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CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Gilman T. Danielson and Virginia W. Danielson hereinafter called the GRANTORS, do 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 line on the following described land:

That portion of the property described on the attached Sketch and Legal Description entitled Exhibit "B" which is owned by GRANTORS.

TO HAVE AND TO HOLD, the above described easement unto the CITY, its successors in interest and assigns forever.

The GRANTORS also do hereby bargain, sell, convey, transfer and deliver unto CITY a temporary easement and right-of-way upon, across and under the following described land:

That portion of the property described on the attached Sketch and Legal Description entitled Exhibit "F" which is owned by GRANTORS.

It being understood that said temporary easement is only for the original excavation and construction of said utility line and upon the earlier of August 1, 1990 or completion of the construction thereof it shall utterly cease and desist, save and except for that portion hereinabove described as being a permanent easement.

GRANTORS reserve the right to use the land described in Exhibits "B" and "F" for all purposes during the terms of the easements except as specifically prohibited in this paragraph. Such uses undertaken by the GRANTORS shall not be inconsistent or unreasonably interfere with the use of the subject easement areas by the CITY. No building or utility shall be placed upon, under or within the property subject to the foregoing permanent easement during the term thereof, however, without the written permission of the CITY.

CITY shall indemnify and hold GRANTORS, their heirs and assigns, harmless against any and all claims, liabilities, loss, costs or damages arising out of the exercise of the rights granted herein. Upon completion of the construction, the CITY shall promptly restore the surface of the property to its original condition.

The true consideration of this conveyance is \$1.00, the receipt of

which is hereby acknowledged by GRANTORS, and other covenants between the parties.

And the GRANTORS above named hereby covenant to and with the CITY, and CITY's successors in interest and assigns that GRANTORS are lawfully seized in fee simple of the above granted premises, free from all encumbrances and that GRANTORS 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 GRANTORS.

In construing this easement 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 GRANTORS have executed this instrument this 14th day of May, 1990.


Gilman T. Danielson


Virginia W. Danielson

STATE OF OREGON)
) ss.
County of Clackamas)

Personally appeared the above named Gilman T. Danielson and Virginia W. Danielson and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:


NOTARY PUBLIC FOR OREGON

My Commission Expires: 06-24-90

(OFFICIAL SEAL)

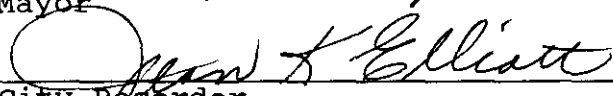
Gilman T. and Virginia W. Danielson
P. O. Box 5490
Oregon City, Oregon 97045
(Grantor's Name and Address)

City of Oregon City
320 Warner Milne Road
Oregon City, Oregon 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.



Mayor



City Recorder

After Recording Return to:

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



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EXHIBIT "B"
(Revised 5-8-90)

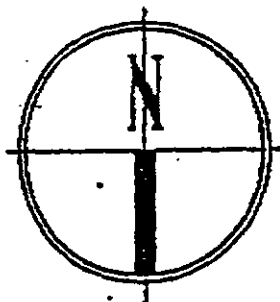
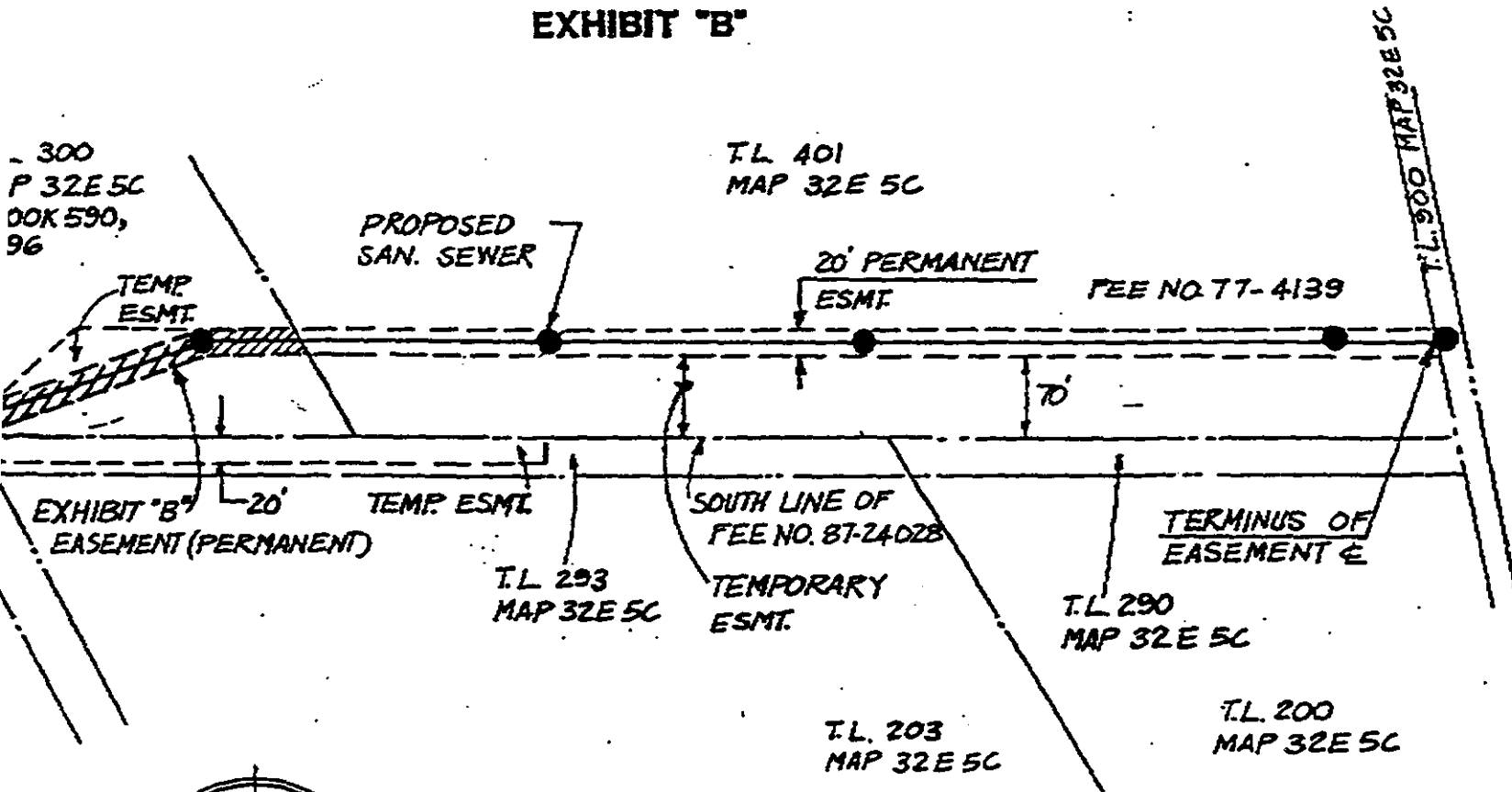
That portion of the following described 20.00 foot wide strip of land lying within that parcel of land described in Deed Book 590, page 196, recorded July 31, 1961, Clackamas County Deed Records:

A strip of land, 20.00 feet wide, the centerline of which is described as follows: Commencing at the intersection of the southerly line of that parcel recorded as Fee Number 87-24028 on May 28, 1987, Clackamas County Deed Records with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 21.92 feet to the True Point of Beginning of the strip herein described; thence S.81°53'33"W., 22.72 feet; thence S.73°32'35"W., 200.93 feet to a point which is 80.00 feet southerly of, when measured at right angles to, the southerly line of said Fee Number 87-24028 parcel; thence N.89°47'W. parallel to said southerly line, 1032 feet, more or less, to the westerly line of that parcel recorded as Fee Number 77-4139 on February 3, 1977, Clackamas County Deed Records, and the terminus of this strip.

The sidelines of this strip shall be lengthened or shortened as required to meet the southwesterly line of said State Highway No. 213, and the westerly line of said Book 590, page 196 parcel.

Contains 6,171 square feet, more or less.

EXHIBIT "B"



SCALE: 1" = 150'
REVISED 5-8-90 RDY

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 16, 1980
MICHAEL W. FAIN
1875

STATE INTAKE & ASSESSMENT FACILITY
SANITARY SEWER EASEMENT MAP

PROJECT NO. 2625

MARCH, 1990

otak
INC. ARCHITECTS, P.C.
INCORPORATED
17200 S.W. Boone Ferry Rd., Lake Oswego, OR 97035 (503) 635-3818
201 E. 1st Street, Vancouver, WA 98660 (509) 566-0267
28 Cedar Way, #205, Ballard, WA 98107 (206) 831-4145

EXHIBIT "F"
(Revised 5-8-90)

Beginning at the intersection of the northerly line of that parcel conveyed to H-Line Construction, Inc. on July 31, 1961 in Deed Book 590, page 196, Clackamas County Records, with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 50 feet; thence N.82°08'40"W., 40 feet; thence S.59°52'20"W., 103 feet, more or less, to a point which is 90 feet southerly of, when measured at right angles to, the northerly line of said Book 590, page 196 parcel; thence N.89°47'W. parallel to said northerly line, 174 feet, more or less, to the westerly line of said Book 590, page 196 parcel; thence N.32°W. along said westerly line, 106 feet, more or less, to the northwest corner thereof; thence S.89°47'E., 335 feet, more or less, to the Point of Beginning.

EXCEPT THE following described 20 foot wide strip of land:

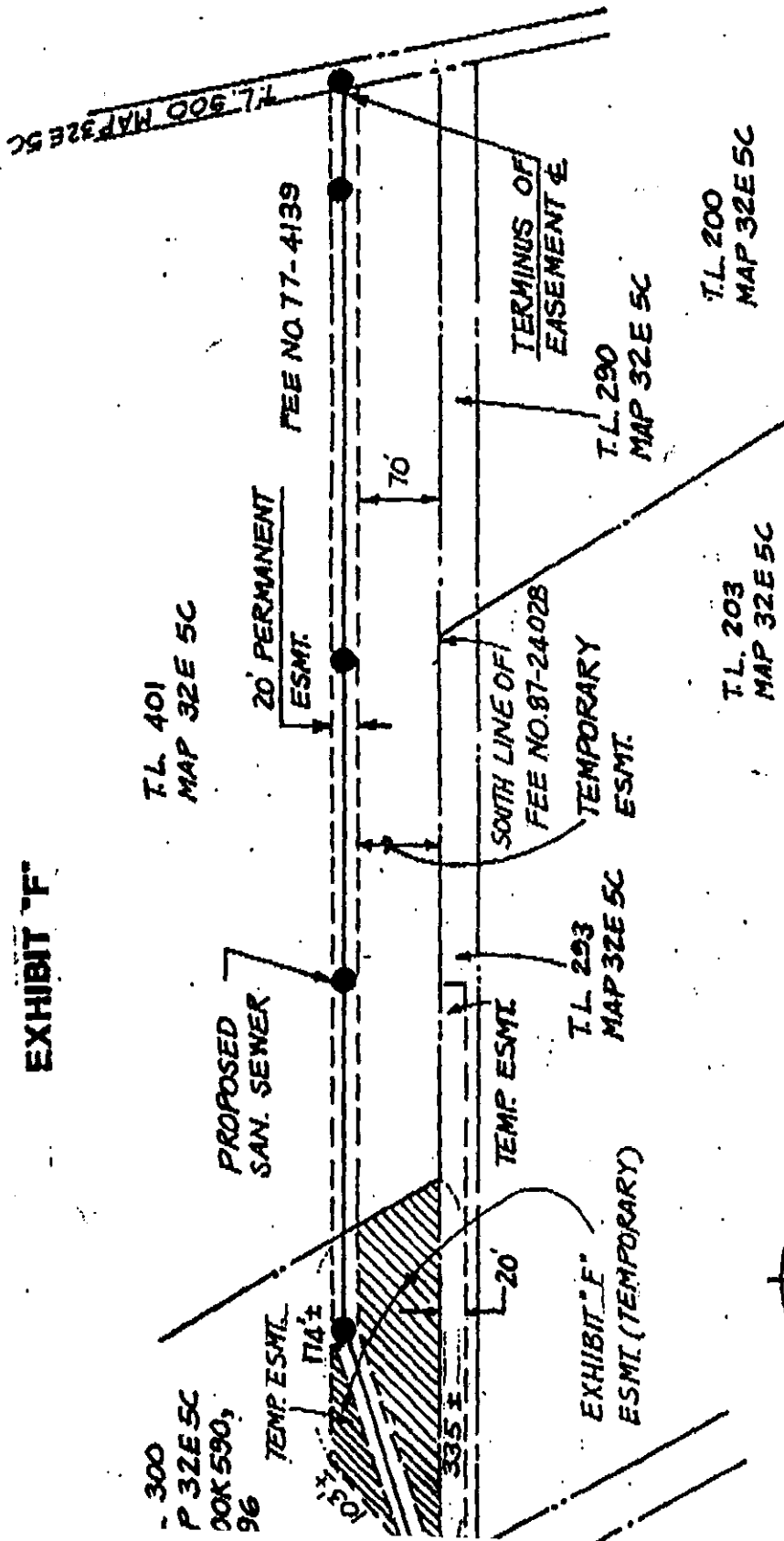
A strip of land, 20.00 feet wide, the centerline of which is described as follows:

Commencing at the intersection of the southerly line of that parcel recorded as Fee Number 87-24028 on May 28, 1987, Clackamas County Deed Records with the southwesterly line of Molalla Avenue (State Highway No. 213); thence S.29°23'E. along said southwesterly line, 21.92 feet to the True Point of Beginning of the strip herein described; thence S.81°53'33"W., 22.72 feet; thence S.73°32'35"W., 200.93 feet to a point which is 80.00 feet southerly of, when measured at right angles to, the southerly line of said Fee Number 87-24028 parcel; thence N.89°47'W. parallel to said southerly line, 1032 feet, more or less, to the westerly line of that parcel recorded as Fee Number 77-4139 on February 3, 1977, and the terminus of this strip.

The sidelines of this strip shall be lengthened or shortened as required to meet the southwesterly line of said State Highway No. 213 and the westerly line of said Book 590, page 196 parcel.

Contains 18,300 square feet, more or less.

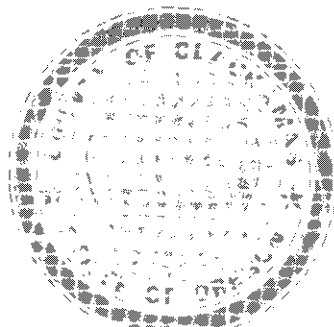
STATE INTAKE & ASSESSMENT MAP
 SANITARY SEWER EASEMENT MAP
 PROJECT NO. 2625
 MARCH, 1990



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Michael W. Fain
 OREGON
 JULY 18, 1980
 MICHAEL W. FAIN
 1875

STATE OF OREGON
 County of Clackamas
 I, John F. Kauffman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

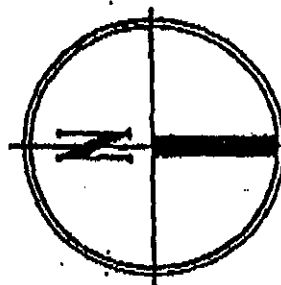
1990 JUN 20 PM 1:24



Witness my hand and seal affixed
John F. Kauffman
 JOHN F. KAUFFMAN
 County Clerk

Recording Certificate
 CCP-R4 (rev. 12/86)

90 29111



SCALE: 1" = 150'
 REVISED 5-8-90 RDY



CITY OF OREGON CITY
INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA
DATED

May 16, 1990

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public Utility Easement Acceptance
Gilman and Virginia Danielson

Report No. 90-105

On the May 16, 1990 City Commission agenda is a public utility easement from Gilman and Virginia Danielson for Commission acceptance. The easement is for the Intake Assessment Center off-site sewer project that extends across Red Soils to Molalla Avenue.

As part of the City/County cooperation on the sewer project, the City volunteered to obtain the off-site easements for the project. This easement and an easement from the Robert Randall Company are the only off-site easements needed.

Following completion of the project, the City will assume ownership and maintenance responsibility for the sewer line.

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

CHARLES LEESON
Interim City Manager

JGB:im

attach.

cc: Development Services Director

SEWER EASEMENT

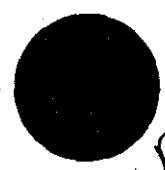
1990

98

TL 400, Map 32E 5C

Gilman T/Virginia W. Danielson

3-2E-5C 400



DOC# 90-291116 (purple)

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1414	3

Env. 186