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CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

25  
KNOW ALL MEN BY THESE PRESENTS, THAT Raymond E. and Laura L. Fillis, husband and wife, 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 storm drainage easement 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.

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 \$ 1.00, 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 from all encumbrances (no exceptions)

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 24 day of OCT, 1990, 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

X Raymond E. Ellis  
Signer's Name

\_\_\_\_\_  
Corporation/Partnership Name

X Laura Ellis  
Signer's Name

\_\_\_\_\_  
Signer's Name, Title

(if executed by a corporation  
affix corporate seal)

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

2

Personal Acknowledgment  
STATE OF OREGON

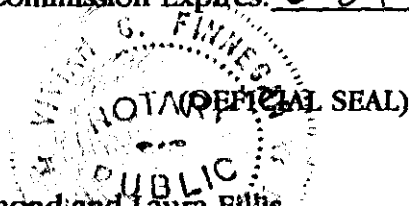
County of Clackamas ) ss.

Personally appeared the above named Raymond E. and Laura L. Fillis and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

William G. Finney  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



Raymond and Laura Fillis  
465 Hilda Street  
Oregon City, OR 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.

Chris D. Spence  
Mayor  
Paul L. 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 ) ss.  
County of \_\_\_\_\_ )

Personally appeared \_\_\_\_\_ and \_\_\_\_\_ who being duly sworn, each for himself and not one for the other did say that the former is the \_\_\_\_\_ president and that the latter is the \_\_\_\_\_ secretary of \_\_\_\_\_ 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 each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_

(OFFICIAL SEAL)

Space reserved for County  
Record's Office

**EXHIBIT "A"**

[3-2E-5BA T.L. 2400]  
[Hilda Street]

**LEGAL DESCRIPTION  
of  
STORM DRAINAGE EASEMENT**

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A tract of land situated in the W.M. Holmes D.L.C. No. 38, in the Northwest quarter of Section 5, Township 3 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

The Westerly 10 feet of that certain tract of land described in a contract to Raymond E. Fillis, et ux., as recorded under Recorders Fee No. 88-7889, Clackamas County Deed Records.

1528

0 0 50 70 1550

VERMILYEA

STREET

ALDEN

STREET

ADDITIONAL  
5

6	7	8	9	10	11
<p>3600 0.29 Ac. 428</p> <p>500 .17 Ac. 918</p> <p>3401 0.32 Ac.</p> <p>3400 0.02 Ac.</p>	<p>3200 0.14 Ac. 440</p> <p>3101 0.14 Ac. 444</p> <p>3100 0.22 Ac. 913</p> <p>3300 0.38 Ac. 935</p>	<p>3000 1.00 Ac.</p>	<p>2900 1.00 Ac.</p>	<p>2800 1.00 Ac.</p>	<p>2700 1.00 Ac. 478</p>



**CITY OF OREGON CITY**

INCORPORATED 1844

## COMMISSION REPORT

14  
FOR AGENDA  
DATED

November 7, 1

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TO THE HONORABLE MAYOR AND COMMISSIONERS

**Subject: Public Utility Easement Acceptance  
Hilda/Barclay Drainage Improvement**

**Report No. 90-266**

On the November 7, 1990 City Commission agenda is a public utility easement From Willard H. a Celia M. Smith and Raymond E. And Laura L. Fillis for Commission acceptance.

The easement is necessary for the City to repair a storm drainage pipe on private property. Attach is a copy of the easement for Commission review.

It is recommended that the Commission adopt a motion accepting the easement and authorizing the Mayor and City Recorder to execute respectively. Following execution the City Recorder will record Clackamas County deed records.

**CHARLES LEESON**  
City Manager

attach.

cc: Development Services Director  
Engineering Division

STORM DRAIN EASEMENT 1990

3-2E-5BA, TL 2400 (Hilda Street)  
Raymond/Laura Fillis

33

3-2E-5BA 2400

DOCA# 90-60045

purple

pg	item
1113	7

Env. 127