

35

(97)

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT ~~The Robert Randall Company,~~  
~~an Oregon Corporation~~ Robert D. Randall

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 sanitary sewer on the  
following described land:

See attached Sketch and Legal Description entitled  
Exhibit "C"

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 Sketch and Legal Description entitled Exhibit "D"

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.

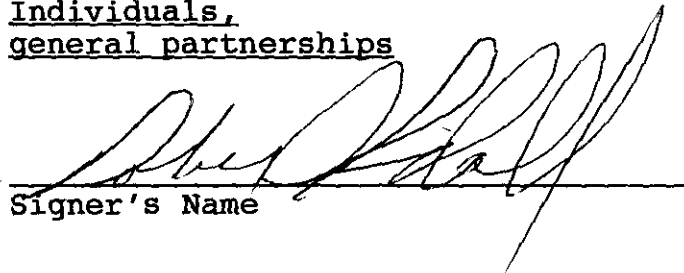
And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances

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 26 day of April, 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

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

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

(if executed by a corporation  
affix corporate seal)

Corporation  
limited partnership

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

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

Personal Acknowledgment  
STATE OF OREGON

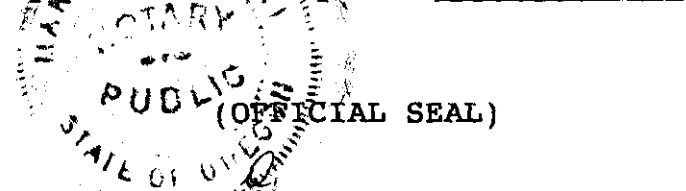
County of Multnomah ) ss.

Personally appeared the above  
named Robert D. Randall and  
acknowledged the foregoing  
instrument to be his  
voluntary act and deed.

Before me:

Mary L. Moynihan  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 11-15-93



Robert Randall  
9500 S. W. Barbur Blvd.  
Portland, Oregon 97219

(Grantor's Name and Address)

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

(Grantee's Name and Address)

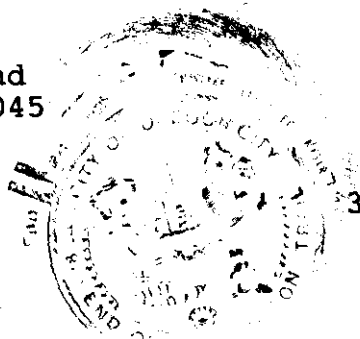
Accepted on behalf of the City of  
Oregon City on the condition that  
the easement granted is free and  
clear from taxes, liens and  
encumbrances.

David R. Spear  
Mayor

Alan 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 "C"**  
**(Revised 5-8-90)**

That portion of the following described 20.00 foot wide strip of land lying within that parcel of land recorded as Fee Number 77-4139 on February 3, 1977, 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, and the terminus of this strip.

The sidelines of this strip shall be lengthened or shortened as required to meet the easterly and westerly lines of said Fee Number 77-4139 parcel.

Contains 18,942 square feet, more or less.

**EXHIBIT "D"**

The northerly 70 feet of that parcel recorded as Fee Number 77-4139 on February 3, 1977,  
Clackamas County Deed Records.

Contains 65,200 square feet, more or less.



**CITY OF OREGON CITY**  
INCORPORATED 1844

FOR AGENDA  
DATED

May 16, 1990

## COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Public Utility Easement Acceptance  
Robert D. Randall

Report No. 90-104

On the May 16, 1990 City Commission agenda is a public utility easement from Robert D. Randall (Robert Randall Development Company) 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 Danielson's 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.

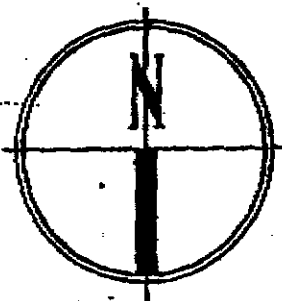
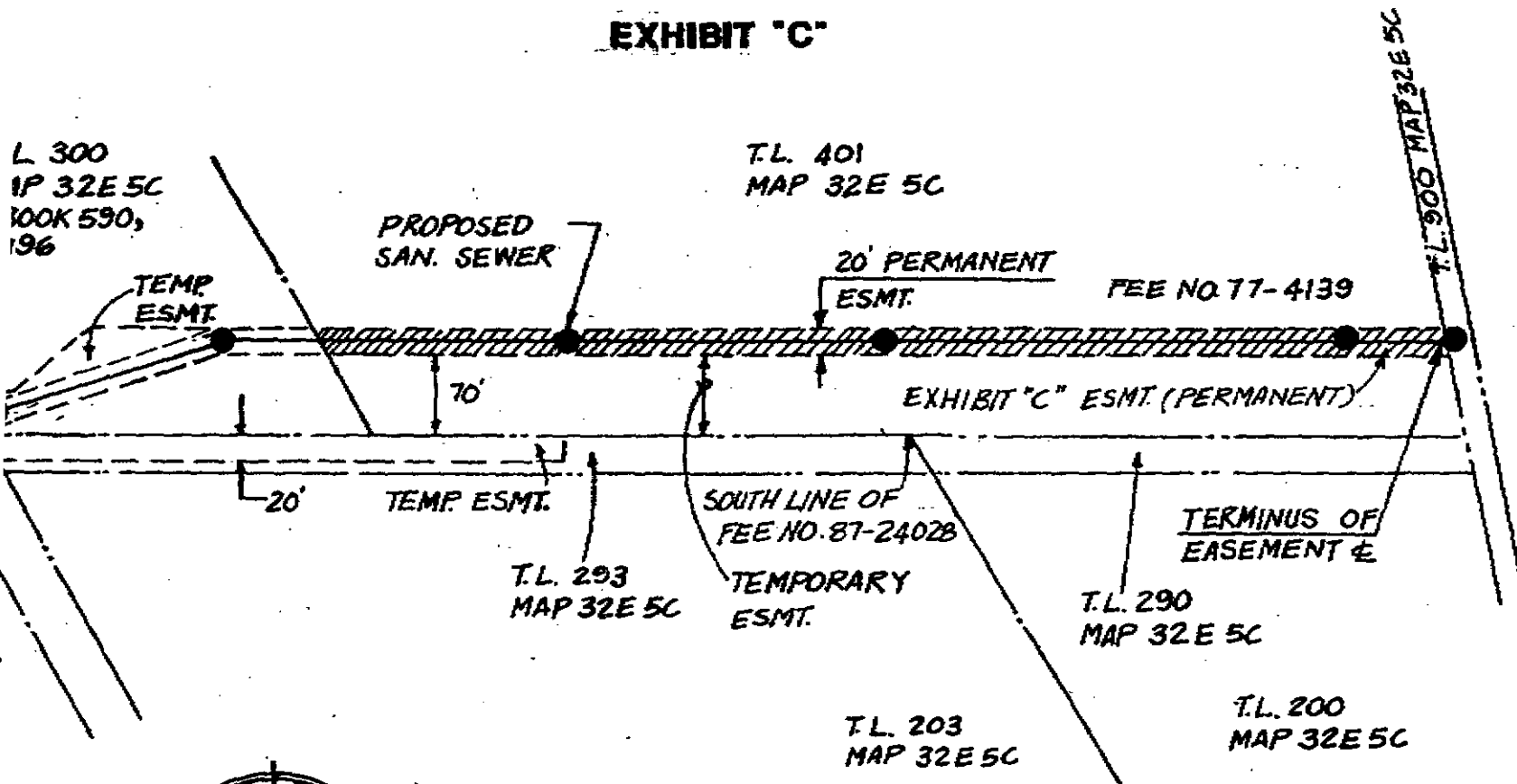
CHARLES LEESON  
Interim City Manager

JGB:im

attach.

cc: Development Services Director

# EXHIBIT "C"



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



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

**otak**  
INC. ARCHITECTS, P.C.  
INCORPORATED  
17355 S.W. Boomer Ferry Rd., Lake Oswego, OR 97035 (503) 635-3616  
501 E. 8th Street, Vancouver, WA 98660 (206) 895-0357  
25 Central Way, #205, Portland, WA 98053 (206) 822-4448

SCALE: 1"  $\approx$  150'



SEWER EASEMENT

1990

97

TL 401, Map 32E 5C

Robert D. Randall

3-2E-5C. 401



DOCH# 90-29110

pg	ITEM
1413	#6

Env 194