EXHIBIT "A"

Easement No. III-15 Section 26 Tax Lot No. 3800 136 Lineal Feet Donald Wiest & Bonnie Wiest 37430 S.E. Bluff Rd. Boring, Oregon 97009

A PERMANENT EASEMENT

A portion of that tract of land in Section 26., Township 1 South, Range 4 East, of the Willamette Meridian, Clackamas County, Oregon, conveyed to Donald Wiest and Bonnie Wiest, as described in Recorder's Fee No. 74-23312, deed records of Clackamas County, more particularly described as follows:

A strip of land one-hundred (100) feet wide, and lying adjacent to the Southwesterly boundary of said tract, which is the common boundary with the adjacent parcel of land as described in Recorder's Fee No. 79-13581, deed records of said Clackamas County, extending from the Westerly boundary to the Easterly boundary of said Wiest tract, a distance of 136 feet.

Said permanent easement containing 0.312 acres, more or less.

APPROVED AS TO DESCRIPTION:

Fred Whitelel

15

September 12 198/

In consideration of the sum of One Thousand Eight Hundred Seventy and no/100ths Dollars - - - - - - - - - (\$1,870,00),

Donald Wiest and Bonnie Wiest, Ronald C. Ruedi (Grantor) conveys to the City of Portland, a municipal corporation of the State of Oregon, a perpetual easement to use a strip of land for the purpose of constructing, reconstructing, inspecting and maintaining water lines and necessary appurtenances, which is located across the Grantor's property as described in Exhibit "A", which is attached hereto.

The terms of this easement are as follows:

- 1. No surface or underground structures, permanent or temporary, shall be constructed upon the easement without the written consent of the Chief Engineer of the City's Bureau of Water Works.
- 2. No grade change in excess of one (1) foot in elevation shall be allowed without the written consent of the Chief Engineer of the City's Bureau of Water Works.
- 3. No trees shall be planted on the easement without the written consent of the Chief Engineer of the City's Bureau of Water Works.
- 4. No materials storage shall be permitted upon the easement without the written consent of the Chief Engineer of the City's Bureau of Water Works.
- 5. Grantor may place fences upon and across the easement; however, such fences shall have gates or removable panels so as to allow a minimum opening of nine (9) feet in width to permit equipment access for the purpose of maintaining and repairing the water line.
- 6. The Grantor retains the right to use the easement area for all agricultural purposes.
- 7. The City will restore as nearly as practicable the surface of the easement within a reasonable time after completion of construction or maintenance work.

In WITNESS WHEREOF, the parties have caused this instrument to be executed the day and year first written above.

Grantors

Bonne Wiest

CONSENT TO WATER LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That Whereas	DONALD WIEST AND
BONNIE WIEST have execute	ed an easement to the City of
Portland, dated September 12 , 19 81, for the	e purpose of granting unto
the City of Portland the right to lay down, constru	uct and perpetually maintain
a water line through, under and along a tract of la	and described as follows:
•	
A portion of that tract of land in Section 28	6, Township l South,
Range 4 East, of the Willamette Meridian, Clad	ckamas County, Oregon,
conveyed to Donald Wiest and Bonnie Wies	t, as described in
Recorder's Fee No. 74-23312, deed records of s	said Clackamas County,
more particularly described as follows:	
A strip of land one-hundred (100) feet	wide and lying
adjacent to the Southwesterly boundary	of said tract,
which is the common boundary with the adj	jacent parcel of
land as described in Recorder's Fee No.	79-13581, deed
records of said Clackamas County, ext	ending from the
Westerly boundary to the Easterly boundar	ry of said Wiest
tract, a distance of 136 feet.	
WHEREAS said above described property is subje	
executed byDONALD WIEST AND BONNIE WIE	
to and in favor of U.S. NATIONAL BANK OF OREGO	
dated, 1978_, recordedNove	
Recorders Fee No. 78-51117 , Clackamas County	g, Oregon
NOW, THEREFORE, In consideration of the sum of	
to them paid, U.S. NATIONAL BANK OF OREGON	
consent to the aforesaid water line easement and wa	aive priority of the above
mentioned mortgage and hereby agreed that all their	
to the rights granted to the City of Portland under	
as though said easement had been both executed and	recorded prior to the
execution and recording of said mortgage.	

1 - CONSENT TO WATER LINE EASEMENT

nas caused this instrument to		day of
November , 19 81.		
	By Marins Whale	u
	Assistant Manager	(Title)
	, P	
,	Ву	(Title)
		(,
	Ву	
		(Title)
TATE OF OREGON)) ss:	·	
ounty of Multnomah)		
On this 13th day of	November , 1981 before me a	ppeared
	_and	·
oth to me known to be the		and
Karin S. Whalen	respectively of Assistant Mar	nager
f Directors, and acknowledge oluntary act and deed of sai herein mentioned, and on oat aid instrument and that the	of said corporation by authority ed that said instrument is the fried corporation for the uses and put the stated that they were authorized seal affixed to said instrument	ourposes ed to execu
f Directors, and acknowledge oluntary act and deed of sai herein mentioned, and on oat aid instrument and that the f said corporation.	ed that said instrument is the fr id corporation for the uses and p th stated that they were authoriz	ourposes ed to execu is the seal and affixed
f Directors, and acknowledge oluntary act and deed of sai herein mentioned, and on oat aid instrument and that the f said corporation.	ed that said instrument is the frid corporation for the uses and put stated that they were authorized seal affixed to said instrument OF, I have hereunto set my hand a my official seal the day and	ourposes ed to execu is the seal and affixed
f Directors, and acknowledge oluntary act and deed of sai herein mentioned, and on oat aid instrument and that the f said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written.	eurposes ted to execute is the seal and affixed year first
f Directors, and acknowledge oluntary act and deed of sai merein mentioned, and on oat aid instrument and that the f said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
f Directors, and acknowledge oluntary act and deed of sai merein mentioned, and on oat aid instrument and that the f said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
E Directors, and acknowledge pluntary act and deed of sai merein mentioned, and on oat aid instrument and that the E said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
Directors, and acknowledge pluntary act and deed of sai merein mentioned, and on oat aid instrument and that the said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
Directors, and acknowledge Directors, and deed of sainerein mentioned, and on oat aid instrument and that the said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
f Directors, and acknowledge of bluntary act and deed of sainerein mentioned, and on oat aid instrument and that the said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
f Directors, and acknowledge oluntary act and deed of sai herein mentioned, and on oat aid instrument and that the f said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
f Directors, and acknowledge oluntary act and deed of sai herein mentioned, and on oat aid instrument and that the f said corporation.	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
f Directors, and acknowledge oluntary act and deed of sai herein mentioned, and on oat aid instrument and that the f said corporation. IN TESTIMONY WHEREC	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first
f Directors, and acknowledge oluntary act and deed of sai herein mentioned, and on oat aid instrument and that the f said corporation. IN TESTIMONY WHEREO	ed that said instrument is the frid corporation for the uses and put the stated that they were authorized seal affixed to said instrument. OF, I have hereunto set my hand a my official seal the day and above written. Notary Public for Oregon My commission expires	eurposes ted to execute is the seal and affixed year first

CONSENT TO WATER LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That Whereas DONALD WIEST AND
BONNIE WIEST have executed an easement to the City of
Portland, dated September 12 , 19 81, for the purpose of granting unto
the City of Portland the right to lay down, construct and perpetually maintain
a water line through, under and along a tract of land described as follows:
A portion of that tract of land in Section 26, Township 1 South,
Range 4 East, of the Willamette Meridian, Clackamas County, Oregon,
conveyed to Donald Wiest and Bonnie Wiest, as described in
Recorder's Fee No. 74-23312, deed records of said Clackamas County,
more particularly described as follows:
A strip of land one-hundred (100) feet wide and lying
adjacent to the Southwesterly boundary of said tract,
which is the common boundary with the adjacent parcel of
land as described in Recorder's Fee No. 79-13581, deed
records of said Clackamas County, extending from the
Westerly boundary to the Easterly boundary of said Wiest
tract, a distance of 136 feet.
WHEREAS said above described property is subject toA MORTGAGE
executed by DONALD WIEST AND BONNIE WIEST
to and in favor of OREGON TRAIL SAVINGS AND LOAN ASSOCIATION
dated
Recorders Fee No. 74-21517 , Clackamas County, Oregon
NOW, THEREFORE, In consideration of the sum of ONE AND no/100th Dollars
to them paid, OREGON TRAIL SAVINGS AND LOAN ASSOCIATION hereby
consent to the aforesaid water line easement and waive priority of the above
mentioned mortgage and hereby agreed that all their rights shall be subordinate
to the rights granted to the City of Portland under said water line easement,

as though said easement had been both executed and recorded prior to the

1 - CONSENT TO WATER LINE EASEMENT

execution and recording of said mortgage.

•	By Flase M. Lamberton
	Vice President (Title)
,	By NXIVE CONTROL (Title)
	Executive Vice Preside(Title)
	Ву
	(Title)
STATE OF OREGON)	
) ss:	
County of Multnomah)	
	auary , 19 <u>82</u> before me appeared and H. RON BATES
ooth to me known to be the	
	respectively of OREGON TRAIL SAVINGS
said instrument and that the se of said corporation.	stated that they were authorized to execueal affixed to said instrument is the seal
of said corporation. IN TESTIMONY WHEREOF	, I have hereunto set my hand and affixed
	my official seal the day and year first above written.
	m IND
	"Illuden " Slow
	Notary Public for Oregon
	Notary Public for Oregon My commission expires September 28, 1984
APPROVED.	
APPROVED:	
APPROVED:	

ORDINANCE No. 152880

An Ordinance accepting a permanent easement for a water supply line for proposed Conduit No. 5 from Donald Wiest, Bonnie Wiest and Ronald C. Ruedi, grantors, authorizing the drawing and delivery of a warrant for \$1,870.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

- 1. The Bureau of Water Works requires a permanent easement for a proposed water supply line lying within a portion of Tax Lot 3800, Section 26, T1S, R4E, W.M., Clackamas County, Oregon as described in the form of easement attached to the original only and marked Exhibit "A".
- 2. The owners of the land, Donald Wiest, Bonnie Wiest and Ronald C. Ruedi, contractor purchaser, have agreed to grant the City an easement on .312 acres for the sum of \$1,870.00. The Mayor has approved payment in that amount.
- 3. Consent to easement has been granted by the property owners mortgagees, and are attached hereto.

NOW, THEREFORE, The Council directs:

- a. A permanent easement for Conduit No. 5 from Donald Wiest, Bonnie Wiest and Ronald C. Ruedi, as described in the attached Exhibit "A" is accepted.
- b. A warrant is authorized in the amount of \$1,870.00, in favor of Donald Wiest, Bonnie Wiest and Ronald C. Ruedi, 37430 S.E. Bluff Road, Boring, Oregon 97009, to be charged to the 1981-82 Budget, Water Fund, BUC 18600374, Object Code 610 (Land), Project 3201, (Conduit No. 5 Right-of-Way).
- c. The Auditor shall record in the appropriate Deed Records document of title necessary for conveyance of the easement.
- Section 2. The Council further directs that an emergency exists because any delay in proceeding with this purchase may result in additional expense to the City and will unnecessarily deprive the Bureau of Water Works of the benefit of completion of the easement at an early date; therefore, this Ordinance shall be in force and effect from and after its passage by the Passed by the Council, Council.

Mayor Ivancie FEB 2 4 1982 February 12, 1982 M. Anoushiravani:1s BUC 18600374

Attest:

Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG	- 7	
SCHWAB	ĺ	
STRACHAN	Ì	
IVANCIE	^{To th} ough	

FOUR-FIFTHS CALENDAR		
JORDAN		
LINDBERG		
SCHWAB		
STRACHAN		
IVANCIE		

Calendar No. 445

ORDINANCE No. 152880

Title

An Ordinance accepting a permanent ease-ment for a water supply line for pro-posed Conduit No. 5 from Donald Wiest, Bonnie Wiest and Ronald C. Ruedi, grantors, authorizing the drawing and delivery of a warrant for \$1,870.00, and declaring an emergency.

	CA	LENDAR
	Consent	Regular
	NOT	TED BY
	City Attorney	77
Filed FEB 1 9 1982	City Auditor	
	City Engineer	
GEORGE YERKOVICH Auditor of the CITY OF PORTLAND		
Godon Crosel		
Deputy		

INTRODUCED BY MAYOR IVANCIE

NOTE	BY THE COMMISSIONER
Affairs	/ 4
Finance and Administration	on FII
Safety	7/
Utilities	
Vorks /	

BUREAU APPRO	JVAL
Bureau:	
WATER WORKS	
Prepared By:	Date:
M. Anoushiravani:ls	2/12/82
Budget Impact Review:	
Completed Not	required
Bureau Head:	127
Carl Gosse Admini	en wax

	CAI	LENDAR	
Consent	W	Regular	

	NOTED BY
City Attorney	
City Auditor	
City Engineer	