

AFTER RECORDING RETURN TO:  
City of Oregon City Recorder (Nancy Ide)  
P.O. Box 3040  
Oregon City, OR 97045-0304

### TEMPORARY CONSTRUCTION EASEMENT

This TEMPORARY CONSTRUCTION EASEMENT is entered into this 14 day of November, 2006, by and between, property owner LES SCHWAB TIRE CENTERS of PORTLAND, INC, an Oregon corporation, as for Parcel I and LES SCHWAB PROFIT SHARING RETIREMENT TRUST, as for Parcel II, (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 description on Exhibit 'A' for tax lot 600 and 602, and illustrated on Exhibit 'B' for tax lot 600 and 602 attached hereto (hereafter referred to as "Easement Area").
2. Grantor desires to grant to Grantee, for good and valuable consideration a temporary, non-exclusive easement over, under, and across the Easement Area, together with the right to go upon said Easement Area for the purpose of constructing and reconstruction on site improvements including re-grading of the driveway and parking lot as necessary for the Beaver Creek Road Improvements Project. The western driveway slope shall be changed to meet, or be less than, as prescribed on Exhibit "C" to accommodate large vehicles and trailers.
3. This TEMPORARY CONSTRUCTION EASEMENT is intended to allow the City of Oregon City, or its assigns to undertake the reconstruction of driveways and other on-site improvements included as part of the Beaver Creek Road Improvements Project and all other activities that the Grantee deems necessary and appurtenant to the Beaver Creek Road Improvements project.

### 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 Area, together with the right to go upon said Easement Area for the purpose of reconstructing driveways and other on-site improvements, all as generally described in the recitals above.


2. **Term of Easement.** This TEMPORARY CONSTRUCTION EASEMENT shall be temporary and shall terminate when both the City of Oregon City has approved the completion of the Beavercreek Road Improvements project.

The true consideration for this conveyance is \$3,377.00.

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

**GRANTOR:**

Les Schwab Tire Centers of Portland, Inc.

By:   
Richard B. Borgman, President  
Holding Company Division

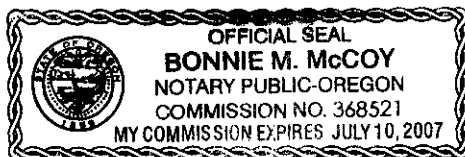
Les Schwab Profit Sharing retirement Trust

By:   
Steven Bjorvik, Trustee

STATE OF OREGON )

County of Crook )

On this 14 day of November, 2006, before me the undersigned, a Notary Public, personally appeared Richard B. Borgman, President of the Holding Company Division of Les Schwab Tire Centers of Portland, Inc, and acknowledged the foregoing instrument to be his voluntary and authorized act and deed on behalf of said entity.



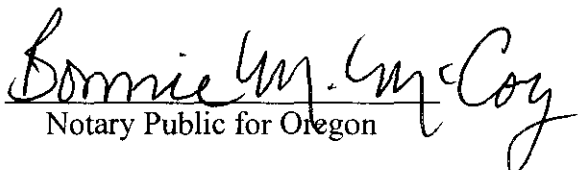
Before me:   
Notary Public for Oregon

STATE OF OREGON )

County of Crook )

On this 14 day of November, 2006, before me the undersigned, a Notary Public, personally appeared Steven Bjorvik, Trustee of the Les Schwab Profit Sharing Retirement Trust, and acknowledged the foregoing instrument to be his voluntary and authorized act and deed on behalf of said trust.



Before me:   
Notary Public for Oregon

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

  
\_\_\_\_\_  
City Recorder

PDX\_DOCS:381968.2 [34758-02000]

**EXHIBIT A**

Sheet 1 of 2 , TL 600

PROJECT: **BEAVERCREEK ROAD**

LOCATION: **TAX LOT 600, 3 2E 5D**

DOCUMENT: **80-44281**

PROPERTY OWNER:  
**Les Schwab Profit Sharing Retirement Trust**  
**P.O. Box 667**  
**Prineville, Oregon 97754**

PREPARED BY:  
**Compass Engineering**  
**6564 S.E. Lake Road**  
**Milwaukie, Oregon 97222**  
**(503) 653-9093**

**DEDICATION:**

AN 8.50 FOOT WIDE STRIP OF LAND IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "KAMPE ASSOC. INC." AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO PAUL G. GRAHAM AND THERESA A. GRAHAM BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 86-31986, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG A LINE PARALLEL WITH AND 40.00 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11) NORTH 59°27'14" WEST 173.66 FEET TO THE MOST WESTERLY EAST LINE OF THAT TRACT OF LAND CONVEYED TO LES SCHWAB TIRE CENTERS OF PORTLAND, INC. BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 92-21067, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID EAST LINE NORTH 19°17'19" WEST 8.67 FEET; THENCE PARALLEL WITH AND 48.50 FEET FROM THE AFOREMENTIONED CENTERLINE OF BEAVERCREEK ROAD SOUTH 59°27'14" EAST 172.91 FEET TO THE WEST LINE OF THE AFOREMENTIONED GRAHAM TRACT; THENCE ALONG SAID WEST LINE SOUTH 14°32'48" WEST 8.84 FEET TO THE POINT OF BEGINNING.

CONTAINS 1473 SQUARE FEET, MORE OR LESS.

**TEMPORARY CONSTRUCTION EASEMENT:**

A 37.00 FOOT WIDE STRIP OF LAND IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "KAMPE ASSOC. INC." AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO PAUL G. GRAHAM AND THERESA A. GRAHAM BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 86-31986, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE WEST LINE OF SAID GRAHAM PARCEL NORTH 14°32'48" EAST 8.84 FEET TO THE TRUE POINT OF BEGINNING OF THE STRIP TO BE DESCRIBED; THENCE ALONG A LINE PARALLEL WITH AND 48.50 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11) NORTH 59°27'14" WEST 172.91 FEET TO THE MOST WESTERLY EAST LINE OF THAT TRACT OF LAND CONVEYED TO LES SCHWAB TIRE CENTERS OF PORTLAND, INC. BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 92-21067, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID EAST LINE

Sheet 2 of 2 , TL 600

NORTH 19°17'19" EAST 37.73 FEET; THENCE PARALLEL WITH AND 85.50 FEET  
FROM THE AFOREMENTIONED CENTERLINE OF BEAVERCREEK ROAD SOUTH  
59°27'14" EAST 169.67 FEET TO THE WEST LINE OF THE AFOREMENTIONED  
GRAHAM TRACT; THENCE ALONG SAID WEST LINE SOUTH 14°32'48" WEST  
38.49 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 6338 SQUARE FEET, MORE OR LESS.

**EXHIBIT A**

Sheet 1 of 1, TL 602

**PROJECT:** BEAVERCREEK ROAD

**LOCATION:** TAX LOT 602, 3 2E 5D

**DOCUMENT:** 92-21067

**PROPERTY OWNER:**  
**Les Schwab Tire Centers**  
**P.O. Box 667**  
**Prineville, Oregon 97754**

**PREPARED BY:**  
**Compass Engineering**  
**6564 S.E. Lake**  
**MILWAUKIE, OREGON 97222**  
**(503) 653-9093**

**DEDICATION:**

AN 8.50 FOOT WIDE STRIP OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF TRACT "A", PARTITION PLAT NO. 1992-49 WITH A LINE PARALLEL WITH AND 40.00 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11); THENCE ALONG SAID PARALLEL LINE SOUTH 59°27'14" EAST 25.49 FEET, MORE OR LESS, TO THE MOST WESTERLY EAST LINE OF THAT TRACT OF LAND CONVEYED TO LES SCHWAB TIRE CENTERS OF PORTLAND, INC. BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 92-21067, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID WESTERLY EAST LINE NORTH 19°17'19" EAST 8.67 FEET; THENCE PARALLEL WITH AND 48.50 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11) NORTH 59°27'14" WEST 25.49 FEET TO THE EASTERLY LINE OF PARCEL 1, PARTITION PLAT NO. 1992-49; THENCE ALONG SAID EASTERLY LINE SOUTH 19°17'19" WEST 8.67 FEET TO THE POINT OF BEGINNING.

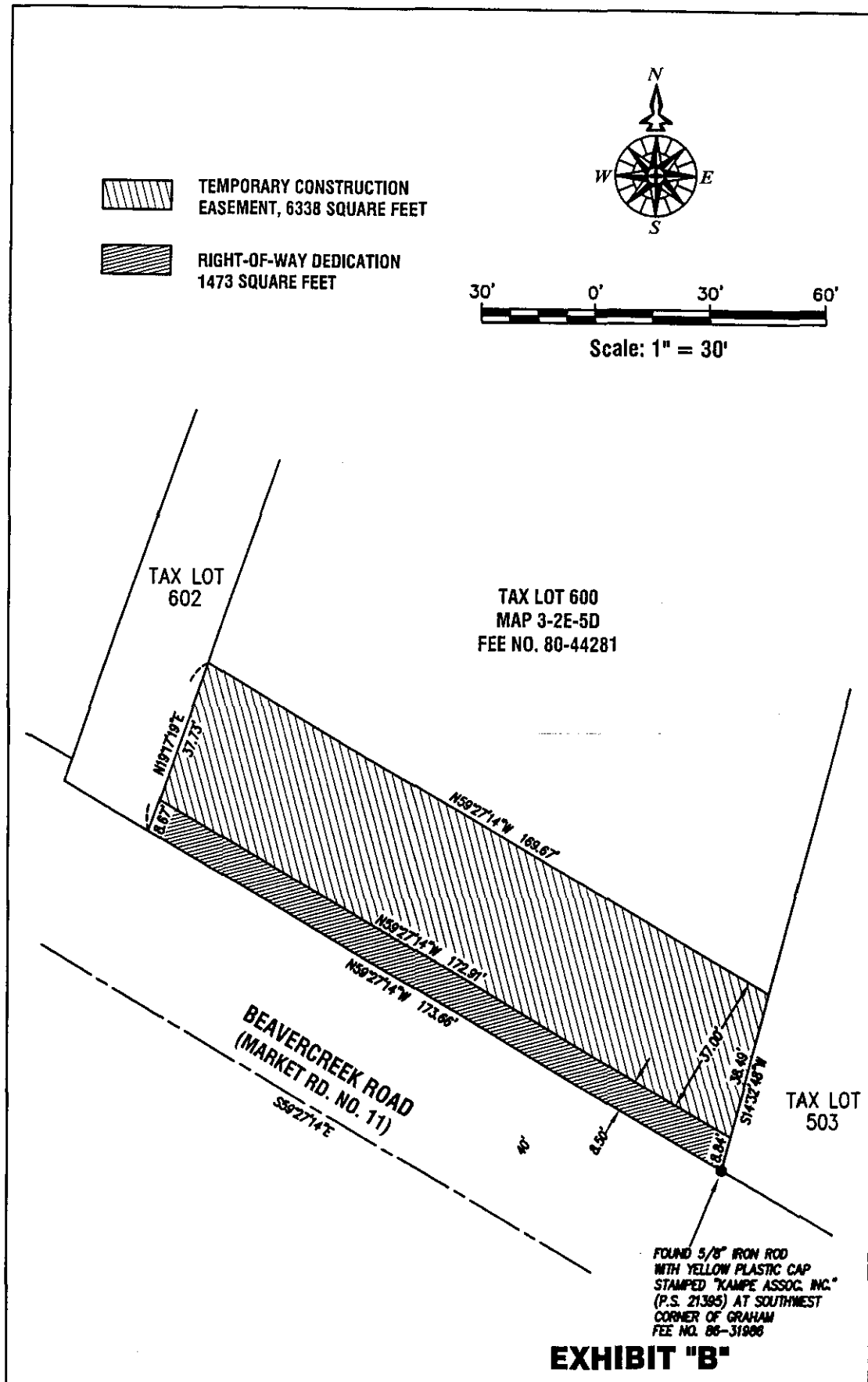
CONTAINS 217 SQUARE FEET, MORE OR LESS.

**TEMPORARY CONSTRUCTION EASEMENT:**

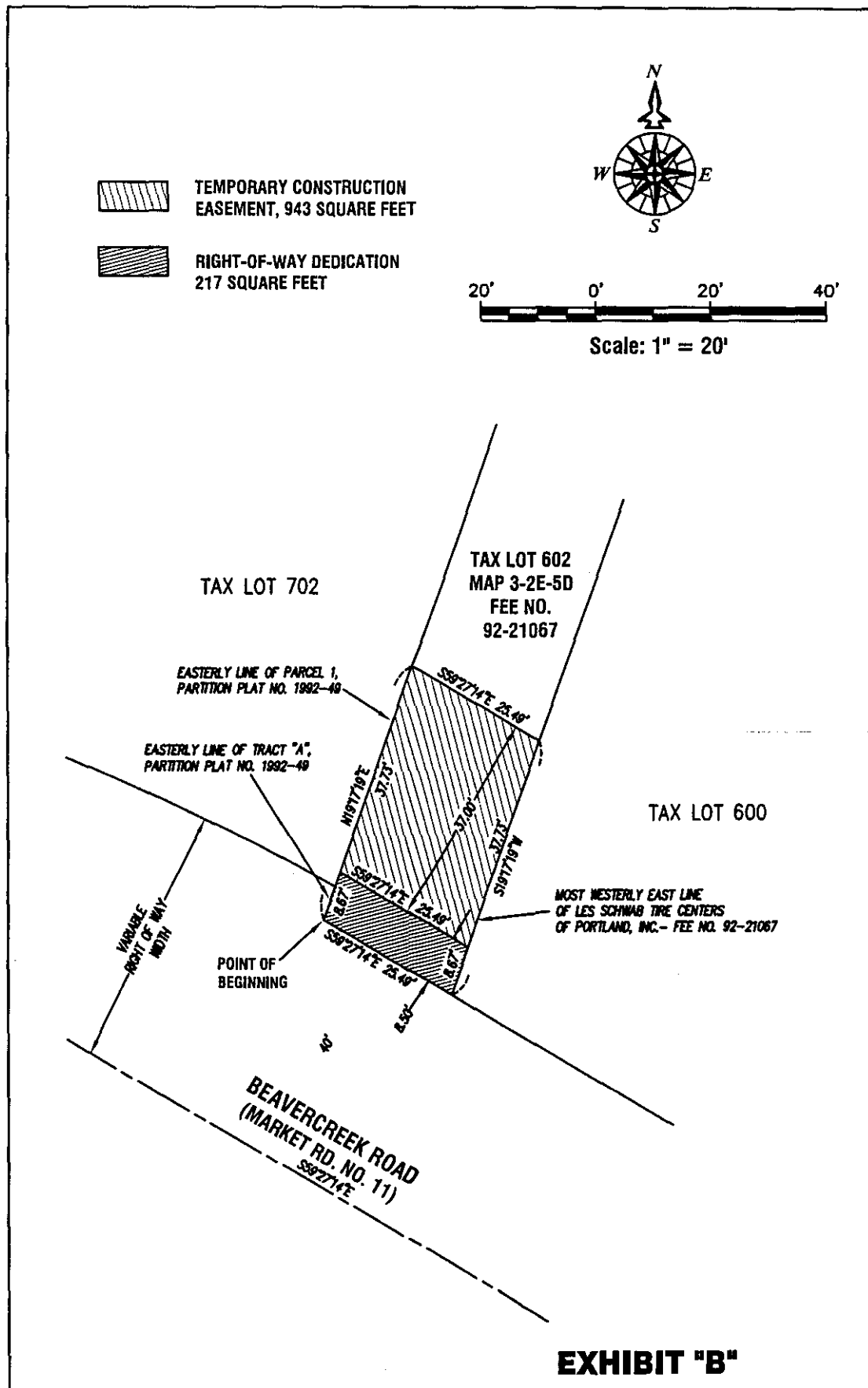
A 37.00 FOOT WIDE STRIP OF LAND SITUATED IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EASTERLY LINE OF PARCEL 1, PARTITION PLAT NO. 1992-49 WITH A LINE PARALLEL WITH AND 48.50 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11); THENCE ALONG SAID PARALLEL LINE SOUTH 59°27'14" EAST 25.49 FEET, MORE OR LESS, TO THE MOST WESTERLY EAST LINE OF THAT TRACT OF LAND CONVEYED TO LES SCHWAB TIRE CENTERS OF PORTLAND, INC. BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 92-21067, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID WESTERLY EAST LINE NORTH 19°17'19" EAST 37.73 FEET; THENCE PARALLEL WITH AND 85.50 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11) NORTH 59°27'14" WEST 25.49 FEET TO THE EASTERLY LINE OF PARCEL 1, PARTITION PLAT NO. 1992-49; THENCE ALONG SAID EASTERLY LINE SOUTH 19°17'19" WEST 37.73 FEET TO THE POINT OF BEGINNING.

CONTAINS 943 SQUARE FEET, MORE OR LESS.



	<p><b>COMPASS ENGINEERING</b></p> <p>ENGINEERING    SURVEYING    PLANNING</p> <p>6584 S.E. LAKE ROAD    (503) 653-0093 PHONE</p> <p>MILWAUKIE, OREGON 97222    WWW.COMPASS-ENGINEERING.COM</p>	<p><b>LES SCHWAB PROFIT SHARING RETIREMENT TRUST</b></p> <p>P.O. BOX 667</p> <p>PRINEVILLE, OREGON 97754</p>
--	--	--



**COMPASS ENGINEERING**

ENGINEERING SURVEYING PLANNING  
6544 S.E. LAKE ROAD (503) 853-9093 PHONE  
MILWAUKIE, OREGON 97222 WWW.COMPASS-ENGINEERING.COM

LES SCHWAB TIRE CENTERS  
OF PORTLAND, INC.  
P.O. BOX 667  
PRINEVILLE, OREGON 97754