

EXHIBIT A

## WATER LINE EASEMENT

April 9 1980

In consideration of the sum of Thirty-Four Thousand and 00/100-Dollars  
(\$ 34,000.00 ), Lucile DeWitte, 18040 S.E. Powell Blvd., Portland,  
Oregon 97236 (Grantor) conveys

to the City of Portland, a municipal corporation of the State of Oregon a temporary and permanent easement to use two contiguous strips of land for the purpose of constructing, reconstructing, inspecting and maintaining a water line and its necessary appurtenances, which is located across the Grantor's property as described in Exhibit "A", which is attached hereto.

The terms of these easements are as follows:

1. No surface or underground structures, permanent or temporary, shall be constructed upon the easements 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 easements 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 easements 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 easements; however, such fences shall have gates or removable panels within the permanent easement 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 areas for all agricultural purposes excepting the cultivation of trees.
7. The City will restore as nearly as practicable the surface of the easements within a reasonable time after completion of construction or maintenance work.
8. Grantor may utilize surface of easements for parking.
9. Grantor may cultivate nursery stock on easement prior to construction of the water supply line. All nursery stock must be removed within one year's time following written notification that construction will begin.
10. The area described in the Temporary Easement shall revert to the existing owner of the larger parcel upon completion of construction of Bull Run Conduit No. 5.

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

Lucile De Witte

GRANTORS

STATE OF OREGON

County of

Multnomah

SS:

BE IT REMEMBERED that on this 9th day of April, 1980,  
 before me, the undersigned, a Notary Public in and for said County and State,  
 personally appeared Lucile DeWitte

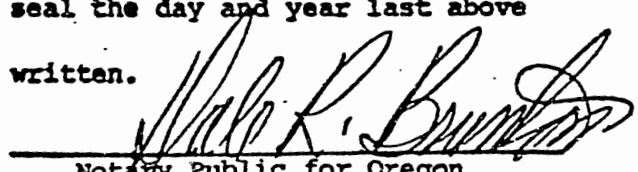
\_\_\_\_\_ who is/are known  
 to me to be the identical individual(s) who executed the foregoing instrument  
 and acknowledged to me that he/they did so of his/their own free will.

IN TESTIMONY WHEREOF, I have hereunto

set my hand and affixed my notarial

seal the day and year last above

written.

  
 Notary Public for Oregon

My commission expires

10-11-80

WATER EASEMENT

Lucile DeWitte


TO

THE CITY OF PORTLAND

Approved as to form:

City Attorney

Approved:

  
 Chief Engineer  
 Bureau of Water Works

## EXHIBIT "A"

Easement No. 8 (Revised)

Map No. 3548

Tax Lot No.: 55

527.56 Lineal Feet

Lucile DeWitte, who took  
title as Lucile Kummel  
18040 S.E. Powell Blvd.  
Portland, Oregon 97236

## A PERMANENT EASEMENT

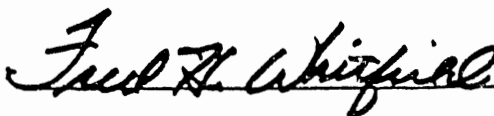
A portion of that tract of land in Section 18, Township 1 South, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, conveyed to Lucile DeWitte, who took title as Lucile Kummel, as described and recorded in Book 799, Page 67, deed records of said Multnomah County, more particularly described as follows:

A strip of land fifty (50) feet wide, lying Southerly of the following described line:

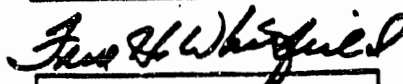
Beginning at a point on the West boundary of said DeWitte tract, said point being North 0° 13' 00" East 262.69 feet from the Southwest corner of said tract, and lying on the common boundary with the adjacent parcel of land described in Book 1006, Page 329, of the deed records of Multnomah County, thence South 87° 26' 44" East a distance of 527.56 feet to a point on the East boundary of said tract, said point being North 0° 04' 30" West 246.28 feet from the Southeast corner of said tract, and lying on the common boundary with the adjacent parcel of land described in Book 1167, Page 2060, of the deed records of Multnomah County.

Said permanent easement containing 0.606 acres, more or less.

APPROVED AS TO DESCRIPTION



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
SEPTEMBER 23, 1977  
FREDRICK H. WHITFIELD  
1380

## EXHIBIT "A"

Easement No. 8 (Revised)

Map No. 3548

Tax Lot No.: 55

527.56 Lineal Feet

Lucile DeWitte, who took  
title as Lucile Kummel  
18040 S.E. Powell Blvd.  
Portland, Oregon 97236

## A TEMPORARY EASEMENT

A portion of that tract of land in Section 18, Township 1 South, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, conveyed to Lucile DeWitte, who took title as Lucile Kummel, as described and recorded in Book 799, Page 67, deed records of said Multnomah County, more particularly described as follows:

A strip of land fifty (50) feet wide, lying Northerly of the following described line:

Beginning at a point on the West boundary of said DeWitte tract, said point being North 0° 13' 00" East 262.69 feet from the Southwest corner of said tract, and lying on the common boundary with the adjacent parcel of land described in Book 1006, Page 329, of the deed records of Multnomah County, thence South 87° 26' 44" East a distance of 527.56 feet to a point of the East boundary of said tract, said point being North 0° 04' 30" West 246.28 feet from the Southeast corner of said tract, and lying on the common boundary with the adjacent parcel of land described in Book 1167, Page 2060, of the deed records of Multnomah County.

Said temporary easement containing 0.605 acres, more or less.

The area described by the Temporary Easement shall revert to the existing owner of the larger parcel upon completion of construction of Bull Run Conduit No. 5

APPROVED AS TO DESCRIPTION:

*Fred H. Whitfield*

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Fred H. Whitfield*

OREGON  
SEPTEMBER 23, 1977  
FREDRICK H. WHITFIELD  
1380

## EXHIBIT "A"

Easement No. 8 (Revised)

Map No. 3548

Tax Lot No.: 55

527.56 Lineal Feet

Lucile DeWitte, who took  
title as Lucile Kummel  
18040 S.E. Powell Blvd.  
Portland, Oregon 97236

## A PERMANENT EASEMENT

A portion of that tract of land in Section 18, Township 1 South, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, conveyed to Lucile DeWitte, who took title as Lucile Kummel, as described and recorded in Book 799, Page 67, deed records of said Multnomah County, more particularly described as follows:

A strip of land fifty (50) feet wide, lying Southerly of the following described line:

Beginning at a point on the West boundary of said DeWitte tract, said point being North 0° 13' 00" East 262.69 feet from the Southwest corner of said tract, and lying on the common boundary with the adjacent parcel of land described in Book 1006, Page 329, of the deed records of Multnomah County, thence South 87° 26' 44" East a distance of 527.56 feet to a point on the East boundary of said tract, said point being North 0° 04' 30" West 246.28 feet from the Southeast corner of said tract, and lying on the common boundary with the adjacent parcel of land described in Book 1167, Page 2060, of the deed records of Multnomah County.

Said permanent easement containing 0.606 acres, more or less.

APPROVED AS TO DESCRIPTION

*Fred H. Whitfield*

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Fred H. Whitfield*

OREGON  
SEPTEMBER 23, 1977  
FREDRICK H. WHITFIELD  
1380

## ORDINANCE No. 149609

An Ordinance accepting a temporary and permanent easement for a water supply line from Lucile DeWitte, Grantor, the drawing and delivery of a warrant for \$34,000.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Water Works requires a temporary and permanent easement for a proposed water supply line within a portion of Section 18, T1S, R3E, W.M., Multnomah County, Oregon, as described in the form of easement attached hereto and marked Exhibit "A".
2. The owner of the land, Lucile DeWitte, has agreed to grant the City an easement on 1.211 acres of land for the sum of \$34,000.00. The Commissioner of Public Utilities has approved payment in that amount.

NOW, THEREFORE, the Council directs:

- a. A temporary and permanent easement for a water supply line from Lucile DeWitte, as described in the attached Exhibit "A", is accepted.
- b. A warrant is authorized in the amount of \$34,000.00 in favor of Lucile DeWitte, 18040 S.E. Powell Boulevard, Portland, Oregon 97236, to be charged to the 1979-80 Budget, Water Fund, BUC No. 18600374, Object Code 610 (Land), Project 3201 (Conduit No. 5 Right-of-Way).

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 the completion of easement at an early date; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council, **MAY 14 1980**

Commissioner Ivancie  
H.E. Hampton:jb  
April 28, 1980  
BUC 18600374

Attest:

  
Mayor of the City of Portland

  
Auditor of the City of Portland

Calendar No. 1654

# ORDINANCE No. 149609

## Title

An Ordinance accepting a temporary and permanent easement for a water supply line from Lucile DeWitte, Grantor, the drawing and delivery of a warrant for \$34,000.00, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg		
Schwab		
McCready		1

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

Filed MAY 8 1980

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By Gordon Croell  
Deputy

INTRODUCED BY

COMMISSIONER IVANCIE

NOTED BY THE COMMISSIONER

Affairs

Finance and  
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

WATER WORKS

Prepared By:

Date:

H. Hampton:jb April 28, 1980

Budget Impact Review:

☐ Completed

☐ Not required

Bureau Head:

Carl Goebel, Administrator

NOTED BY

City Attorney

City Auditor

City Engineer