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AFTER RECORDING RETURN TO:  
City of Oregon City, City Recorder  
P.O. Box 3040  
Oregon City, Oregon 97045-0304

Clackamas County Official Records  
Sherry Hall, County Clerk

2021-038268



\$118.00

D-E Cnt=1 Stn=9 COUNTER1  
\$30.00 \$16.00 \$62.00 \$10.00

04/13/2021 02:49:16 PM

Address: 415 Eastfield Drive

Tax Map & Lot: 3-2E-06AA-01909

GRANTOR: Thomas C. Klingerman

## CITY OF OREGON CITY, OREGON PUBLIC UTILITY EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Thomas C. Klingerman, hereinafter called the "Grantor", does 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 public water main and public sanitary sewer main and appurtenances, hereinafter called the "Infrastructure" on the following described land:

See attached **Exhibit A** Legal Description, attached **Exhibit B** Sketch for Legal Description, and attached **Exhibit C** for General Location of Water Main and Sanitary Sewer Main.

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 structures or utility shall be placed upon, under, or within the permanent easement (described in Exhibits A & B), without the written permission of the City.

If the City exercises its right to construct, reconstruct, or maintain the Infrastructure, the City shall restore the surface of the property to its original condition and shall indemnify and hold the Grantor harmless against all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is for other value given, 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 5<sup>th</sup> day of April, 20 21. The person(s) whose name(s) is/are subscribed to the within instrument acknowledge that he/she/they executed the instrument in his/her/their legally authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature Page(s) Follow]

GRANTOR: Thomas C. Klingerman

As shown on Page 1 (name of organization or individual property owner(s))

Thomas Klingerman

Signature No. 1

THOMAS KLINGERMAN

Signer printed name, Title (if any)

N/A

Signature No. 2

N/A

Signer printed name, Title (if any)

STATE OF OREGON )

County of Clackamas )

This record was acknowledged before me on (date) April 5, 20 21

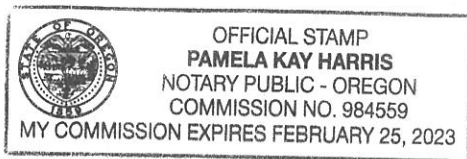
by Thomas Klingerman

Signer's printed name

as N/A

Title and (if applicable) Name of Corporation or Party on whose behalf the record is executed

Stamp notary seal:



WITNESS my hand and official seal.

Pamela Kay Harris

Signature of Notary Public

My commission expires: 2/25/2023

Accepted on behalf of the City of Oregon City:

Anthony J. Konkol III

By: Anthony J. Konkol III, City Manager

John M. Lewis

By: John M. Lewis, Public Works Director

Kattie Riggs

Attest: Kattie Riggs, City Recorder

## EXHIBIT A

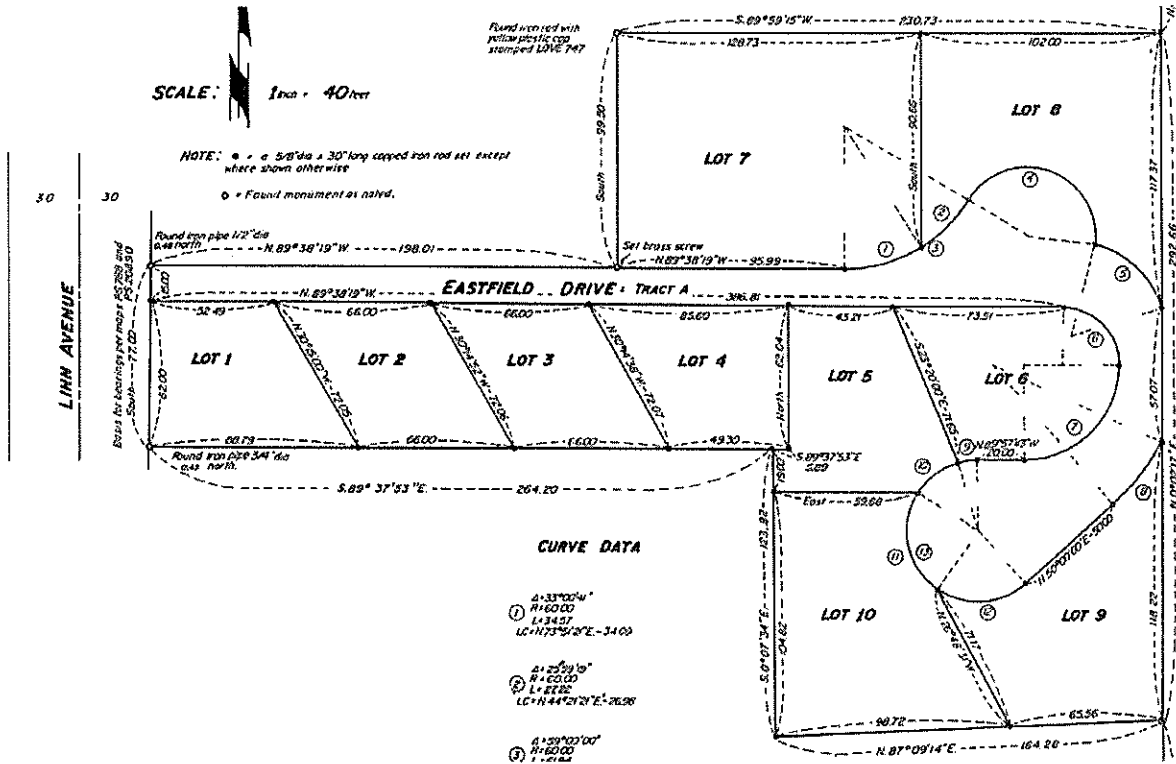
Legal Description of Eastfield Subdivision :

*I, JOE E. DAVIS, JR., BEING DULY SWORN, CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LAWFUL MONUMENTS THE LANDS REPRESENTED BY THE ANNEXED MAP OF PLAT OF EASTFIELD SUBDIVISION. FOR THE INITIAL POINT OF THE SURVEY I SET A 2"DIA. x 36" LONG GALV. IRON PIPE 6 INCHES BELOW GROUND SURFACE AT A POINT THAT BEARS N.0°02'17"E. - 132.85 FEET FROM A 2"DIA. IRON PIPE MARKING THE INITIAL POINT OF BELLE ACRES, A RECORDED SUBDIVISION IN CLACKAMAS COUNTY, OREGON., AND BEARS S.0°02'17"W. - 362.66 FEET FROM A 3/4"DIA. IRON PIPE AT THE NORTHWEST CORNER OF LOT 4 OF THE SAID PLAT OF BELLE ACRES. THENCE I RAN N.0°02'17"E. ALONG THE WEST BOUNDARY OF THE SAID SUBDIVISION 292.66 FEET TO A POINT. THENCE S.89°59'15"W. 230.73 FEET TO A POINT. THENCE SOUTH 99°50 FEET TO A POINT. THENCE N.89°38'19"W. - 198.01 FEET TO A POINT ON THE EAST BOUNDARY OF LINN AVENUE. THENCE SOUTH ALONG THE SAID EAST ROAD BOUNDARY 77.00 FEET TO A POINT. THENCE S.89°37'53"E. - 264.20 FEET TO A POINT. THENCE S.0°07'34"E. - 123.82 FEET TO A POINT. THENCE N.87°09'14"E. - 164.28 FEET TO THE INITIAL POINT OF THE SURVEY.*

~~THE FURNISHED MICAR IS A PHOTOGRAPHY OF THIS INSTRUMENT.~~

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Sketch of Eastfield Subdivision :



## EXHIBIT C

General Location of Water Main and Sanitary Sewer Main :

