

April 23, 1965

Mr. David J. Abraham, Director of Public Works
City of Lake Oswego
40 A Avenue
Lake Oswego, Oregon

Dear Sir:

I enclose a fully executed easement covering the location of your proposed sewer where it will cross City of Portland property in the vicinity of our Tryon Creek Treatment Plant, along with a copy of Ordinance No. 120218, which authorized this conveyance.

We would appreciate your advising us of the book and page in which this document is recorded when this information is available.

Very truly yours,

C. A. DOW, P.E.

City Engineer

CS:j

Encls.

cc: Jim Hamill
City Auditor's Office

Copy

ord 120 218

120213

E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS that the City of Portland, Oregon, a municipal corporation of the State of Oregon, in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, hereby grants unto the City of Lake Oswego, a municipal corporation of the State of Oregon, an easement and/or right of way over, across and under the following described real property situated in the County of Clackamas, State of Oregon, to-wit:

A strip of land in Section 2, T 2S, R 1E., W.M., in the County of Clackamas, State of Oregon, said strip more fully described as follows:

Beginning at a point in the westerly boundary of that certain tract of land designated as Parcel "B" in that deed from Multnomah County, Oregon, to the City of Portland, and recorded July 11, 1961 in Book 589, Page 257, Clackamas County deed records, said beginning point also lying S 1° 50' W 297.61 feet from the most northerly corner of said City of Portland tract; thence N 1° 50' E 2.59 feet; thence S 72° 55' E 152.0 feet; thence S 1° 50' W 12.95 feet; thence N 72° 55' W 152.0 feet to said westerly boundary; thence N 1° 50' E 10.36 feet to the point of beginning.

RECORDED TO CONVEYANCE
By *[Signature]*
County Clerk of Clackamas County, Oregon

TO HAVE AND TO HOLD the above described easement and/or right of way unto the said grantee, its successors and assigns, for the purpose of construction, maintenance and operation of a sanitary sewer pipe; provided that if the grantee, its successors or assigns, shall fail to use said easement and/or right of way for the purpose above mentioned, after having once commenced to use said easement and/or right of way, then and in such event this easement and/or right of way shall terminate and all rights and privileges granted hereunder shall revert to the grantor, its successors or assigns; provided further that the grantee agrees that this easement is granted subject to a revocable permit granted to Northwest Natural Gas Company to lay, use and maintain a

1 - Easement
April 14, 1965
JEH/fg

two-inch gas pipeline by Ordinance No. 117684, passed by the Council of the City of Portland, Oregon, November 21, 1963.

IN WITNESS WHEREOF the City of Portland has caused this instrument to be executed by its Mayor and Auditor this 22nd day of April, 1965, pursuant to Ordinance No. **120218**

CITY OF PORTLAND
By Terry D. Schrunck
Mayor
By Ray Smith
Auditor

Approved as to form:

McCrush
CHIEF DEPUTY City Attorney

STATE OF OREGON)
) ss:
County of Multnomah)

BE IT REMEMBERED, that on this 22nd day of April, 1965, before me, the undersigned, a Notary Public in and for said County and State, appeared TERRY D. SCHRUNK and RAY SMITH, to me personally known, who being first duly and severally sworn did say that he, the said TERRY D. SCHRUNK, is the Mayor of the City of Portland, and he, the said RAY SMITH, is the Auditor of the City of Portland, the municipal corporation which executed the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said City and that said instrument was signed and sealed in behalf of said municipal corporation by authority of Ordinance No. 120218, and that said TERRY D. SCHRUNK and RAY SMITH acknowledged said instrument to be the free act and deed of said City of Portland.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first in this my certificate written.

Robert C. [Signature]
Notary Public for Oregon
My commission expires May 9, 1966

EXHIBIT "A"

E A S E M E N T

KNOW ALL MEN BY THESE PRESENTS that the City of Portland, Oregon, a municipal corporation of the State of Oregon, in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, hereby grants unto the City of Lake Oswego, a municipal corporation of the State of Oregon, an easement and/or right of way over, across and under the following described real property situated in the County of Clackamas, State of Oregon, to-wit:

A strip of land in Section 2, T 2S, R 1E., W.M., in the County of Clackamas, State of Oregon, said strip more fully described as follows:

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TO HAVE AND TO HOLD the above described easement and/or right of way unto the said grantee, its successors and assigns, for the purpose of construction, maintenance and operation of a sanitary sewer pipe thereunder; provided that if the grantee, its successors or assigns shall fail to use said easement and/or right of way for the purpose above mentioned, after having once commenced to use said easement and/or right of way, then and in such event this easement and/or right of way shall terminate and all rights and privileges granted hereunder shall revert to the grantor, its successors or assigns; provided further that the grantee agrees that this easement is granted subject to a revocable permit granted to Northwest Natural Gas Company to lay, use and maintain a

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two-inch gas pipeline by Ordinance No. 117684, passed by the Council of the City of Portland, Oregon, November 21, 1963.

IN WITNESS WHEREOF the City of Portland has caused this instrument to be executed by its Mayor and Auditor this _____ day of April, 1965, pursuant to Ordinance No.

CITY OF PORTLAND

Approved as to form: By _____ Mayor

_____ City Attorney By _____ Auditor

STATE OF OREGON)
County of Multnomah) ss:

BE IT REMEMBERED, that on this _____ day of April, 1965, before me, the undersigned, a Notary Public in and for said County and State, appeared TERRY D. SCHRUNK and RAY SMITH, to me personally known, who being first duly and severally sworn did say that he, the said TERRY D. SCHRUNK, is the Mayor of the City of Portland, and he, the said RAY SMITH, is the Auditor of the City of Portland, the municipal corporation which executed the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said City and that said instrument was signed and sealed in behalf of said municipal corporation by authority of Ordinance No. _____, and that said TERRY D. SCHRUNK and RAY SMITH acknowledged said instrument to be the free act and deed of said City of Portland.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first in this my certificate written.

Notary Public for Oregon
My commission expires _____

ORDINANCE No. 120218

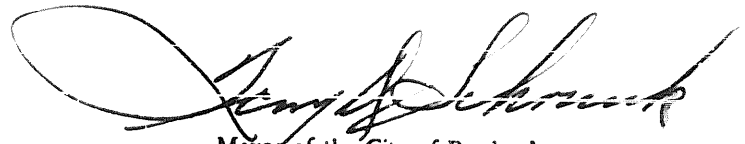
An Ordinance authorizing the granting of an easement to the City of Lake Oswego for sewer across a portion of the Tryon Creek Treatment Plant property, and declaring an emergency.

The City of Portland ordains:


Section 1. The Council finds that the City of Lake Oswego has made request for an easement covering the location of a proposed sewer pipe across a portion of the Tryon Creek Treatment Plant property; that the purpose of the easement is to allow the City of Lake Oswego to connect its sewer system to the Tryon Creek Plant; that the City Engineer has recommended that said easement be granted and that the same should be granted by the City; now, therefore, the Mayor and Auditor hereby are authorized and directed to execute and deliver to the City of Lake Oswego, an agreement substantially in accordance with the form attached hereto marked Exhibit "A," and by this reference made a part hereof.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that there be no delay in the execution of the agreement and the installation of the sewer line; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, APR 15 1965


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 1501

ORDINANCE No. 120218

Title

An Ordinance authorizing the granting of an easement to the City of Lake Oswego for sewer across a portion of the Tryon Creek Treatment Plant property, and declaring an emergency.

INTRODUCED BY
Commissioner Boves

DRAWN BY
JEH/EG
Date April 14, 1965

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorney

NOTED FOR CITY AUDITOR

APPROVED
Date
By
City Engineer

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	1	
Boves	1	
Earl	1	
Grayson	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR

Bean	<i>CRB</i>
Boves	<i>WAB</i>
Earl	<i>WAB</i>
Grayson	
Schrunk	<i>WAB</i>

Filed APR 14 1965

RAY SMITH

Auditor of the CITY OF PORTLAND

By *Robert Kelly*