

## AGREEMENT FOR EASEMENT

THIS AGREEMENT, Made and entered into this 27th day of March, 1981, by and between Gustav E. Hein and Margaret Louise Hein, hereinafter called the first party, and City of Oregon City, a municipal corporation, hereinafter called the second party;

WITNESSETH:

WHEREAS: The first party is the record owner of the following described real estate in \_\_\_\_\_ County, State of Oregon, to-wit:

T.L. 300 Assessor Plat Map 3-2E-6 and Index as recorded in Book 487, Page 543, Clackamas County Deed Records

and has the unrestricted right to grant the easement hereinafter described relative to said real estate;

NOW, THEREFORE, in view of the premises and in consideration of One Dollar (\$1) by the second party to the first party paid and other valuable considerations, the receipt of all of which hereby is acknowledged by the first party, they agree as follows:

The first party does hereby grant, assign and set over to the second party a 50.00 foot x 433.6<sup>±</sup> ft. Utility Easement - more particularly described as follows:

Beginning at a point, said point being the Southwest corner of Lot 11, Block 5 Shenandoah No. 3, a plat recorded in Book 68, Page 19, Clackamas County Record of Plats, and the Northwest corner of an unnamed street in said plat and also being on the East line of the property conveyed to Gustav Hein in Book 487, Page 543, Clackamas County Deed Records, said point being South 0° 13' 35" West 310.95 feet, more or less, to the Northwest corner of the Hein property described in Book 487, Page 543 and the True Point of Beginning of this easement; thence extending the northerly alinement of said unnamed street, across Hein's property, North 89° 59' 60" West 433.6 feet, more or less, to a point in the Westerly line of Hein's property as described in Book 487 (see reverse side for continuance of easement description)

(Insert here a full description of the nature and type of the easement granted to the second party.)

The second party shall have all rights of ingress and egress to and from said real estate (including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party hereby agrees to hold and save the first party harmless from any and all claims of third parties arising from second party's use of the rights herein granted.

The easement described above shall continue for a period of perpetual, always subject, however, to the following specific conditions, restrictions and considerations: Oregon City is requesting the above easement for the purpose of extending a water main across the Hein property. The water main will be installed and the surface of the ground restored to present condition or better by the City of Oregon City at no expense to the property owner.

After construction, the City retains the right to enter upon this property as necessary for inspection and maintenance of the water line.

Fair Market Value of the easement is \$5,000.00.

Mr. and Mrs. Hein are donating this easement to the City at no charge. The condition is that the easement is for City use only for the purpose of installing and maintaining a water main. This easement grants no public use of the affected property.

~~This easement is for a right of way over or across first party's said real estate, the center line of said~~



**CITY OF OREGON CITY**  
INCORPORATED 1844

P. O. Box 631

April 9, 1981

Gustav & Margaret Hein  
19071 S. Central Point Road  
Oregon City, OR 97045

Dear Mr. & Mrs. Hein:

As per your request, please find enclosed a copy of the Agreement for Easement, which has been recorded by the County.

The City appreciates your cooperation in this matter. If you have any questions, please call me at 655-8481.

Sincerely,

William C. Parrish  
City Engineer

*Ron Storzbach*  
by Ron Storzbach  
Engineering Technician

kd

Enclosure

(88)

UTILITY EASEMENT - HEIN PROPERTY

T.L. 300, 3-2E-6

1981

3-2E-600 300

DOC# 81-10968

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