

WATER LINE EASEMENT

February 20 1982

In consideration of the sum of Three Thousand Seven Hundred Sixty Three Dollars (\$3,763.00), Michael J. Ansbros, (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 excepting the cultivation of trees.

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.

8. The City shall reimburse the Grantor for any merchantable timber which the City removes from the easement area. The City shall pay the fair market value for the timber removed. As an alternative, the Grantor, at his option and without reimbursement, may remove all timber within the easement area. The City shall notify the Grantor one year prior to construction of the Grantor's right to exercise the option. If the Grantor has not notified the City of his intent to exercise the option within 30 days of the City's notice, or has not removed the timber within the one-year period following the City's notice, then the Grantor shall be deemed to have waived his right to exercise the option.

9. Grantor may place screening trees along the southerly five feet of the easement.

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

Michael J. Ansbros

Grantors

EXHIBIT "A"

Easement No. III-22
Section 25
Tax Lot No. 2201
220 Lineal Feet

Michael J. Ansbro
38890 S.E. Lusted Rd.
Boring, Oregon 97009

A PERMANENT EASEMENT

A portion of that tract of land in Section 25, Township 1 South, Range 4 East, of the Willamette Meridian, Clackamas County, Oregon, conveyed to Michael J. Ansbro, as described in Recorder's Fee No. 77-05230, deed records of Clackamas County, Oregon, also private survey file No. PS-10882 filed with Clackamas County Surveyor's Office, more particularly described as follows:

A strip of land one-hundred (100) feet wide and lying adjacent to the southerly boundary of said tract, extending from the westerly boundary of said Ansbro tract, which is the common boundary with the adjacent tract of land as described in Recorder's Fee No. 75-25560, deed records of Clackamas County, to the easterly boundary of said Ansbro tract, which is the common boundary with the adjacent tract of land as described and recorded in Book 349, Page 486, deed records of Clackamas County, for a distance of 220 feet, more or less.

Said permanent easement containing 0.51 acres, more or less.

APPROVED AS TO DESCRIPTION:

Fred Whitfield
225 1380

IN WITNESS WHEREOF, FAR WEST FEDERAL SAVINGS & LOAN ASSOCIATION
has caused this instrument to be executed this 9th day of
March, 1982.

By Phyllis A. Prysock
Vice President (Title)

By Sandra L. Field
Ass't Secretary (Title)

By _____
(Title)

STATE OF OREGON)
) ss:
County of Multnomah)

On this 9th day of March, 1982 before me appeared
PHYLLIS A. PRY SOCK and SANDRA L. FIELD,
both to me known to be the VICE PRESIDENT and
ASS'T SECRETARY respectively of FAR WEST FEDERAL

SAVINGS & LOAN who stated that said instrument was
signed and sealed in behalf of said corporation by authority of its Board
of Directors, and acknowledged that said instrument is the free and
voluntary act and deed of said corporation for the uses and purposes
therein mentioned, and on oath stated that they were authorized to execute
said instrument and that the seal 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.

Shawn K. Lindauer
Notary Public for Oregon

My commission expires My Commission Expires 12-10-85

APPROVED:

City Attorney

2 - CONSENT TO WATER LINE EASEMENT

AV 51426
\$ 3,763.00
4-7-82

153009

ORDINANCE No. 153009

An Ordinance accepting a permanent easement for a water supply line for proposed Conduit No. 5 from Michael J. Ansbro, grantor, authorizing the drawing and delivery of a warrant for \$3,763.00, 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 2201, Section 25, 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 owner of the land, Michael J. Ansbro, has agreed to grant the City an easement on 0.51 acres for the sum of \$3,763.00. The Mayor has approved payment in that amount.
3. Consent to easement has been granted by the property owner mortgagee, and is attached hereto.

NOW, THEREFORE, The Council directs:

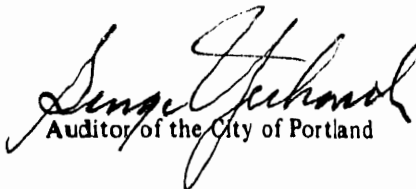
- a. A permanent easement for Conduit No. 5 from Michael J. Ansbro, as described in the attached Exhibit "A" is accepted.
- b. A warrant is authorized in the amount of \$3,763.00, in favor of Michael J. Ansbro, 38890 SE Lusted Road, Boring, Oregon 97009, to be charged to the 1981-82 Budget, Water Fund, 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 Council.

Passed by the Council, MAR 31 1982

Mayor Ivancie
March 19, 1982
M. Anoushiravani:ls
BUC 18600374

Attest:


Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Calendar No. **791**

ORDINANCE No. 153009

Title

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Filed MAR 26 1982

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *George Yerkovich*

Deputy

INTRODUCED BY	
Mayor Francis J. Ivancie	
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration <i>FSI/8</i>	
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau: Water Works	
Prepared By: M. Anousharavani:ls	Date: 3/19/82
Budget Impact Review:	
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required	
Bureau Head: <i>Al Seal</i>	
CALENDAR	
Consent <input checked="" type="checkbox"/>	Regular <input type="checkbox"/>
NOTED BY	
City Attorney	
City Auditor	
City Engineer	