

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 storm drain 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

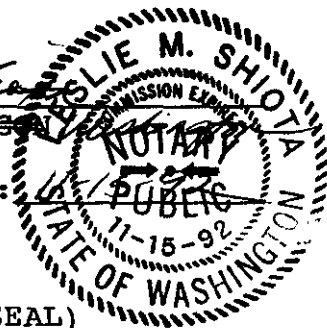
STATE OF ~~OREGON~~ Washington)
County of King) ss.

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

Before me:

Janet M. Shiotani
NOTARY PUBLIC FOR OREGON

My Commission Expires: 11-15-92



(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)

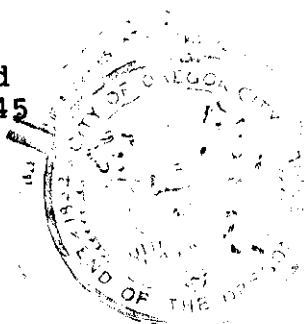
Accepted on behalf of the City of
Oregon City on the condition that
the easement granted is free and
clear from taxes, liens and
encumbrances.

David D. Spear
Mayor

John H. 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
for
Mike Flury

89603
December 20, 1989

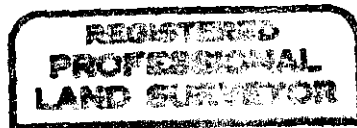
RE: DRAINAGE EASEMENT

Situated in the south one half, Section 5, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, and be described as follows:

The westerly 6.0 feet of the following described parcel lying parallel with and adjacent to Molalla Avenue. Beginning at a point on the north line of that street dedication described in Fee No. 80-29259, said point being South $61^{\circ}12'00''$ West a distance of 11.97 feet from the northeasterly corner thereof and running thence South $61^{\circ}12'00''$ West on the northerly right-of-way said street dedication a distance of 278.90 feet to the southeast corner of that parcel described in Fee No. 87-58353; thence North $28^{\circ}48'22''$ West on the east line said parcel a distance of 159.95 feet to the northeast corner thereof; thence South $61^{\circ}12'00''$ West on the north line said parcel a distance of 169.98 feet to a point; thence North $28^{\circ}47'17''$ West parallel with and 50.00 feet easterly of the centerline of Molalla Avenue a distance of 107.70 feet to the beginning of a tangent 25.00 foot radius curve right; thence on said curve through a central angle of $89^{\circ}59'17''$ (the long chord of which bears North $16^{\circ}12'21''$ East a distance of 35.35 feet) an arc distance of 39.26 feet to the end thereof, said point being 20.00 feet southerly of the south line of that 20.00 foot roadway platted in GALE'S PARK, recorded in Plat Book 11, Page 28, plat records said county and running thence North $61^{\circ}12'00''$ East parallel with and 20.00 feet southerly of said platted roadway a distance of 423.94 feet to a point; thence South $28^{\circ}47'17''$ East a distance of 292.64 feet to the point of beginning.

Basis of bearings being PS No 22,378.

89603.leg



L. Brian Weigart



12-22-89

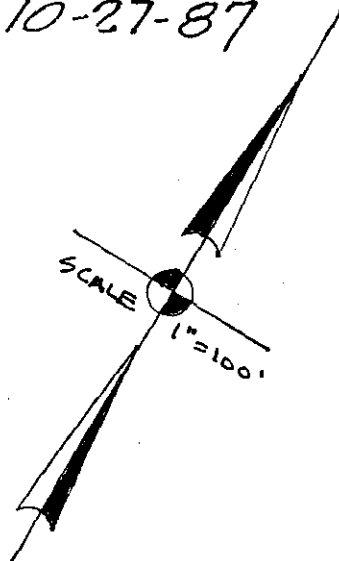
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REGISTERED
PROFESSIONAL
LAND SURVEYOR

Daniel T. Burton

OREGON
JANUARY 15, 1987
DANIEL T. BURTON
#2248

10-27-87



MOLLALA AVENUE (STATE HWY. 213)

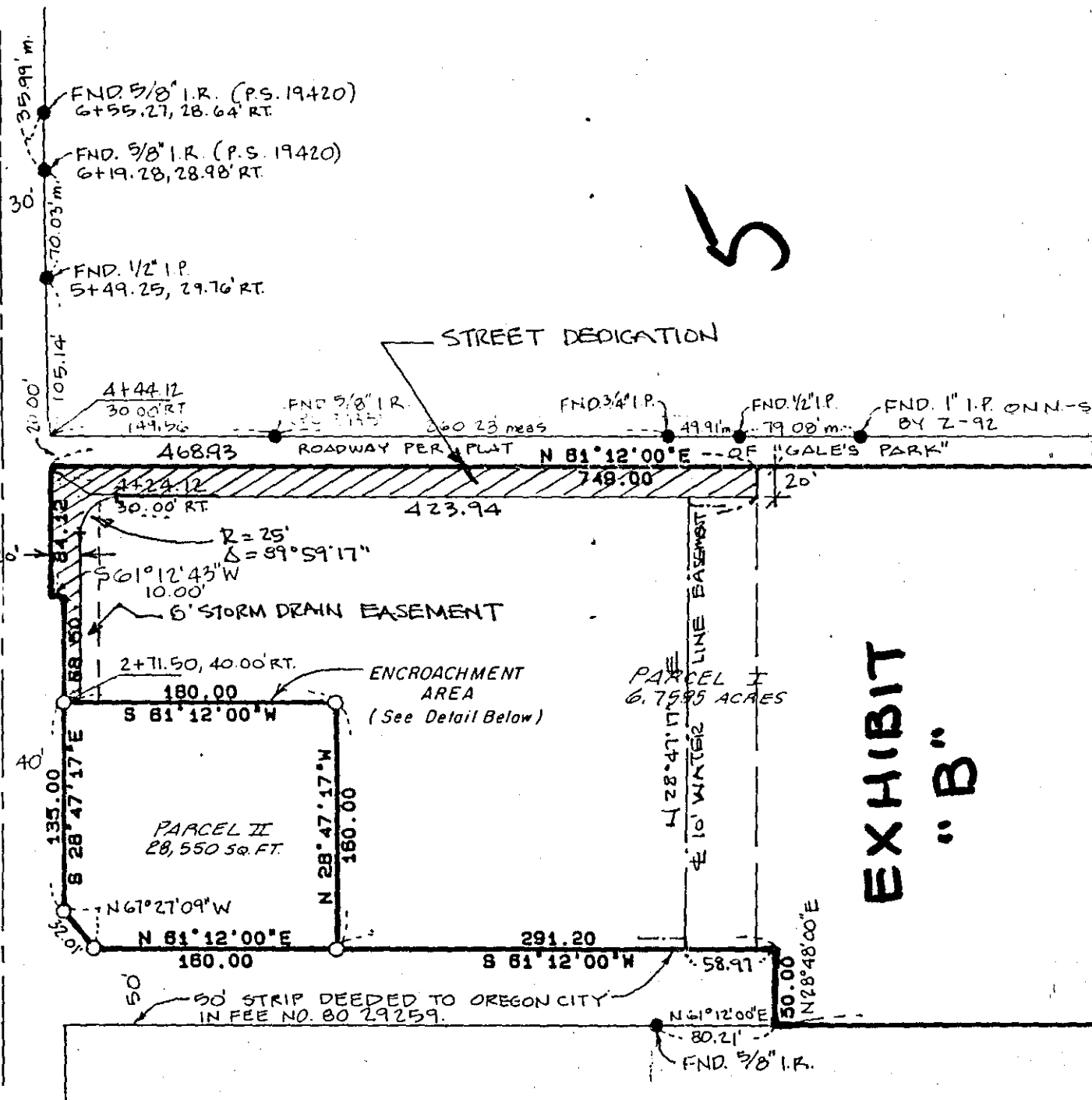


EXHIBIT
"B"

1/4" I.P. @ 4+49.56, 29.65' RT.

FND. 3/4" I.P.
4+24.49, 29.84' RT.

S 88°38'40"W
NER-MILNE ROAD



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

STORM DRAIN EASEMENT

1990

32

Lynn B. Miller TL 1200
3-2E-5A

3-2E-5A 1200

DOC# 90-22131

(purple)

B13#2

Env. 102