

AFTER RECORDING RETURN TO:

City Recorder Nancy Ide
City of Oregon
P.O. Box 3040
Oregon City, Oregon 97045-0304



\$66.00

01316348200900418530090062

06/16/2009 12:12:11 PM

D-E Cnt=1 Str=2 JANISKEL
\$40.00 \$16.00 \$10.00

Map No.: 3-2E-06DB

Tax Lot No.: 2201

Planning No.: _____ (see TP06-06)

Grantor: Salisbury, Katherine

*** (KATHERINE SALISBURY-FRYE, TRUSTEE)**

**CITY OF OREGON CITY, OREGON
PUBLIC UTILITY(S) EASEMENT
(Temporary and Permanent)**

KNOW ALL BY THESE PRESENTS, THAT Katherine Salisbury 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 water system 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.

The GRANTORS bargain, sell, convey, transfer, and deliver unto CITY a temporary easement and right-of-way upon, across, and under so much of the aforesaid land as described as:

See attached Exhibit "C" Legal Description and attached Exhibit "D" Sketch for Legal Description.

It being understood that said temporary easement is only for the original excavation and construction of said utility and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion hereinbefore described as being a permanent easement.

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 instrument this 16^{*} day of * May, 2009; 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

Corporation/limited partnership

* A)

Signer's Name: KATHERINE SALISBURY

Corporation/Partnership Name

Signer's Name:

Signer's Name, Title:

* B)

Signer's Name: KATHERINE SALISBURY, TRUSTEE

Signer's Name, Title:

* C)

Signer's Name: KATHERINE SALISBURY-FRYE, TRUSTEE

Signer's Name, Title:

(if executed by a corporation
affix corporate seal below)

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

Personal Acknowledgment
STATE OF OREGON)

County of Clackamas) ss.

Personally appeared the above named

Katherine L. Salisbury

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

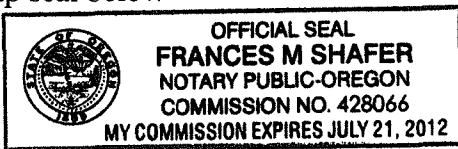
WITNESS my hand and official seal.

A) Frances M. Shafer

Notary's signature

My Commission Expires: 7/21/2012

Stamp seal below



Katherine L. Salisbury

14950 S. Bradley Road

Oregon City, OR 97045

(Grantor's Name and Address)

City of Oregon City

320 Warner Milne Road

P.O. Box 3040

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 Alan Norris

City Recorder Nancy Ude

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

WITNESS my hand and official seal.

Notary's signature

My Commission Expires: _____

Stamp seal below

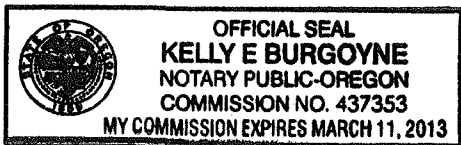
STATE OF OREGON)
) ss.
County of CLACKAMAS)

*

On this 11th day of JUNE, 2009, before me, Kelly Burgoyne,
the undersigned Notary Public, personally appeared Katherine L Salisbury
☐ personally known to me
☐ proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is/are subscribed to the within instrument, and acknowledged that they executed it.

NOTICE: No stamp or corporate seal is allowed over any typed information. Stamp seal below
WITNESS my hand and official seal.

B)



Kelly Burgoyne
Notary's signature
My commission expires: 03-11-2013

06/11/09

(TRUSTEE)

* (KATHERINE SALISBURY FORMERLY DOING BUSINESS
AS KATHERINE SALISBURY - FRYE (TRUSTEE))

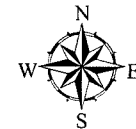
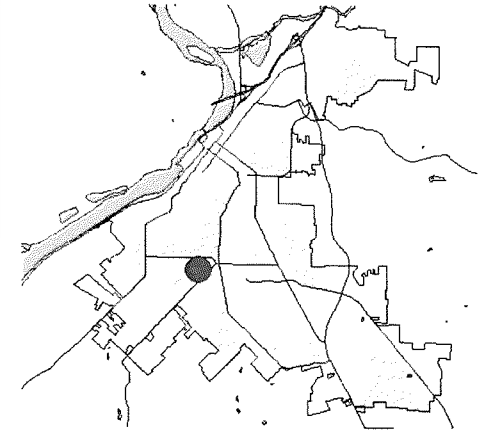
LEGAL DESCRIPTION

A Tract of Land being of the property described per Clackamas County Recorder's Document No. 96-043728 (known as Tax Lot 2201, 2201 AI, of Tax Map 3-2E-6DB) in the Southwest One-Quarter of Section 6, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, County of Clackamas, State of Oregon, being more particularly described as follows:

Beginning at a point being the southeasterly corner of "Roundtree" Lot A (Plat No. 2082); Thence South $00^{\circ} 29' 13''$ East a distance of 20.00 feet to a point; Thence South $89^{\circ} 30' 47''$ West a distance of 169.35 feet to a point; Thence North $89^{\circ} 47' 11''$ West a distance of 20.00 feet to a point; Thence North $00^{\circ} 12' 49''$ East a distance of 20.00 feet more or less to a point to meet the southerly property line of McCarver Landing Lot No. 19 of Plat No. 4262; Thence South $89^{\circ} 47' 11''$ East a distance of 20.00 feet more or less to the southeast corner of said McCarver Landing Lot 19; Thence North $89^{\circ} 30' 47''$ East a distance of 169.35 feet more or less to the point of beginning.

EXHIBIT "A"

EXHIBIT "B"
(water easement)



City of Oregon City
P.O. Box 3040
320 Warner Milne Rd
Oregon City, OR 97045
(503) 657-0891
www.orcity.org

This map is not suitable for survey, engineering, or navigation purposes. Errors and omissions may exist.

Map created with OCEditMap 2009

04/16/2009

Temporary Construction Easement

LEGAL DESCRIPTION

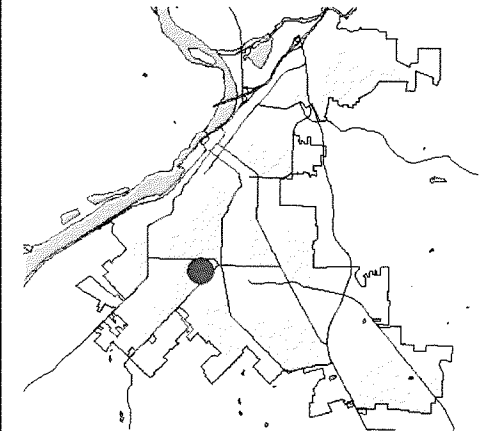
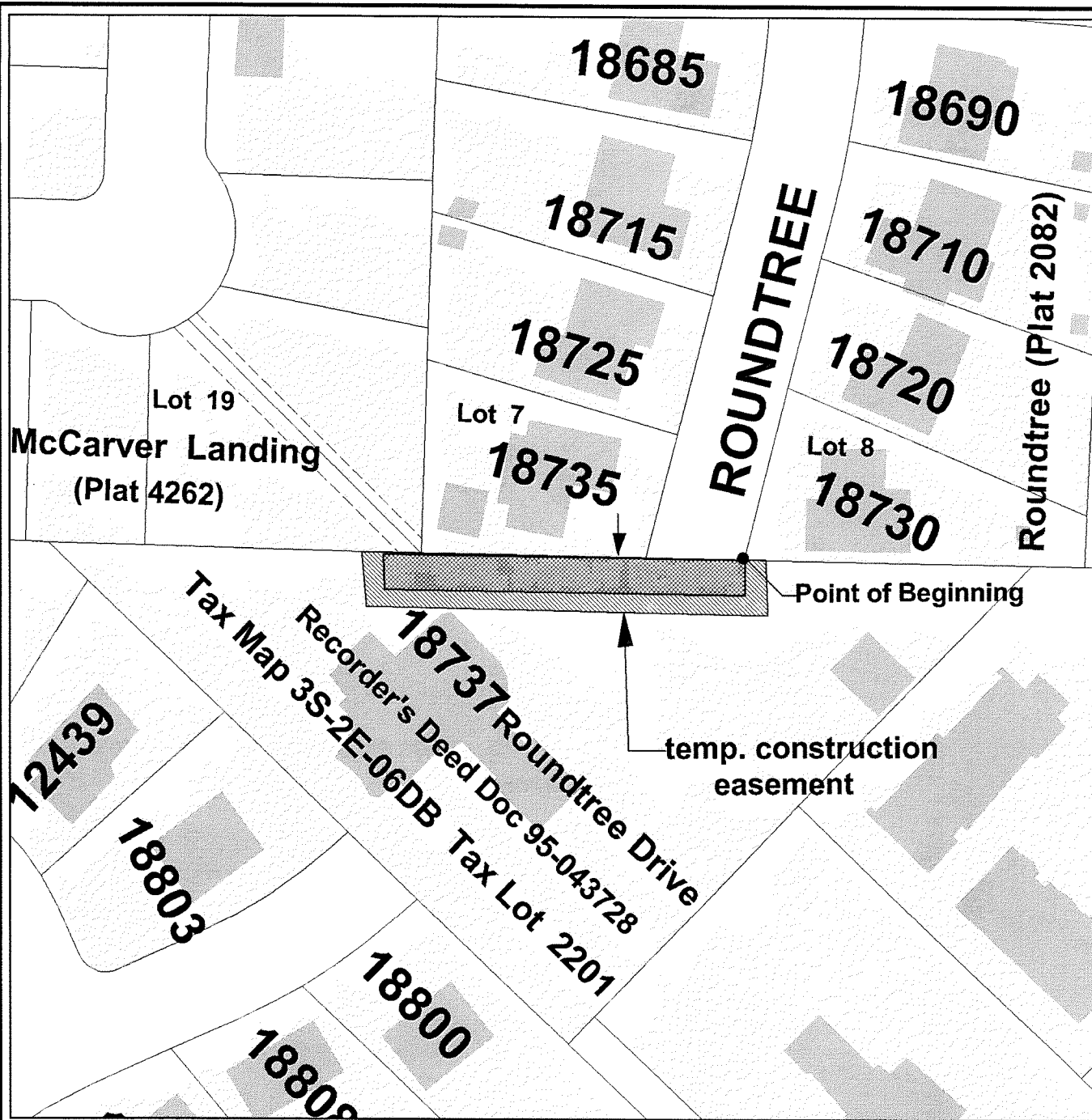
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Beginning at a point being the southeasterly corner of "Roundtree" Lot A (Plat No. 2082); Thence North $89^{\circ} 30' 47''$ East a distance of 10.00 feet to a point; Thence South $00^{\circ} 29' 13''$ East a distance of 30.00 feet to a point; Thence South $89^{\circ} 30' 47''$ West a distance of 179.35 feet to a point; Thence North $89^{\circ} 47' 11''$ West a distance of 30.00 feet to a point; Thence North $00^{\circ} 12' 49''$ East a distance of 30.00 feet more or less to a point to meet the southerly property line of McCarver Landing Lot No. 19 of Plat No. 4262); Thence South $89^{\circ} 47' 11''$ East a distance of 30.00 feet more or less to the southeast corner of said McCarver Landing Lot 19; Thence North $89^{\circ} 30' 47''$ East a distance of 169.35 feet more or less to the point of beginning.

EXHIBIT "C"

EXHIBIT " D "

(temporary easement)



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