

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

KNOW ALL MEN BY THESE PRESENTS, THAT Larry L. and Karla S. McKinney,
husband and wife
hereinafter called the GRANTOR, 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 storm drain and sanitary
sewer 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.

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 Exhibit "A" Legal Description and attached
Exhibit "B" Sketch for Legal Description.

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 \$4,000.00 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 5TH day of OCTOBER, 1989; 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.

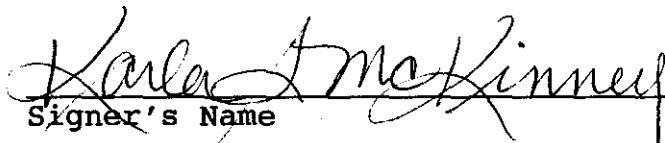
Individuals,
general partnerships

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)
County of Clackamas) ss.

Personally appeared the above
named Larry L. and Karla S.
McKinney and
acknowledged the foregoing
instrument to be their
voluntary act and deed.

Before me:


NOTARY PUBLIC FOR OREGON

My Commission Expires: 10/20/90

(OFFICIAL SEAL)

Larry L. McKinney
18788 Central Point Road
Oregon City, Oregon 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.


Mayor


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 A PERMANENT UTILITY EASEMENT

A strip of land 20.00 feet wide being the Northeasterly 20.00 feet of the following described tract of land.

Part of the Southwest one-quarter of the Southeast one-quarter of Section 6, Township 3 South, Range 2 East of the Willamette Meridian, being in the S. S. White D.L.C. No. 41, in Clackamas County, Oregon, described as follows:

BEGINNING at a point on the Northwest line of said D.L.C. which is South 42° 30' West 20 chains from the most Northerly corner of said claim, said point also being the Northwest corner of that certain tract of land conveyed to Charles H. Myers, et ux, by Deed recorded March 9, 1889, in Book 33, Page 213, Clackamas County Deed Records; thence South 47° 45' East along the Southwest line of Myers Tract 545.16 feet; thence North 42° 30' East 240.90 feet; thence North 47° 45' West 545.16 feet; thence South 42° 30' West 240.90 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM a strip of land 82.00 feet in width, cut off by a line 82.00 feet from and parallel with the Southwesterly line of the above described tract.

LEGAL DESCRIPTION FOR A TEMPORARY CONSTRUCTION EASEMENT

A strip of land 20.00 feet wide lying Southwesterly and adjacent to the above described permanent utility easement. The Northeasterly line being the Southwesterly line of said permanent easement.



CITY OF OREGON CITY

INCORPORATED 1844

FOR AGENDA

DATED

October 12, 1989

COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Easement Acceptance
Larry L. and Karla S. McKinney

Report No. 89-217

On the October 12, 1989 City Commission agenda is a Sanitary Sewer and Storm Drainage easement for Commission acceptance. Attached are copies of the easement documents for Commission review.

The easement provides for the construction of an off-site sanitary sewer line to serve the proposed expansion of the Fernwood Court Apartments and to preserve a natural drainage way.

Because of the project schedule and recording requirements the easement has already been signed by the Mayor and City Recorder, so the City Commission will need to ratify their execution by adopting a motion to accept the easement.

THOMAS FENDER III
City Manager

JGB:im

attach.

cc: Development Services Director
John Hawthorne, Civil Engineer



CITY OF OREGON CITY

Incorporated 1844

DEVELOPMENT SERVICES
DEPARTMENT
Planning, Building,
Engineering
320 Warner Milne Road
Oregon City, OR 97045
(503) 657-0895

October 5, 1989

Cyndi Guisinger
Chicago Title Insurance Company of Oregon
10001 S. E. Sunnyside Road
Clackamas, Oregon 97015

Subject: Escrow Instructions
Sanitary Sewer and Storm Drain Easement

Dear Cyndi:

The City of Oregon City desires to purchase a sanitary sewer and storm drainage easement across the northerly 20 feet of Tax Lot 200, Map No. 3-2E-6DC. Attached is an easement for Larry L. and Karla S. McKinney's execution and a check in the amount of \$4,000 as true and valuable consideration for the easement.

Please obtain the signatures of Larry L. and Karla S. McKinney on the easement and record when the McKinney's are in title to the property. Following recording the \$4,000 can be disbursed. Thank you.

Sincerely,

JOHN G. BLOCK
Development Services Director

JGB/im
attach.

Lyle E. and Helen J. Cox
18788 Central Point Road
Oregon City, Oregon 97045

Larry L. and Karla S. McKinney
12921 S. E. 26th Street
Milwaukie, Oregon 97222

SW 1/4 SE 1/4 SEC. 6 T.3S.R.2E. W.M.
CLACKAMAS COUNTY

S.S

SEE MAP

1"=100'

12650

CANCELLED NO.
801

3 2E 6DB

20' PERMANENT
DRAINAGE & SANITARY
EASEMENT

20' TEMPORARY
CONSTRUCTION
EASEMENT

6

CHICAGO



"This plat is for your aid in
locating your land with reference
to streets and other parcels.
While this plat is believed to
be correct, the company assumes
no liability for any loss occurring
by reason of reliance thereon."

No. C-58408

CHICAGO TITLE INSURANCE COMPANY
10001 S.E. SUNNYSIDE ROAD
CLACKAMAS, OREGON 97015



62-33

EXHIBIT "B"

5

1100
94 Ac.

1203
2.09 Ac.

1202
1.39 Ac.

Easement Acceptance

3-2E-60C 200

Larry L. McKinney
Karl S. McKinney

1989

(purple)

Env. 423

DOC# 89-44933

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