

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Lynn B. Miller

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 waterline 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.

The true consideration of this conveyance is one dollar and other good and valuable consideration, 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 \_\_\_\_ day of \_\_\_\_\_, 19\_\_; 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 Washington )  
County of King ) ss.

Personally appeared the above  
named Lynn B. Miler  
aka and  
acknowledged the foregoing  
instrument to be his  
voluntary act and deed.

Before me:

John M. Shaker  
NOTARY PUBLIC FOR OREGON

My Commission Expires:

(OFFICIAL SEAL)

Lynn B. Miller  
15634 S. E. 54th Street  
Bellevue, Washington 98006

(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 DeSpear  
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

Legal Description  
for  
MIKE FLURY

89603  
October 16, 1989  
Revised December 18, 1989

### WATERLINE EASEMENT

Situated in the south half Section 5, Township 3 South, Range 2 East, Willamette Meridian City of Oregon City, Clackamas County, Oregon being 10.00 feet wide and lying 5.00 feet on each side of the following described centerline:

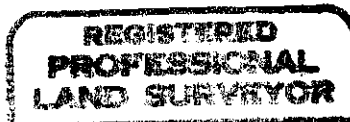
Beginning at a point on the north right-of-way line of that street dedicated by Fee No. 80-29259, said point being South  $61^{\circ}12'00''$  West a distance of 58.97 feet from the northeast corner of said Fee No. 80-29259 and running thence North  $28^{\circ}47'17''$  West parallel with the east line of the storage parcel a distance of 5.00 feet to point "A"; thence continuing North  $28^{\circ}47'17''$  West a distance of 282.64 feet to point "B"; thence continuing North  $28^{\circ}47'17''$  West a distance of 5.00 feet to the north line of the storage parcel and the terminus thereof. The side lines may lengthen or shorten to begin on the north right-of-way line said Fee No. 80-29259 and terminate on the north line of the storage parcel.

ALSO TOGETHER with the following 10.00 feet wide easement being 5.00 feet on each side of the following described centerline:

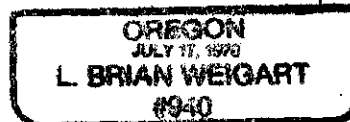
Beginning at Point "A" above and running South  $61^{\circ}12'00''$  West a distance of 30.00 feet to the terminus thereof.

Beginning at Point "B" above and running North  $61^{\circ}12'00''$  East a distance of 20.00 feet to the terminus thereof.

lg10-16a.leg



*L. Brian Weigart*



12.18.89

**EXHIBIT "A"**

*4*

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Daniel T. Burton*

OREGON  
JANUARY 15, 1987  
DANIEL T BURTON  
#2248

10-27-87

SCALE  
1"=100'

1.P. @ 4+49.56, 29.65' RT.

D. 3/4" I.P.  
2+49, 29.84' RT.

S 88° 38' 40" W  
ER-MILNE ROAD

MOLALLA AVENUE (STATE HWY. 213)

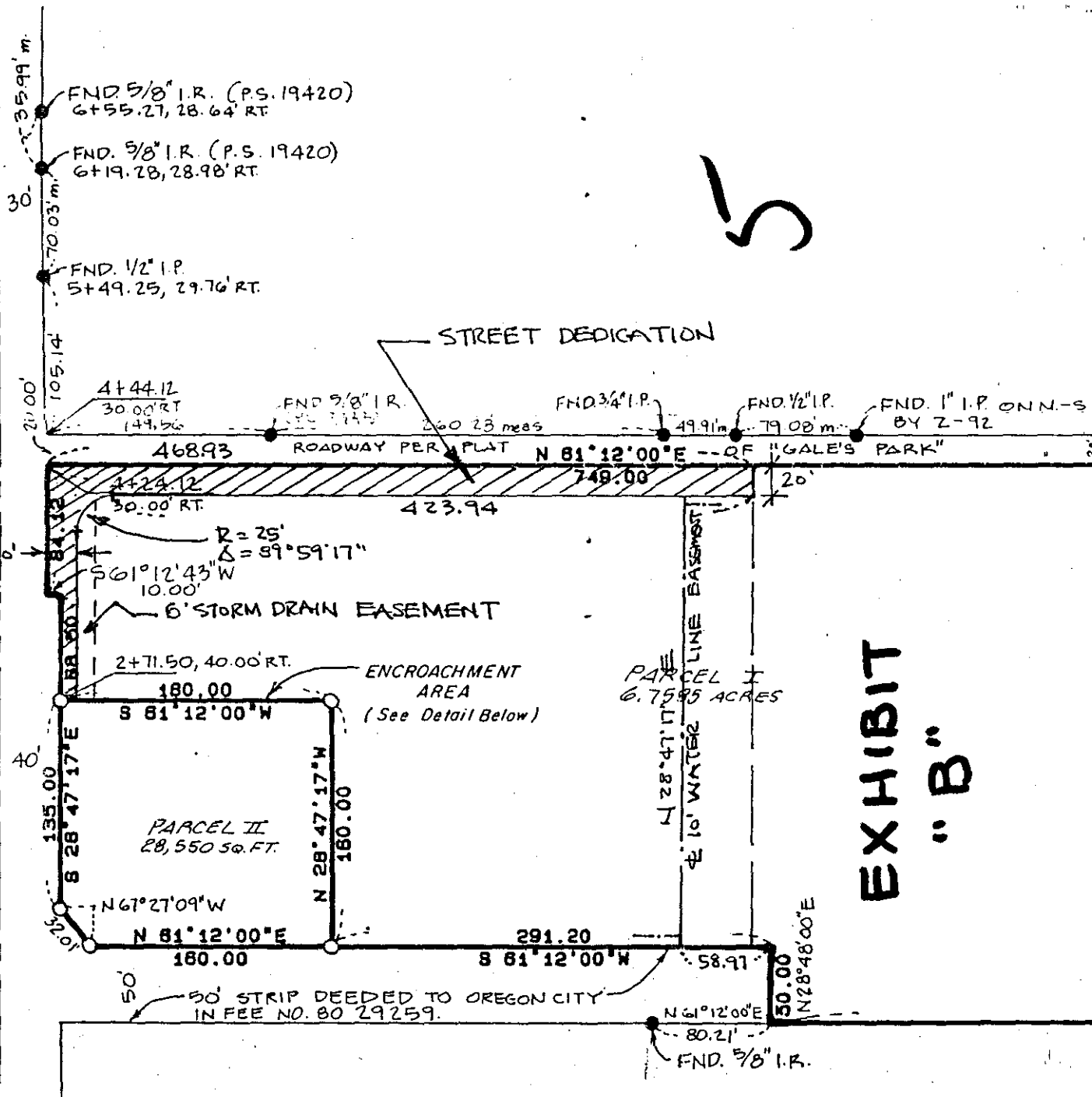


EXHIBIT  
"B"



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

February 7, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Oregon City Mini Storage  
Deed of Dedication and  
Public Utility Easement Acceptance

Report No. 90-23

On the February 7, 1990 City Commission agenda is a deed of dedication and public utility easement from Oregon City Mini Storage, for Commission acceptance. The dedication and easement conveyance were City conditions of permit approval. Attached are the executed documents for Commission review.

It is recommended that a motion be adopted accepting the documents and the Mayor and City Recorder be authorized to execute respectively. Following execution the City Recorder will record in Clackamas County Deed Records.

THOMAS FENDER III  
City Manager

JGB:im

attach.

cc: Development Services Director  
John Hawthorne, Civil Engineer

WATER LINE EASEMENT

1990

(25)

Lynn E. Miller

TL 1200, 3-2E-5A

3-2E-5A 1200

DOC# 90-22132

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1313	#3

Env. 103