

5/5

2001-020377



\$46.00

00125360200100203770050053

03/27/2001 01:25:49 PM

D-E Cnt=1 Stn=1 ELIZABETH

\$25.00 \$11.00 \$10.00

AFTER RECORDING RETURN TO:

City Recorder (Leilani Bronson-Crelly)
P.O. Box 3040
Oregon City, Oregon 97045-0304

Map No.: 3-2E-16A

Tax Lot: 600

Planning No.: TP97-03 (PIONEER PLACE)

Grantor: Sun West Construction and Development, Inc.

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

KNOW ALL BY THESE PRESENTS, THAT Sun West Construction and Development, Inc 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 Storm Drain Facilities 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 \$1.00, 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 (no exceptions) 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 _____ day of _____, 20 ____; 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.

NOTICE: *No stamp or corporate seal is allowed over any typed information.*

Individuals, general partnerships

Signer's Name

Signer's Name

(if executed by a corporation
affix corporate seal below)

Corporation/limited partnership

SUNWEST CONST & DEV. INC
by Chet Antonson, V.P.
Corporation/Partnership Name

Signer's Name, Title

CHET ANTONSEN V.P.

Signer's Name, Title

SunWest Const & Dev Inc
by Tam C Skaar Pres.
Signer's Name, Title

Tam C Skaar President

NOTICE TO NOTARIES: No notary stamp or corporate seal is allowed over any typed information.

Personal Acknowledgment

STATE OF OREGON)

County of _____) ss.

On this _____ day of _____, 20____,
before me, _____, the
undersigned Notary Public, personally appeared _____ and
acknowledged the foregoing instrument to be
his/her voluntary act and deed.

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____
Stamp seal below

(Grantor's Name and Address)

City of Oregon City

P.O. Box 3040

320 Warner Milne Road

Oregon City, OR 97045-0304

(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 any taxes, liens, and encumbrances.

Mayor

John F. Williams, Jr.

City Recorder

Lailani Bronson-Crelly

Corporate Acknowledgment

STATE OF OREGON)

County of Multnomah) ss.

On this 19th day of January, 2001,
before me, Tracy E. Reynolds, the
undersigned Notary Public, personally appeared
Tom C. Skaar and
Chet Antonsen who
being duly sworn, each for himself and
not one for the other did say that the former is the
Tom C. Skaar president
and that the latter is the Chet Antonsen secretary of
Sunwest Construction and
Development, Inc, 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.

Tracy E. Reynolds
NOTARY PUBLIC FOR OREGON

My Commission Expires: 6-7-02
Stamp seal below

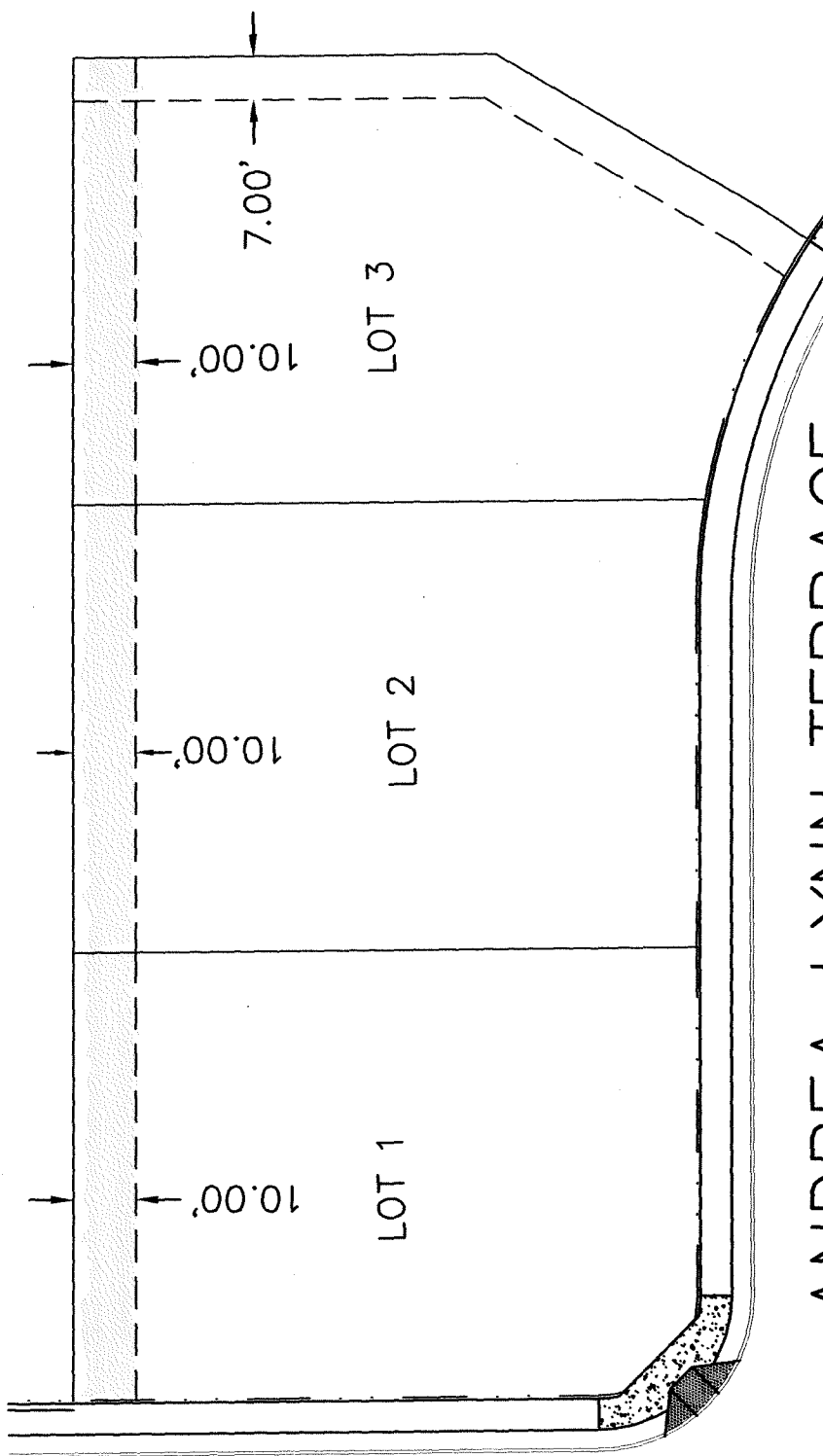
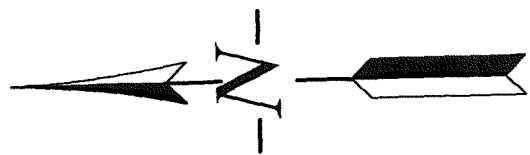


Exhibit 'A'

A strip of land for storm drain facilities and maintenance purposes lying in Northeast 1/4 of Section 16, Township 3 South, Range 2 East, of the Willamette Meridian within the City of Oregon City, Clackamas County, Oregon and further described as follows:

The Northerly 10 feet of Lots 1, 2 and 3 of the duly recorded plat of "Pioneer Place" along with the Easterly 7 feet of said Lot 3 of "Pioneer Place"

EXHIBIT 'B'



HEIDER DRIVE

ANDREA LYNN TERRACE

(Pioneer Place Subdivision)