

CITY OF OREGON CITY, OREGON
PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Patricia S. Parker

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 water line 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, one, 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, except that

If, at some future date, the owner determines this location to be in conflict with owner's building plans, owner has the right to relocate the waterline, at owner's expense, to a location centered 7.5' north of the southern line of the lots effected by this easement and to establish new easement, 15' wide, centered on that new water line location.

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, 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

Patricia S. Parker

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

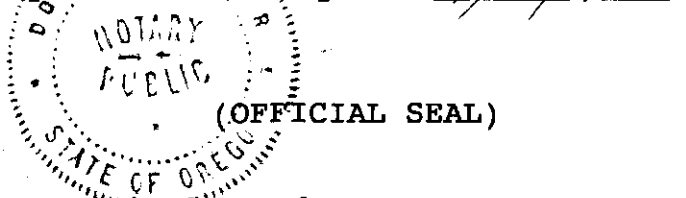
SS.

Personally appeared the above
named Patricia S. Parker and
acknowledged the foregoing
instrument to be her
voluntary act and deed.

Before me:

Donald F. Veldner
NOTARY PUBLIC FOR OREGON

My Commission Expires: 7/2/91



Patricia S. Parker
P.O. 149
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.

David R. Spear
Mayor

Joan 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



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EXHIBIT "A"

June 13, 1990

Project No. 1168.20

3 2E 9B TL 600, 700, 800

A PERMANENT UTILITY EASEMENT

A portion of that real property lying within lots 9, 10 and 11, CLAIRMONT ACREAGE TRACTS NO. 3, Clackamas County, Oregon, more particularly described as follows:

All of that real property lying within a strip of land 15 feet wide, 7.5 feet either side of the following described centerline.

Beginning at a point on the west right-of-way line of the Cascade Highway South, said point being West 440.38 feet and North 46.01 feet from the "X" on the stone at the S.E. corner of Lot 13 CLAIRMONT ACREAGE TRACTS NO. 3, Clackamas County, Oregon; thence S 87°59'07" W 283.33 feet to the terminus of said centerline. All lying within T3S, R2E, S9B, W.M.

The bearings for the above description are based on the the Record of Survey for Parker Development Co., November 1988, file No. PS-22818 and filed with Clackamas County Surveyor's office, Clackamas County, Oregon.



CITY OF OREGON CITY
INCORPORATED 1844

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FOR AGENDA
DATED

September 5, 1990

COMMISSION REPORT

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TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public Utility Easement Acceptance
Patricia S. Parker
Fir Street Water Line Project

Report No. 90-220

On the September 5, 1990 City Commission agenda is a public utility easement from Patricia S. Parker for Commission acceptance. The easement is for the Fir Street Water Line Project.

As the Commission recalls, the City recently vacated a portion of unbuilt Fir Street right-of-way in this area, reserving an easement for the water line; however, the water line needed to be installed further to the North. Attached are the easement documents for Commission review.

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

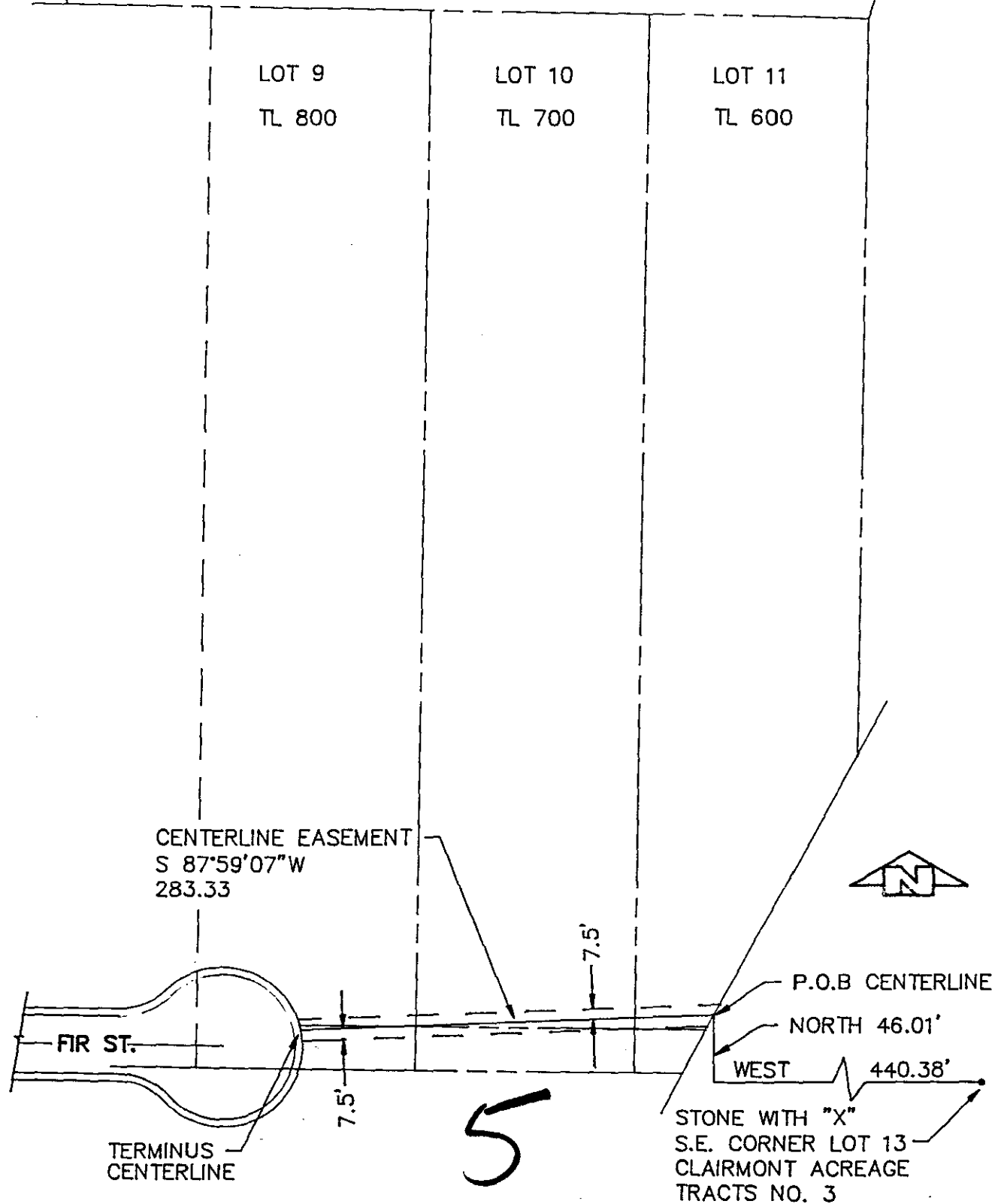
CHARLES LEESON
Interim City Manager

JGB:im

attach.

cc: Development Services Director
John Hawthorne, Civil Engineer

Exhibit B



FIR STREET WATERLINE EXTENSION EASEMENT

PREPARED BY:

LEE ENGINEERING, INC.

DATE: JUNE 1990

1168E01

REVISION

CITY OF OREGON CITY

WATER LINE EASEMENT

Patricia S. Parker
TL 600, 700, 800
3-2E-9B

1990

(24)



(purple)

3-2E-9B 600, 700, 800

DOC# 90-45597

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1514	3

EN#30