

3

THIS INDENTURE WITNESSETH That

WHEREAS the municipality of Oregon City is constructing and laying a sewer, known as Sewer District No. 14, beginning at the North-east corner of Lot 1, Block 4, Holmes Addition to Oregon City, according to the duly recorded map and plat thereof, thence Westerly along the Southerly line of Division Street of Oregon City to the Easterly side of Lot 8 in said Block; thence Southerly along the Easterly side of Lots 8 and 11 to the Northerly side of Willamette Street; thence Easterly along Willamette Street to the Westerly side of Eluria St.; thence Northerly along Eluria Street to the place of beginning, and the main outlet of which said sewer is an 8" sewer extending from the manhole at 8th and Buchanan Streets, Southerly to the center of the alley in said block 4 of said Holmes Addition, and

WHEREAS the said 8" sewer outlet of said sewer district, extending from the manhole at 8th & Buchanan Streets Southerly to the center of the alley in said Block 4, crosses Block "E" of County Addition to Oregon City, Oregon, according to the duly recorded map and plat thereof, owned by the undersigned, and it is necessary to secure permission from said owners in order to cross the same.

NOW, THEREFORE, we, R.O. Hadley and May Hadley, his wife, the owners of said Block E, for the consideration hereinafter named, do hereby give and grant, unto said Oregon City, Oregon, a municipal corporation, the right and privilege to lay, construct and maintain the said sewer over and across said real premises above described, upon the line thereof, as shown by the plans and specifications of said Sewer District No. 14 on file with the City Recorder of Oregon City, Oregon.

The consideration for this grant is that Oregon City will attach to said 8" sewer, at or near the property line of said Block E, a "Y" sufficient for the purpose of sewerage any dwelling houses that may be constructed on said Block E or on the property lying between said Block E and block 48 of said County Addition to Oregon City, and the payment of the sum of \$10.00, lawful money.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 3rd day of October, 1922.

IN THE PRESENCE OF:

J. M. Charman

R.O. Hadley (SEAL)  
May Hadley (SEAL)

SS

3

at on this 3rd day of October,  
ry Public in and for said County  
n named R.O. Hadley and May Hadley,  
identical persons described in  
d acknowledged to me that they

nto set my hand and official seal

*C. D. Eby*  
y Public in and for Oregon.

mission expires July 14th, 1924.

100

13	14	15	16	17	18
8900	9000	9100	9200	9300	9400
415	419	425	431	439	447
13	14	15	16	17	18
9600	9700	9800	9900	10000	10100
412	416	422	428	435	442

13	14	15	16	17	18
10300	10400	10500	10600	10700	10800
417	421	427	433	439	445
13	14	15	16	17	18
10900	11000	11100	11200	11300	11400
418	422	428	434	440	446

13	14	15	16	17	18
11800	11900	12000	12100	12200	12300
417	421	427	433	439	445
13	14	15	16	17	18
12400	12500	12600	12700	12800	12900
418	422	428	434	440	446

10	11	12	13	14	15	16
16900	17000	17100	17200	17300	17400	17500
505	509	515	521	527	533	539
10	11	12	13	14	15	16
16000	16100	16200	16300	16400	16500	16600
501	505	511	517	523	529	535

10	11	12	13	14	15	16	17	18
16000	16100	16200	16300	16400	16500	16600	16700	16800
502	506	512	518	524	530	536	542	548
10	11	12	13	14	15	16	17	18
14700	14800	14900	15000	15100	15200	15300	15400	15500
512	516	522	528	534	540	546	552	558

10	11	12	13	14	15	16	17	18
14500	14600	14700	14800	14900	15000	15100	15200	15300
513	517	523	529	535	541	547	553	559
10	11	12	13	14	15	16	17	18
13000	13100	13200	13300	13400	13500	13600	13700	13800
508	512	518	524	530	536	542	548	554

ROOSEVELT

WARREN

STREET

ST

STREET

ST

ELURIA ST.

BUCHANAN

PIERCE

46

SEE MAP



UNCLASSIFIED CONFIDENTIAL SECRET

6  
2

4

STREET

SEE SHEET NO 42 FOR SEQUENTS

10	9	8	7	6
----	---	---	---	---

3	4	5	2	1
---	---	---	---	---

M O U N T

14	10	11	12	13
----	----	----	----	----

14	15	16	17	18
----	----	----	----	----

STREET SEE SHEET NO. 42

9	8	7	6
---	---	---	---

5	4	3	2	1
---	---	---	---	---

4 ORANGE EGGS

10	11	12	13
----	----	----	----

14	15	16	17	18
----	----	----	----	----

SEE SHEET NO. 42



SEE SHEET NO. 42

E L U A I A

Post-it BRAND Note

SEWER EASEMENT

1922

No. 20

R. O. and May Hadley to the City

Block 4, MT. HOOD VIEW ADDITION

2-2E-32~~8~~CB 13700, 13800

pg. item  
913 / 3

Env #

850

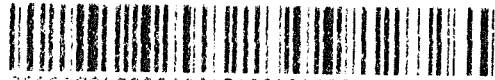
AFTER RECORDING RETURN TO:

**JOHN V. ABRAHAM**

City Recorder (Nancy Ide)

P.O. Box 3040

Oregon City, Oregon 97045-0304



00953290200600612190030035

\$36.00

07/05/2006 10:22:16 AM

D-PER Cnt=1 Str=2 DIANNAW  
\$15.00 \$11.00 \$10.00

**Map: 2-2E-31DB**

**Tax Lot: 3600 & 4000**

**Engineering File: RW06-011 (see BP06-228)**

**Property Owner: Abraham, John V. & Gemma B.**

## **AGREEMENT CONCERNING CONDITIONAL USE RIGHT-OF-WAY PERMIT**

**WHEREAS, John V. Abraham & Gemma B. Abraham**, hereinafter called the OWNERS, are the current owners of Lot 6 (including the northeasterly 24.5 feet of Lot 5 and the southwesterly 6 feet section of vacated alley per Ordinance No. 525), known as Tax Lot 4000 of Tax Map No. 2-2E-31DB, and of Lot 7 (including the northeasterly 6 feet section of vacated alley also per said Ordinance No. 525), known as Tax Lot 3600 of Tax Map 2-2E-31DB, all of Block No. 106 of the "Oregon City" subdivision plat (a duly recorded plat in the County of Clackamas, Oregon), in Oregon City, Clackamas County, Oregon, hereinafter called the PROPERTY; and

**WHEREAS**, the OWNERS have removed the existing single-family house from said tax lot 4000 (208 John Adams Street) per City of Oregon City, hereinafter called the CITY, building permit No. BB-06-231; and

**WHEREAS**, the OWNERS have requested a Conditional Use Right-Of-Way Permit (RW06-011), hereinafter called PERMIT, from the CITY, to install a private waterline (with tracer wire) and a natural gas conduit, within a common trench, hereinafter called IMPROVEMENTS, for said tax lot 3600 and also to install a common private driveway, hereinafter called the COMMON DRIVEWAY, for the PROPERTY all within the public alley per said PERMIT. Said public alley is currently graveled and is considered unimproved by the CITY; and

**WHEREAS**, The OWNERS hereby agree that said COMMON DRIVEWAY shall be constructed per CITY standards & specifications (per Engineering Division approved construction plans and final inspected) as a prerequisite to any building permit final for said PROPERTY (now issued for said tax lot 3600 &/or said tax lot 4000) by the CITY Building Division; and

**WHEREAS**, after the IMPROVEMENTS and COMMON DRIVEWAY have been accepted by the CITY per said PERMIT, the OWNERS may, in the future, perform minor modifications &/or additions to the IMPROVEMENTS as accepted by the CITY; and

**WHEREAS**, the OWNERS hereby agree that the IMPROVEMENTS & COMMON DRIVEWAY may be modified and/or removed by the CITY and/or assigns for any future public street improvements at no cost to the CITY. Furthermore, the OWNERS also agree that any added expenses to construct any future public street improvements due to the COMMON DRIVEWAY &/or IMPROVEMENTS shall be the responsibility of the OWNERS; and

**WHEREAS**, the CITY is willing to issue said PERMIT subject to the terms & conditions set forth in the Agreement.

**NOW THEREFORE**, The OWNERS and the CITY agree as follows:

This agreement is to be recorded as a property interest and is binding on all future owners, assigns, heirs and successors of the PROPERTY.

OWNERS acknowledge their responsible to maintain said IMPROVEMENTS (applicable to said tax lot 3600) and COMMON DRIVEWAY (applicable to both tax lot 3600 & 4000) and hereby grant permission to the CITY to provide said maintenance, at no cost to the CITY, in the event that the OWNERS can not, will not, or desire not to provide for said maintenance. The OWNERS shall provide said maintenance within thirty (30) days [twenty-four (24) hour in the case of an emergency] after notification (written or verbal) by the CITY to the OWNERS that maintenance is required (as determined by the CITY). After incurring any costs, the CITY shall present a bill for such costs to the OWNERS, whom shall pay the costs within thirty days.



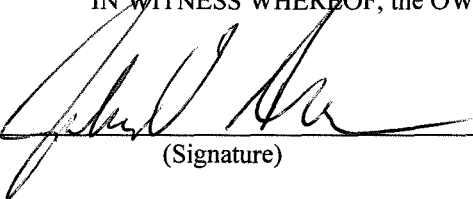
The OWNERS shall reimburse the CITY for all costs incurred to provide this Agreement.

The OWNERS may terminate this Agreement at any time by removing said IMPROVEMENTS and COMMON DRIEWAY, and redeveloping the ROW area to the satisfaction of the CITY.

The CITY may add or remove property owners as deemed necessary by the CITY.

In the event of a suit, action, arbitration, or other proceeding of any nature whatsoever, including, without limitation, any proceeding under U.S. Bankruptcy Code, is instituted to interpret or enforce any provision of this Agreement, or with respect to any dispute relating to this Agreement, including, without limitation, any action in which a declaration of rights is sought or an action for rescission, the prevailing party shall be entitled to recover from the losing party its reasonable attorneys', paralegals', accountants', and other experts' fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith, as determined by the judge or arbitrator at trial or arbitration, as the case may be, or on any appeal or review, in addition to all other amounts provided by law. This provision shall cover costs and attorneys' fees related to or with respect to proceedings in Federal Bankruptcy Courts, including those related to issues unique to bankruptcy law.

IN WITNESS WHEREOF, the OWNERS have executed this agreement this 5<sup>th</sup> day of July, 2006,

  
(Signature)

John V. Abraham  
(Printed Name)

  
(Signature)

Gemma B. Abraham  
(Printed Name)

STATE OF OREGON                     )  
County of CLACKAMAS            ) ss.

On this 5<sup>th</sup> day of July, 2006, before me, HERSHAL L SMITH JR, the undersigned

Notary Public, personally appeared JOHN V & GEMMA B. ABRAHAM.

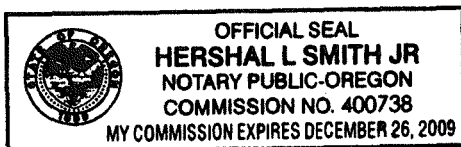
☐ Personally known to me.

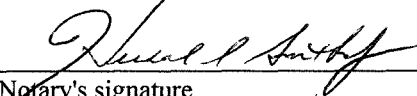
☒ Proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that they executed it.

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

Stamp seal below

WITNESS my hand and official seal.



  
Notary's signature  
My commission expires: Dec 26, 2009



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

Personal Acknowledgment  
STATE OF OREGON

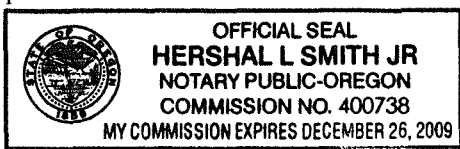
County of CLACKAMAS ) ss.

On this 5<sup>th</sup> day of JULY, 2006, before me,

the undersigned Notary Public, personally appeared  
JOHN V. ABRAHAM & GEMMA B. ABRAHAM  
and acknowledged the foregoing instrument to be his/her  
voluntary act and deed.

NOTARY PUBLIC FOR OREGON

[Signature]  
Notary's signature  
My Commission Expires: Dec 26, 2009  
Stamp seal below



(OWNER's Name and Address)

City of Oregon City  
P.O. Box 3040  
320 Warner Milne Road  
Oregon City, OR 97045-0304  
(CITY's Name and Address)

Accepted on behalf of the City of Oregon City.

[Signature]  
City Manager

[Signature]  
City Recorder

Corporate Acknowledgment  
STATE OF OREGON

County of \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me,

the undersigned Notary Public, personally appeared \_\_\_\_\_

and \_\_\_\_\_

who being duly sworn, each for himself/herself 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.

NOTARY PUBLIC FOR OREGON

Notary's signature

My Commission Expires: \_\_\_\_\_

Stamp seal below

06 JUL -5 AM 10:41  
RECEIVED  
CITY OF OREGON CITY



CITY OF OREGON CITY  
Engineering Division  
www.orcity.org

320 Warner Milne Road  
Oregon City, OR 97045  
Phone: (503) 657-0891  
Fax: (503) 657-7892  
Inspection Line: (503) 496-1554 (Eng)  
Inspector Cell: (503) 969-3812 (Eng)

## RIGHT OF WAY PERMIT

Permit No: **RW-06-011**

**THIS PERMIT EXPIRES: 7/2/2006**

Permission is hereby requested to encroach into public right of way to perform work as set forth below. It is understood that this application is limited to the work described herein and that all work is to be done in compliance with the provisions shown on the back of this application and with all other applicable rules, regulations and standards of the City; and that the permittee assumes full responsibility for said compliance, for acceptability of the work, and for repair or replacement thereof if defective, and for repair or replacement of any existing improvement damaged by the doing of the work.

Job Site: 208 JOHN ADAMS ST

OREGON CITY OR 97045

Owner's Name: GEMMA B & JOHN V ABRAHAM

20337 S LELAND RD

OREGON CITY OR 97045

Contractor's Name:

Phone No.:

Submitted by: GEMMA B & JOHN V ABRAHAM

### Permit Description:

Private waterline in public alley (Block 106, Oregon City Plat) to serve 2-2E-31DB tl 3600 (across from 208 John Adams). 18" min depth w/trace wire - plan for future common driveway per city stds.

*HARMLESS Agreement.*

*SEE RECORDERS DOC. # 2006-061219*

### Staff Comments:

### Related Permits:

*SEE BP-06-228*

### Fees:

Description	Fee Amount	Description	Fee Amount
4316 Right of Way Permit fee	121.00	4616-Parking Meter Fee for ROW	
		Total fees:	<u>\$ 121.00</u>

### 24 HRS. ADVANCE NOTICE MUST BE GIVEN FOR INSPECTION

- Exclusive of Saturdays, Sundays and holidays. Forms and subgrade must be inspected and approved before ordering Portland Cement Concrete or Asphaltic Concrete. Failure to obtain approval before proceeding with work may be cause for rejection. Any work to be done on a Saturday or holiday **MUST** be approved by the City at least 24 hours in advance.  
(Normal City work hours)

CONSTRUCTION WATER SHALL NOT BE TAKEN FROM A  
FIRE HYDRANT UNTIL A FIRE HYDRANT PERMIT HAS  
BEEN OBTAINED FROM PUBLIC WORKS (503) 657-8241.

ISSUED BY:

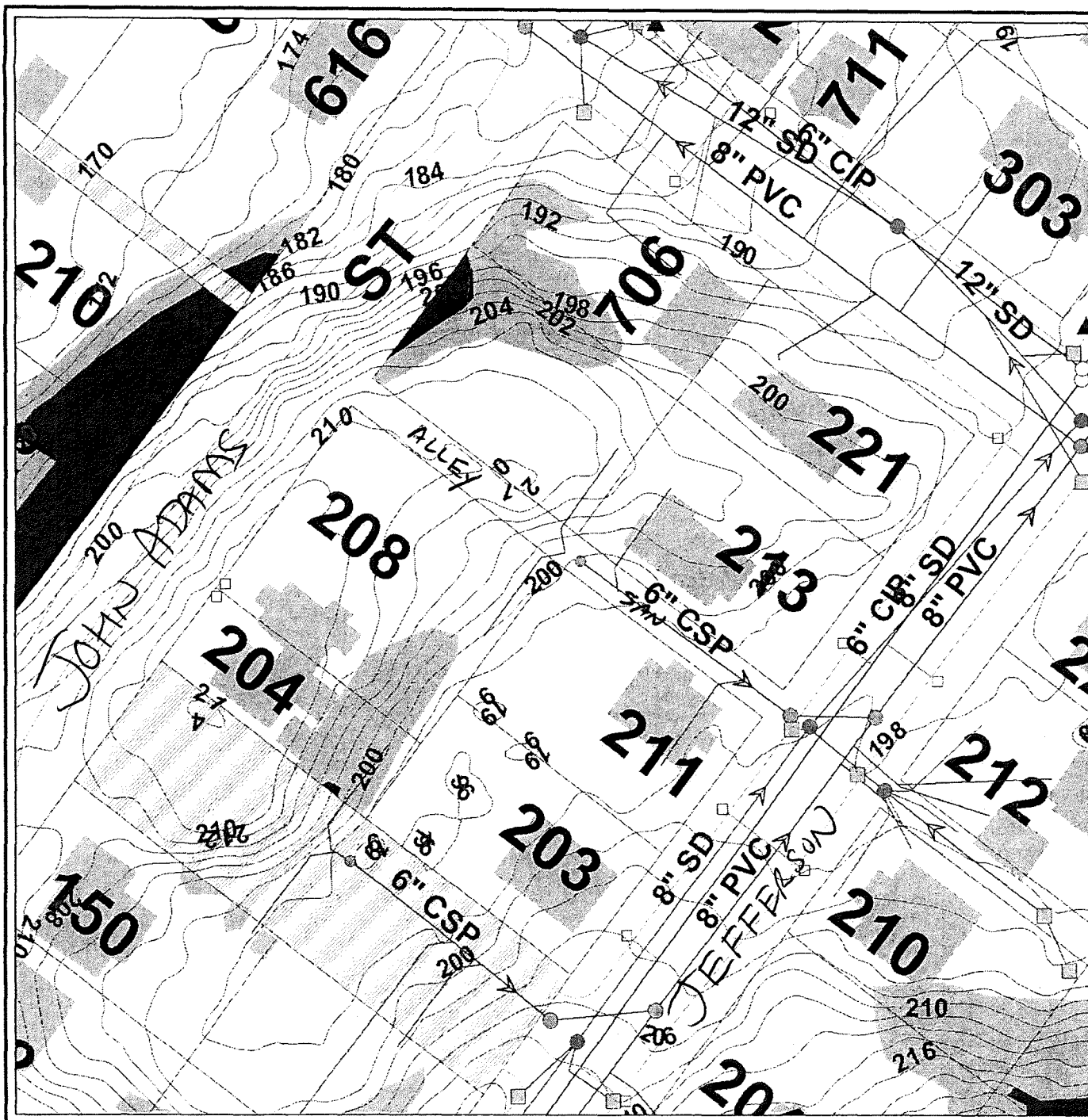
*Customer #*  
*006218*

DATE: 5/3/2006

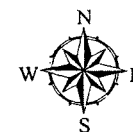
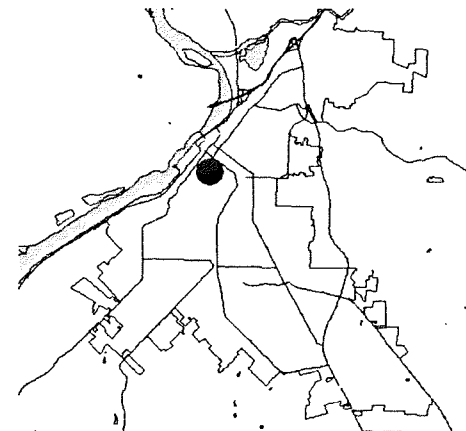
*Joe M. Trapp*  
(CITY ENGINEER OR AUTHORIZED REPRESENTATIVE)

RECEIPT NO.: 06-71887

**SEE THE SECOND PAGE OF THIS PERMIT FOR CONDITIONS AND PROVISIONS.**



# Oregon City Public Works



City of Oregon City  
P.O. Box 3040  
320 Warner Milne Rd  
Oregon City, OR 97045  
(503) 657-0891  
[www.oregoncity.org](http://www.oregoncity.org)

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

Map created with OCMAP 2006

05/03/2006