

## TEMPORARY CONSTRUCTION EASEMENT

This TEMPORARY CONSTRUCTION EASEMENT is entered into this 30<sup>th</sup> day of November, 2007, by and between, property owner **Trails End Properties, Inc.**, (hereafter referred to as "Grantor") and the City of Oregon City, a Municipal Corporation of the State of Oregon (hereafter referred to as "Grantee").

### RECITALS

1. Grantor is the owner of certain real property located in the City of Oregon City, Clackamas County, Oregon, legal descriptions on Exhibit "A", and illustrated on Exhibit "B", attached hereto (hereafter referred to as "Easement Areas").
2. Grantor desires to grant to Grantee, for good and valuable consideration a temporary, non-exclusive easement over, under, and across the Easement Areas, together with the right to go upon said Easement Areas for the purpose of constructing a retaining wall and miscellaneous improvements as part of the OR 99E: Dunes Dr to 10<sup>th</sup> St improvements project (aka McLoughlin Blvd Enhancement Project Phase 1).
3. This TEMPORARY CONSTRUCTION EASEMENT is intended to allow the City of Oregon City, or its assigns to undertake the construction of a retaining wall and miscellaneous improvements and all other activities that the Grantee deems necessary and appurtenant to the above noted activities in conjunction with the OR 99E: Dunes Dr to 10<sup>th</sup> St improvements project (aka McLoughlin Blvd Enhancement Project Phase 1).

### AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by each of the parties, it is agreed as follows:

1. **Grant of Easement.** Grantor hereby grants to Grantee a non-exclusive temporary easement over, under, and across the Easement Areas, together with the right to go upon said Easement Areas for the purpose of retaining wall and miscellaneous improvements.
2. **Term of Easement:** This TEMPORARY CONSTRUCTION EASEMENT shall be temporary and shall become effective on the date the City of Oregon City issues notice to proceed to the contractor for construction of the OR 99E project and shall terminate when construction on the property is completed or continue for a period of three (3) years, whichever is earlier.

The true consideration for this conveyance is thirteen thousand dollars, \$ 13,000.00.

This TEMPORARY CONSTRUCTION EASEMENT has been executed as of the date and year first written above.

GRANTOR: Trails End Properties, Inc.

② Warren W. Freece

By: Warren W Freece

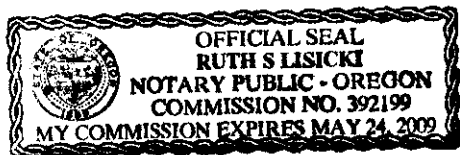
By: \_\_\_\_\_

STATE OF OREGON )

County of Washington )

On this 3<sup>d</sup> day of December, 2007, before me the undersigned, a Notary Public, personally appeared Warren W Freece, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Ruth S Lisicki  
Notary Public for Oregon



My commission expires: May 24, 2009

Accepted on behalf of the City of Oregon City on the condition that the easement granted is free and clear from any taxes, liens, and encumbrances.

Mayor Alvin Thompson

City Recorder Nancy Lide

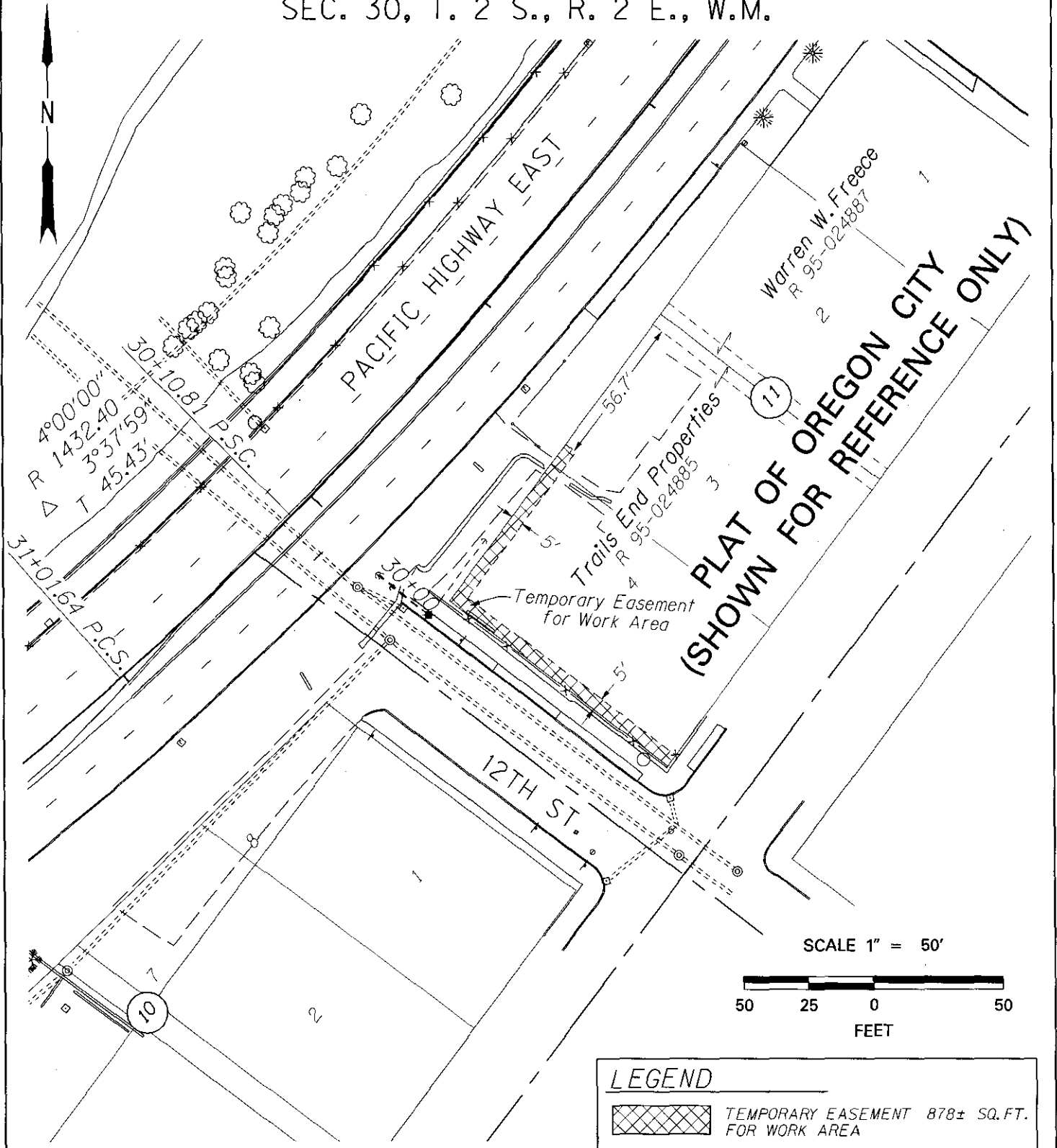
**Temporary Easement For Work Area (3 Years or Duration of Project, Whichever is Sooner)**

A parcel of land lying in the SE¼ of Section 30, Township 2 South, Range 2 East, W.M., Clackamas County, Oregon and being a portion of Lots 3 and 4, Block 11, Plat of Oregon City, a duly recorded plat in Clackamas County and also being a portion of that property described in that Warranty Deed to Trails End Properties, recorded May 1, 1995, as Recorder's Fee No. 95-024885, Film Records of Clackamas County, the said parcel being that portion of said property included in a strip of land 5.00 feet in width, lying Easterly of and adjoining the Northwesternly line, also lying Northerly of and adjoining the Southwesterly line of said property.

EXCEPTING therefrom the north 56.70 feet of said Lot 3.

This parcel of land contains 878 square feet, more or less.

SEC. 30, T. 2 S., R. 2 E., W.M.



OREGON DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY  
ENGINEERING

SKETCH MAP

Section	OR99E:1-205-Railroad Tunnel (Oregon City)		
Highway	Pacific Highway East		
County	Clackamas	Scale	1" = 50'
Purpose	Easement	Date	July 18, 2007
File	7318 001		

## Public Works

