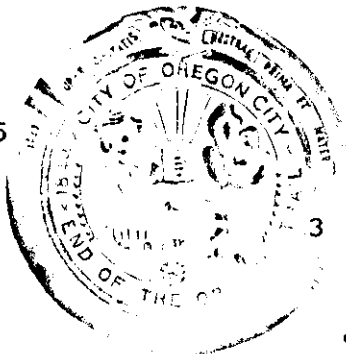
Mayor

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 Mack  
Todd who being duly sworn,  
did say that the former is the  
Chairman of Trustees of Faith & Life  
Free Methodist Church a  
corporation, and that the seal  
affixed to the foregoing instrument  
was signed and sealed 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 B. Finnegan  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92

(OFFICIAL SEAL)

Space reserved for County  
Records Office

July 23, 1991

**Utility and Ingress/Egress Easement - Tax Lot 1200**  
**File No.: 4-647-0101**

A utility and ingress/egress easement over, across, in and through that tract of land conveyed by contract to Clarence C. Perry, Jr., and Wilma Perry, his wife, and described in Fee Document No. 69-20296, 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, being more particularly described as follows:

Commencing at the southeast or most southerly corner of the Samuel N. Vance D.L.C. No. 51 in said Township and Range; thence North  $75^{\circ}41'26''$  East 1,997.72 feet; thence South  $14^{\circ}18'34''$  East 50.00 feet to the **TRUE POINT OF BEGINNING**; thence continuing South  $14^{\circ}18'34''$  East along the westerly line of aforesaid Perry tract 368.10 feet; thence North  $75^{\circ}41'26''$  East 75.00 feet; thence North  $14^{\circ}18'34''$  West 75.00 feet; thence South  $75^{\circ}41'26''$  West 40.00 feet; thence North  $14^{\circ}18'34''$  West 293.10 feet; thence South  $75^{\circ}41'26''$  West 35.00 feet to the **TRUE POINT OF BEGINNING**.

Contains 15,883.5 square feet more or less.



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EXHIBIT 'A'





# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

FOR AGENDA 13

DATED

August 7, 1991

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Right-of-Way Dedication and  
Public Utility and Slope Easement  
Acceptance - Meyers Road  
Extension Project

Report No. 91-142

On the August 7, 1991 City Commission agenda is a series of Right-of-Way Dedications and Public Easements for the Meyers Road project that are ready for Commission acceptance. Attached is a summary list of those that are ready for acceptance along with the documents for Commission review.

Staff is still working to obtain the execution of documents from the other property owners listed and will bring these to the Commission for acceptance when negotiations are completed.

It is recommended that the City Commission adopt a motion accepting the Right-of-Way Dedications and the Public Utility and Slope Easements attached and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON  
City Manager

JGB/im

attach.

cc - Development Services Director  
- Neal Robinson, Project Manager

T.L. 790

S 75° 41' 26" W 35.00'

T.P.O.B.

TAX LOT 1200



Scale: 1" = 50'

WEST LINE, PERRY TRACT

S 14° 18' 34" E 368.10'

293.10'

N 14° 18' 34" W

UTILITY & INGRESS/  
EGRESS EASEMENT

S 75° 41' 26" W  
40.00'

N 75° 41' 26" E  
75.00'

75.00'  
N 14° 18' 34" W

EXHIBIT  
UTILITY & INGRESS/EGRESS  
EASEMENT TAX LOT 1200



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

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EXHIBIT 'B'

# Meyers Road Extension Project

August 7, 1991

## **R/W Dedications**

3-2E-8C	100	Gerber, Hollowell, Radosevich, Ballard
3-2E-8C	102	Berger <i>yes</i>
3-2E-8D	500, 600	Meyers Road Investments <i>yes</i>
3-2E-8D	605	Columbia Knit
3-2E-8D	900	Watson
3-2E-17	300	Watson, Nevin, Waite, Harper, Brenner
3-2E-17	400	Nevin, Waite

## **Sanitary Sewer Easements**

3-2E-8D	401	Prince of Life Lutheran Church <i>no</i>
3-2E-8D	500	Meyers Road Investments <i>yes</i>
3-2E-8D	605	Columbia Knit (w/INGRESS/EGRESS)
3-2E-8D	790	Felbick (w/INGRESS/EGRESS) <i>no</i>
3-2E-9C	1200	Faith & Free Life Methodist Church (w/INGRESS/EGRESS) <i>yes</i>

## **Slope Easements**

3-2E-8C	100	Gerber, Hollowell, Radosevich, Ballard
<del>3-2E-8C</del>	<del>102</del>	<del>Berger</del> <i>not needed</i>
3-2E-8D	500, 600	Meyers Road Investments <i>yes</i>
3-2E-8D	605	Columbia Knit
3-2E-8D	900	Watson
3-2E-9C	1200	Faith & Free Life Methodist Church <i>yes</i>
3-2E-17	300	Watson, Nevin, Waite, Harper, Brenner
3-2E-17	400	Nevin, Waite

## **Ingress/Egress**

3-2E-8D	900	Watson
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signed documents

## Owner

## Phone

Gerber	631-3358
Berger	Unlisted
Meyers Rd. Investments c/o Dan Fowler	655-1455
Columbia Knit c/o Karen Jones	774-7387
Watson	655-2387
Nevin, Louise	636-1145
Harper, Scott	655-6925, 657-0891 (work)
Brenner, Art	659-8777
Prince of Life Lutheran Church	657-3100
Felbick c/o Richard & Joan Grant	362-1878
Faith & Free Life Methodist Church c/o Mack Todd	653-0422

# Meyers Road Extension Project

July 30, 1991

## R/W Dedications

✓ 3-2E-8C	100	Gerber, Hollowell, Radosevich, Ballard
3-2E-8C	102	Berger
3-2E-8D	500, 600	Meyers Road Investments
3-2E-8D	605	Columbia Kriit faxed
✓ 3-2E-8D	900	Watson
✓ 3-2E-17	300	Watson, Nevin, Waite, Harper, Brenner
✓ 3-2E-17	400	Nevin, Waite

## Sanitary Sewer Easements

3-2E-8D	401	Prince of Life Lutheran Church
3-2E-8D	500	Meyers Road Investments
3-2E-8D	605	Columbia Kriit (w/INGRESS/EGRESS) faxed
3-2E-8D	790	Felbick (w/INGRESS/EGRESS)
3-2E-9C	1200	Faith & Free Life Methodist Church (w/INGRESS/EGRESS)

## Slope Easements

✓ 3-2E-8C	100	Gerber, Hollowell, Radosevich, Ballard
3-2E-8C	102	Berger
3-2E-8D	500, 600	Meyers Road Investments
3-2E-8D	605	Columbia Kriit faxed
✓ 3-2E-8D	900	Watson
3-2E-9C	1200	Faith & Free Life Methodist Church
✓ 3-2E-17	300	Watson, Nevin, Waite, Harper, Brenner
✓ 3-2E-17	400	Nevin, Waite

## Ingress/Egress

3-2E-8D	900	Watson
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signed documents



SANITARY SEWER

Meyers Road Sanitary Sewer  
3-2E-9C, TL 1200

Faith&Free Life Methodist Church

1991

3-2E-9C 1200

DOC# 91-49917

DG	item
1816	2

END #19