

E A S E M E N T

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The undersigned, Charles M. Livesay and Clara E. Livesay husband and wife, Grantors, for the consideration of ONE \$(1.00) and no/100 Dollars to Grantors paid, the receipt of which is hereby acknowledged, do here by grant unto the Park Place Water District, a domestic water district organized under the laws of the State of Oregon, its successors and assigns, referred to herein as Water District, a permanent right of way and easement to construct, reconstruct, operate and maintain a water line and all necessary relating facilities under and along the following described premises:

A portion of that tract of land in section 28, Township 2 south, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, conveyed to Charles M. Livesay and Clara E. Livesay, as described and recorded in Book 644, page 70 and 71, deed records of said Clackamas County, more particularly described as follows:

A strip of land 20 feet wide, 10 feet either side of the following described centerline:

Beginning at a point on the northerly boundary of County Road 432 (Livesay Road), being 10.00 feet westerly from the easterly boundry of vacated 3rd Street in the townplat of Clackamas Heights described in Commissioner's Journal 25, on page 248. Thence: Running Northerly parallel to, and 10 feet from, the easterly boundry of said vacated 3rd Street to a point on the northerly line of said Charles M and Clara E. Livesay tract.

TOGETHER with a temporary easement identical in centerline location to the permanent easement (above described) being 40 feet wide, 10 feet on the right and 30 feet on the left of the above described easement. Said temporary easement shall terminate when all construction of the water system over the above described property is completed and approved by said Water District.

As further consideration for said easement, Water District hereby grants to Grantors the right to six thousand 6000 gallons of water each month from April 1, 1974 to April 1, 1979, (with exception of the months of MAY, JUNE, JULY, AUGUST AND SEPTEMBER each year the Water District will grant the Grantors an additional two thousand gallons, (2,000),) without cost to the Grantors; thereafter any water used during any month, commencing April 1, 1974 in excess of the above stated amounts, Grantors are required to pay for use of excess water at the rate other water users pay in the said Water District pay.

The permanent and temporary easement shall include the right, privilege and authority of Water District to excavate for, and to construct, install, lay, operate, maintain and remove underground pipelines with all appurtenances incident thereto or necessary thereafter, for the purpose of supplying public utility service under and across the said premises.

from time to time, in, under and through the above described premises within said right of way, and to cut and remove from said right of way any trees and other obstructions which may endanger the safety or interfere with the use of said pipelines or appurtenances attached to or connected therewith; and the right of ingress and egress to and over said above described premises at any and all times for the purpose of patrolling the pipelines or repairing, renewing or adding to the number of pipelines and appurtenances and for doing anything necessary, useful or convenient for the enjoyment of the easement hereby granted.

Water District, upon the initial installation and upon each and every occasion that the same be repaired or removed shall restore the premises of the Grantors by removing all debris and leaving the ground surface in a neat and presentable condition; buildings and improvements to be restored as near as possible to as good a condition as the same were prior to any such installation.

Dated this 26th day of April, 1974.

Charles M. Livesay
Clara E. Livesay

State of Oregon)
) ss
County of Clackamas)

April 26, 1974

Personally appeared the above named Charles M. Livesay and Clara E. Livesay, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Seamus Murphy
Notary Public for Oregon
My Commission Expires: 8-23-74

County Clerk, Ex-Officio
and Ex-Officio Clerk
State of Oregon, for
do hereby certify that
this instrument was received for
recording in said county at

APR 26 1974

DEED

Notary Public
GEORGE POPPEN
County Clerk,
Clackamas County, Oregon
Deputy.

WATER Easement

2-2E-28CA

TL 1501



Charles + Clara Livesay

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