

**CITY OF OREGON CITY, OREGON**

[2-2E-29AA]  
[T.L. 2700]

**PUBLIC UTILITY(S) EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS, THAT Charles J. Champie and Laurie A. Champie, 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 drains 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 "C" Legal Description and attached Exhibit "D" 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 \$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)

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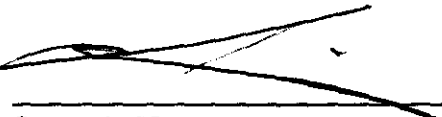
and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

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 19<sup>th</sup> day of Sept., 1910; 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

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

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

\_\_\_\_\_  
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 )

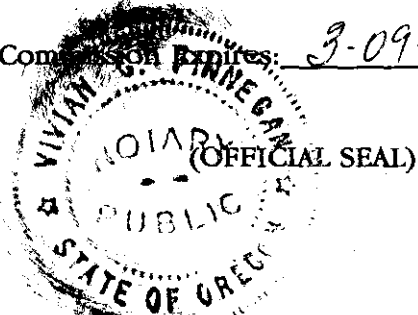
County of Clackamas ) ss.

Personally appeared the above named Charles J. Champie and Laurie A. Champie and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Vivian D. Finnegan  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



Charles and Laurie Champie  
13934 S. Cleveland  
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.

David R. Spear  
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 \_\_\_\_\_ ) ss.

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"

## LEGAL DESCRIPTION of STORM DRAINAGE EASEMENT

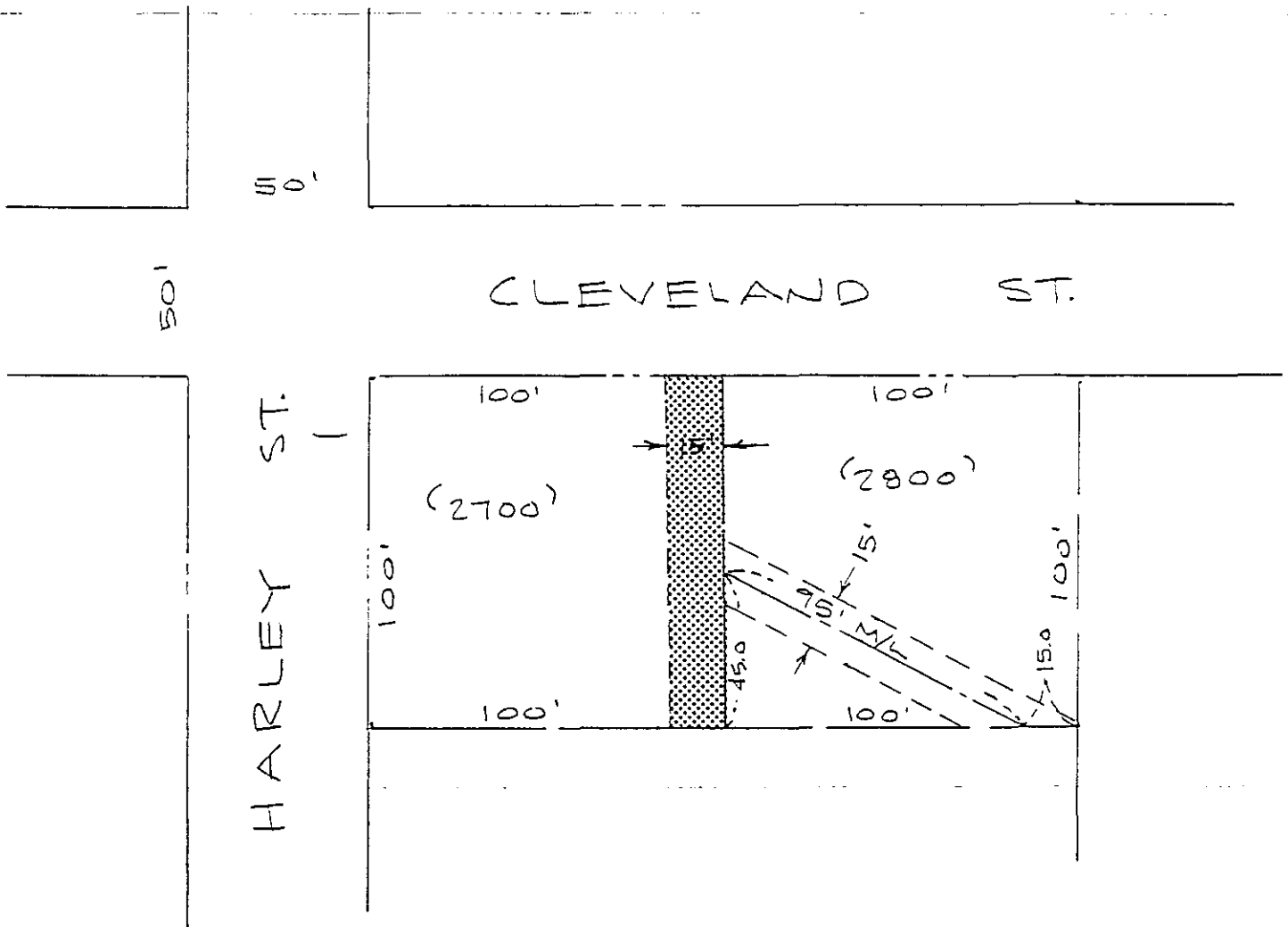
1

A tract of land situated in the Northeast quarter of Section 29, Township 2 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows;

The Easterly 15.00 feet of that certain tract of land conveyed to Michael B. Stevens by deed as recorded under Records Fee No. 82-32007, Clackamas County Deed Records.

4

# EXHIBIT "B"



5

# EXHIBIT "C"

## LEGAL DESCRIPTION of TEMPORARY CONSTRUCTION EASEMENT

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A tract of land situated in the Northeast quarter of Section 29, Township 2 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows;

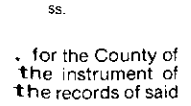
The Easterly 30.00 feet of that certain tract of land conveyed to Michael B. Stevens by deed as recorded under Recorders Fee No. 82-32007, Clackamas County Deed Records, as established by a line parallel with the Easterly line thereof.

4

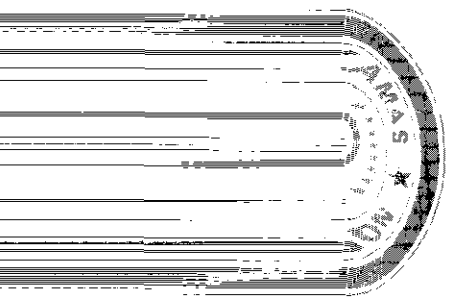
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AM 11:34



*[Signature]*  
IN F. KAUFFMAN  
County Clerk  
8118



**CITY OF OREGON CITY**  
INCORPORATED 1844

## COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

15  
FOR AGENDA  
DATED

November 7, 1990

Page 1 of 1

Subject:      Public Utility Easement Acceptance  
                 Cleveland/Harley Drainage Improvement

Report No. 90-267

On the November 7, 1990 City Commission agenda is a public utility easement from Charles J. and Laurie A. Champie for Commission acceptance.

The easement is necessary for the City to repair a storm drainage pipe on private property. Attached 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 in Clackamas County deed records.

CHARLES LEESON  
City Manager

attach.

cc:            Development Services Director  
                 Engineering Division



STORM DRAIN EASEMENT 1990

2-2E-29AA TL 2700

Charles/Laurie Champie

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2-2E-29AA 2700

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