

25-1

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Cherie Feb 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.

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 non-monetary 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 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 GRANTOR has executed this instrument this 14 day of February, 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

Cherie Feb

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

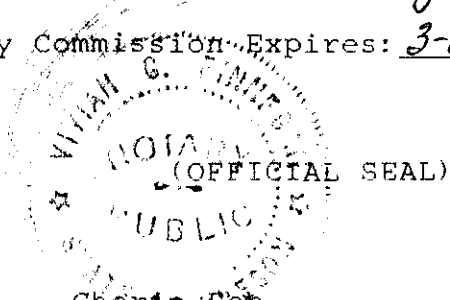
STATE OF OREGON)
) ss.
County of Clackamas)

Personally appeared the above
named Cherie Feb
_____ and
acknowledged the foregoing
instrument to be her
voluntary act and deed.

Before me:

William G. Lunnigan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



Cherie Feb

10429 S.E. 24th

Milwaukie, OR 97222

(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 C. Spear
Mayor

Jan 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)
) ss.
County of _____)

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

3

GENERAL
REVIEW
[Signature]
[Signature]

SCALE:
1"=50'

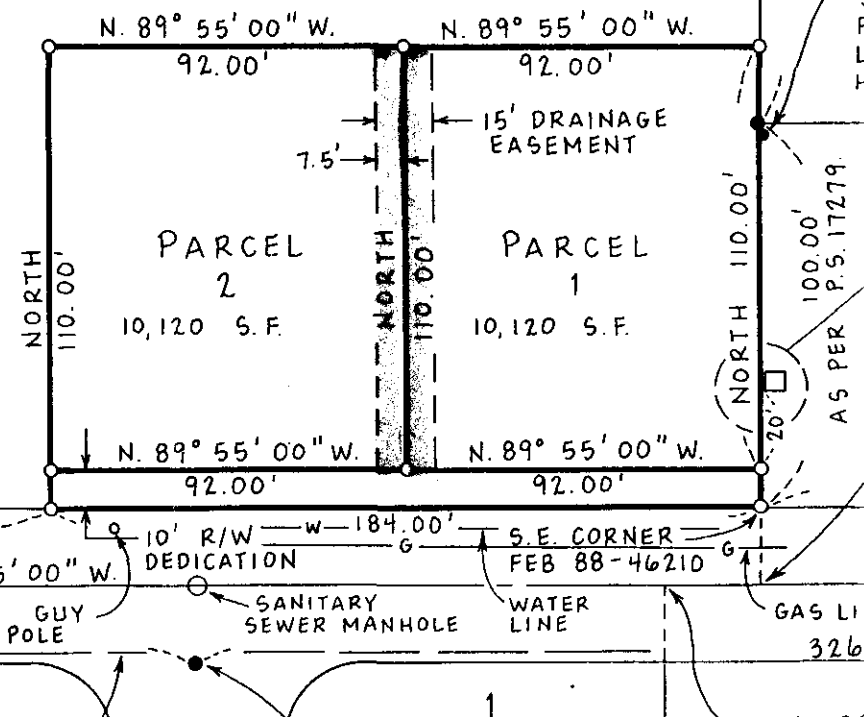
PARCEL 3

NOTE:
EAST LINE
BAUER 290/546
COINCIDES WITH
EAST LINE
FEB 88-46210

A

EXHIBIT "B"
SKETCH FOR
LEGAL DESCRIPTION

From Record of Survey
By COMPASS CORPORATION
Dated 1/25/89



LAWTON ROAD

112.45'
(112.48 PLAT)

END 2" I.P. WITH

END 1/2" I.P.

122.35'

GUY POLE

SANITARY SEWER MANHOLE

WATER LINE

GAS LINE



CITY OF OREGON CITY

INCORPORATED 1844

FOR AGENDA

DATED

March 9, 1989

COMMISSION REPORT

Page 1 of 1

TO THE HONORABLE MAYOR AND COMMISSIONERS

Subject: Lawton Road Deed of Dedication
and Public Utility Easement

Report No. 89-40

On the March 9, 1989 City Commission agenda is a deed of dedication and public utility easement on Lawton Road, for Commission acceptance. The dedication and easement were conditional as part of a land partition of the property. Both documents are attached for Commission review.

The Development Service staff have reviewed both documents and have approved them. It is recommended the City Commission adopt a motion accepting the deed of dedication and public utility easement and directing the Mayor and City Recorder to execute respectively.

Following execution the City Recorder will record the documents to Clackamas County Deed Records.

THOMAS FENDER III
City Manager

JGB:im
Attachments

cc: Development Services Director
John Hawthorne, Civil Engineer

EXHIBIT "A"

LEGAL DESCRIPTION FOR 15' DRAINAGE EASEMENT

(OREGON CITY MP-88-0404)

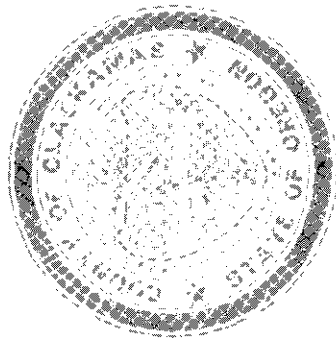
A fifteen foot easement situated in the Southeast quarter of Section 1, Township 3 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon, being 7.50 feet on each side of the following described centerline:

COMMENCING at the Southeast corner of that parcel of land conveyed to Cherie Feb by warranty deed recorded under Fee No. 88-46210, Clackamas County deed records; THENCE along the East line of said Feb parcel North 10.00 feet; THENCE along a line parallel to and 30 feet from the centerline of Lawton Road N. 89 55'00"W., 92.00 feet to a 5/8" iron rod with yellow plastic cap stamped "Compass Corp." at the POINT OF BEGINNING of the centerline herein to be described; THENCE North parallel with the East line of said Feb tract a distance of 110.00 feet to the terminus of said centerline.

This description is based on a Record of Survey by Compass Corporation dated January 25, 1989.

E OF OREGON) ss.
County of Clackamas)
John F. Kauffman, County Clerk, for the County of
Clackamas, do hereby certify that the instrument of
recording was received for recording in the records of said
County at

1989 MAR 27 PM 3:42



my hand and seal affixed

John F. Kauffman
JOHN F. KAUFFMAN
County Clerk

19 Certificate
rev. 12/86)

89 12540

5

UTILITY EASEMENT

15 Ft. Storm Drain
Cherie Feb, Lawton Road

1989

(27)

3-1E-1DB 501,502



(purple)

pg	item
1306	# 4

C. CO. INSTRUMENT # B9-12540

Env#

536