

25.

Laurel Lane Sanitary  
Sewer L.I.D. 88-1  
3-2E-5BC, t.l. 8400

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Jean M. Livesay

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 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.

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.

88 48614

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 6<sup>th</sup> day of Sept, 1988; 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

Jean M. Luey  
\_\_\_\_\_  
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 Jean M. Livesay  
\_\_\_\_\_ and  
acknowledged the foregoing  
instrument to be her  
voluntary act and deed.

Before me:

William B. Farnegau  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92

(OFFICIAL SEAL)

Jean M. Livesay  
942 Laurel Lane  
Oregon City, OR 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.

Kenneth M. Munell  
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 )

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

#2442

8/24/88 WC

EASEMENT DESCRIPTION

SANITARY SEWER

TAX LOT 8400

MAP 3 - 2E - 5 BC

**EXHIBIT "A"**

The East ten feet of that tract of land in the Northwest-quarter of Section 5, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, described in deed to Charles L. and Jean M. Livesay recorded June 1, 1970 under Clackamas County Recorder's Fee No. 70-12675.

4

3614

Laurel Lane Sanitary  
Sewer

3-2E-5BC 8400

Jan M. Livsey, 1988

DOC#88-48614

pg	item
1212	5

Env. 140