

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

KNOW ALL MEN BY THESE PRESENTS, THAT Oregon City School District No. 62 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 water 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.

The true consideration of this conveyance is one dollar, 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 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 6th day of March, 1991; 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.

CITY OF OREGON CITY
Public Utility Easement for Waterline

Individuals,
General Partnerships

Signer's Name

Signer's Name

(If executed by a corporation
affix corporate seal)

Corporation
Limited Partnership

Oregon City School District #62
Corporation/Partnership Name
Oregon City School District #62

Donald L. Tank Superintendent
Signer's Name, Title
Donald L. Tank, Superintendent

Kenneth W. Rezac
Signer's Name, Title
Kenneth W. Rezac, Business Manager

Signer's Name, Title

Personal Acknowledgement
STATE OF OREGON)

County of _____)

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

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

(OFFICIAL SEAL)

(Grantor's Name and Address)

City of Oregon City
320 Warner-Milne Road
Oregon City, Oregon 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.

Daniel W. Fowler
Mayor

Joan K. Elliott
City Recorder

After Recording Return To:

City of Oregon City, City Engineer
320 Warner-Milne Road
Oregon City, Oregon 97045

Corporate Acknowledgement
STATE OF OREGON)

County of Clackamas)

Personally appeared Donald L.
Tank and Kenneth W. Rezac
who being duly sworn, each for
himself and not one for the
other did say that the former
is the Supt. president and
that the latter is the Bus. Mgr
secretary of Oregon City School Dist.
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:

Bonnie Jean Millar
NOTARY PUBLIC FOR OREGON

My Commission Expires: 10/27/93

(OFFICIAL SEAL)

Space reserved for County
Record's Office



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**LEGAL DESCRIPTION
OF
AN EASEMENT FOR WATERLINE FOR THE GARDINER MIDDLE SCHOOL**

A 15.00 foot-wide strip of land being in five parcels lying 7.5 feet each side of center line of a constructed water line and being located within that certain tract of land described in deed to School District No. 62 recorded in book 396, page 66 of the Clackamas County deed records and located within the William Holmes D.L.C. No. 46 in section 6, Township 3 South, Range 2 East of the Willamette Meridian, City of Oregon City, Clackamas County and state of Oregon, with said center line more particularly described as follows:

Beginning at a point on the southerly line of the plat of **RILANCE ESTATES SUBDIVISION**, recorded as plat number 2252 in the Clackamas County survey records, with said point being on the center line of a 6.00 foot-wide pedestrian access strip lying easterly of and adjacent to the easterly line of lot 10 of said **RILANCE ESTATE SUBDIVISION**; thence leaving said southerly line of **RILANCE ESTATES SUBDIVISION** and tracing the projected extension of the center line of said pedestrian access strip South 00°45' East 24.00 feet to Point A and a 12"x 6" tee in the constructed water line; thence continuing along said projected center line South 00°45' East 19.00 feet to Point B and a 12"x 4" tee in the constructed water line; thence continuing along said projected center line South 00°45' East 145.00 feet to an angle point; thence South 33°00' West 109.00 feet to Point C and a 12"x 6" tee in the constructed water line; thence continuing South 33°00' West 48.00 feet to an angle point; thence South 55°30' West 368.00 feet to an angle point; thence North 00°45' West 70.00 feet to an angle point; thence South 89°15' West 198.00 feet more or less to the westerly property line of said School District No. 62 tract and the terminus of this center line at the easterly terminus of Hood Street and a union with the appurtenant 12" waterline, together with the following described 15.00 foot-wide strips of land:

A 15.00 foot-wide strip of land being adjacent to and parallel with the southerly line of said **RILANCE ESTATES SUBDIVISION**, said line being coincidental with the northerly line of said School District No. 62 tract, with said strip beginning at the aforementioned point of beginning and running thence to the easterly line of said School District No. 62 tract, together with:

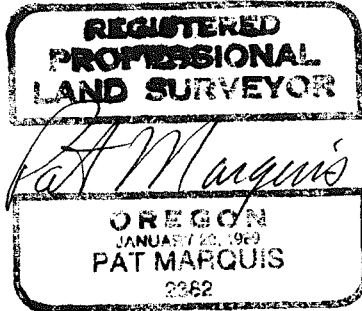
A 15.00 foot-wide strip of land being 7.5 feet each side of a center line which begins at the aforementioned Point A and runs thence South 89°15' West 43.00 feet to its terminus, together with:

A 15.00 foot-wide strip of land being 7.5 feet each side of a center line which begins at the aforementioned Point B and runs thence South 89°15' West 15.00 feet to its terminus, together with:

EXHIBIT "A"

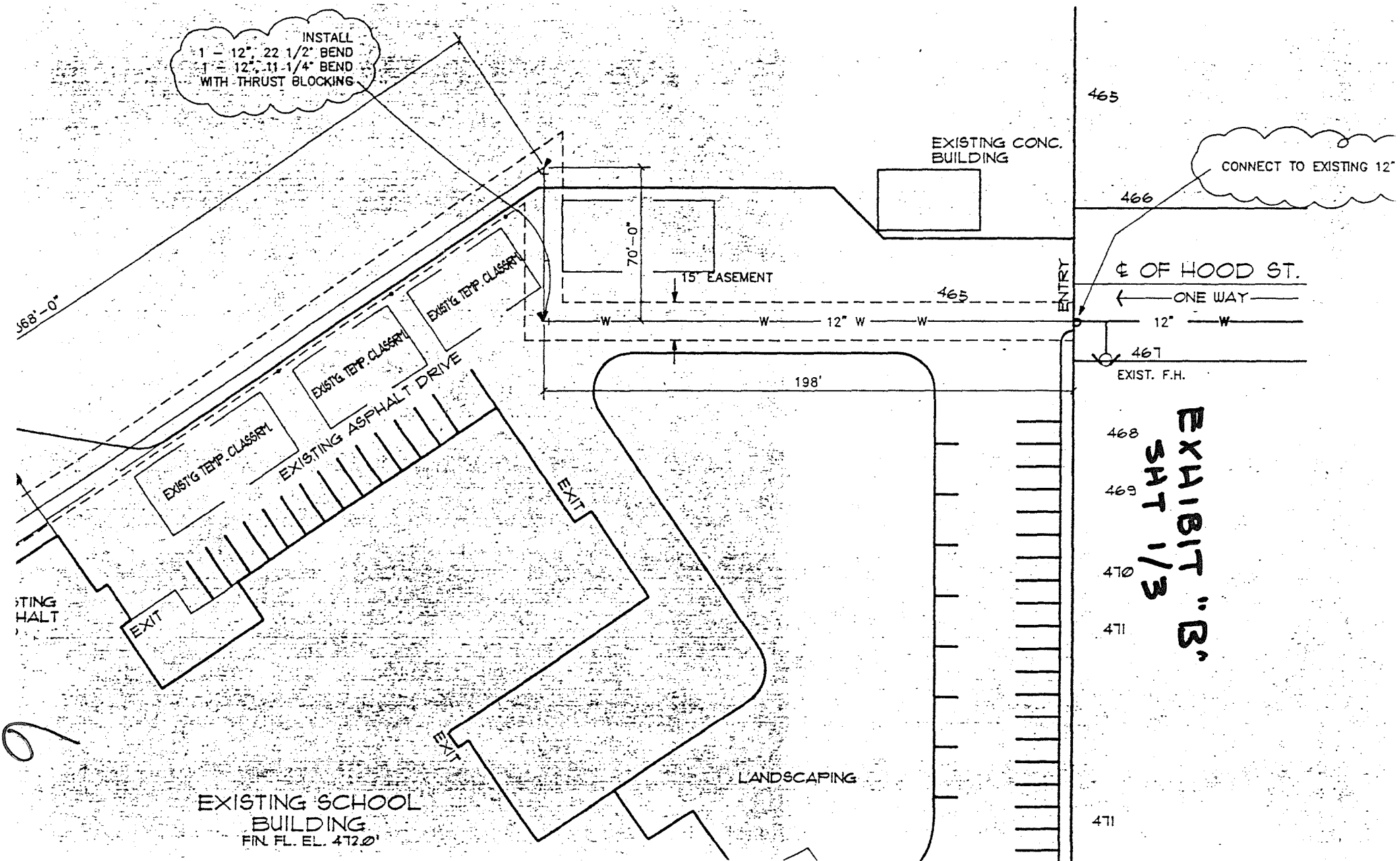
A 15.00 foot-wide strip of land being 7.5 feet each side of a center line that begins at the aforementioned Point C and runs thence North $67^{\circ}00'$ West 15.00 feet to its terminus.

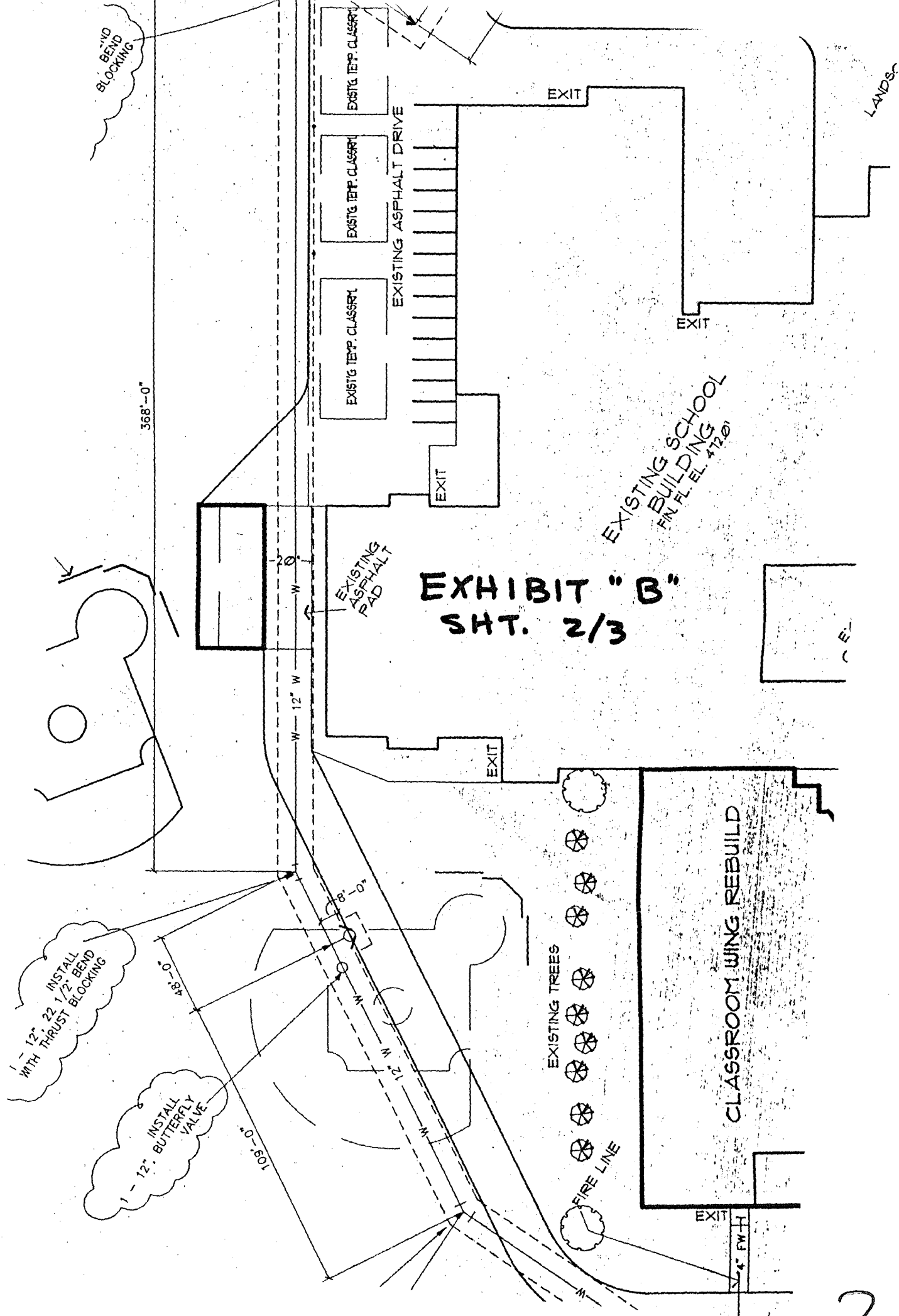
The sidelines of the above described strips of land are to be extended or shortened to intersect at angle points and tees and to terminate at the northerly, easterly and westerly boundary lines of said School District No. 62 tract.

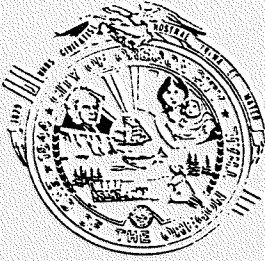


10-7-90

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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

March 20, 1991

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Subject: Waterline Easement Acceptance
Oregon City School District No. 62

Report No. 91-33

On the March 20, 1991 City Commission agenda is a Public Utility Easement from the Oregon City School District for Commission acceptance. The easement is for a public water line that was constructed as part of the Gardiner School reconstruction project. Attached are the easement documents for Commission review.

It is recommended that the City Commission adopt a motion accepting the Public Utility Easement and authorizing the Mayor and City Recorder to execute respectively.

CHARLES LEESON
City Manager

JGB/im

Attach.

cc - Development Services Director
- John Hawthorne, Civil Engineer

