

TEMPORARY CONSTRUCTION EASEMENT

This TEMPORARY CONSTRUCTION EASEMENT is entered into this 18 day of August, 2010, by and between, property owner RLS LLC 1, an Oregon limited liability company (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 Area(s)").
2. Grantor desires to grant to Grantee, for good and valuable consideration a temporary, non-exclusive easement over, under, and across the Easement Area(s), together with the right to go upon said Easement Area(s) and the real property as necessary for the purpose of constructing street, road, and public utility improvements associated with the OR 213 improvements project which includes improvements along Clackamas River Drive and a new bridge on OR 213 for the realignment of Washington Street under OR 213.
3. This TEMPORARY CONSTRUCTION EASEMENT is intended to allow the City of Oregon City, or its assigns to undertake construction and all other activities that the Grantee deems necessary and appurtenant to the above noted activities in conjunction with the OR 213 improvements project which includes improvements along Clackamas River Drive and a new bridge on OR 213 for the realignment of Washington Street under OR 213.

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(s), together with the right to go upon said real property and the Easement Area(s) for the purpose of constructing street, road, and public utility improvements associated with the OR 213 improvements project which includes improvements along Clackamas River Drive and a new bridge on OR 213 for the realignment of Washington Street under OR 213.
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 213 improvements project and shall terminate the earlier of: (i) when construction on the property is completed, or (ii) when the City of Oregon City has made final acceptance of the project, or (iii) after three years from the date the City of Oregon City issues notice to proceed to the contractor for construction of

the OR 213 improvements project. Notwithstanding the provisions of subsection (i), (ii) and (iii) this easement shall automatically terminate on July 1, 2015.

3. Consideration. The true consideration for this conveyance is FIFTY-ONE THOUSAND SIX HUNDRED DOLLARS (\$51,600), the receipt of which is hereby acknowledged by GRANTOR.

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

GRANTOR:

NOTICE: *No stamp or corporate seal is allowed over any typed information.*

RLS LLC 1, an Oregon limited liability company

Corporation/limited partnership



R.L. Stein, as Member

Corporation/Partnership Name

(if executed by a corporation
affix corporate seal below)

Signer's Name, Title

Signer's Name, Title

Signer's Name, Title

NOTICE TO NOTARIES: No notary stamp or corporate seal is allowed over any typed information.

Personal Acknowledgment

STATE OF OREGON

County of Clackamas) ss.

Personally appeared R.L. Stein as Member of RLS LLC 1, an Oregon limited liability company and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

WITNESS my hand and official seal.

Trish L. Kuntz

Notary's signature

My Commission Expires: Sep. 25, 2011

Stamp seal below



(Grantor's Name and Address)

City of Oregon City

625 Center Street

P.O. Box 3040

Oregon City, OR 97045-0304

(Grantee's Name and Address)

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

Ann Norris

City Recorder

Nancy Ude

Corporate Acknowledgment

STATE OF OREGON

County of _____) ss.

Personally appeared _____

_____ and _____
_____ who being duly sworn,
each for himself and not one for the other did say
that the former is the _____ president and that
the latter is the _____ secretary of _____

_____ a corporation,
and that the seal affixed to the foregoing instrument
was signed and sealed in behalf of said corporation
by authority of its board of directors; and each of
them acknowledged said instrument to be its
voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

WITNESS my hand and official seal.

Notary's signature

My Commission Expires: _____

Stamp seal below

Temporary Easement for Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the NE¼ of Section 29 and the NW¼ of Section 29, Township 2 South, Range 2 East of the W.M., Clackamas County, Oregon and being a portion of that property described in that Special Warranty Deed to RLS LLC 1 recorded November 19, 2004 in Instrument Number 2004-106748, of the Official Records of Clackamas County, Oregon. Said parcel being that portion of said property lying within the following described tract:

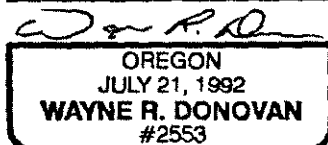
Beginning at a point opposite and 301.00 feet Westerly of Engineer's Station "JE" 604+47 on the center line of the relocated Clackamas River Drive; thence Easterly in a straight line to a point opposite and 200.43 feet Westerly of Engineer's Station "JE" 604+19.83 on said center line; thence Easterly in a straight line to a point opposite and 177.77 feet Westerly of Engineer's Station "JE" 604+20.68 on said center line; thence Northeasterly in a straight line to a point opposite and 141.05 feet Westerly of Engineer's Station "JE" 603+97.88 on said center line; thence Southeasterly in a straight line to a point opposite and 56.00 feet Westerly of Engineer's Station "JE" 604+57 on said center line; thence Southerly in a straight line to a point opposite and 58.00 feet Westerly of Engineer's Station "JE" 604+88 on said center line; thence Southerly in a straight line to a point opposite and 55.00 feet Westerly of Engineer's Station "JE" 605+55 on said center line; thence Westerly in a straight line to a point opposite and 80.00 feet Westerly of Engineer's Station "JE" 605+55 on said center line; thence Southerly and parallel with the center line of the relocated Clackamas River Drive, to a point opposite and 80.00 feet Westerly of Engineer's Station "JE" 606+41 on said center line; thence Easterly in a straight line to a point opposite and 55.28 feet Westerly of Engineer's Station "JE" 606+41 on said center line; thence Southerly in a straight line to a point opposite and 66.34 feet Westerly of Engineer's Station "JE" 607+43.19 on said center line; thence Southerly and parallel with the center line of the relocated Clackamas River Drive, to a point opposite and 66.34 feet Northwesternly of Engineer's Station "JE" 608+90 on said center line; thence Southeasterly in a straight line to a point on the Westerly right of way of the relocated Clackamas River Drive, opposite and 56.33 feet Westerly of Engineer's Station "JE" 608+90 on said center line; thence Northerly along the Westerly right of way of the relocated Clackamas River Drive to a point on said Westerly right of way lying Westerly of and at right angles to Engineer's Station "JE" 602+90.00 on said center line; thence in a straight line to a point opposite and 76.00 feet Westerly of Engineer's Station "JE" 602+90.00 on said center line; thence Westerly in a straight line to a point opposite and 143.00 feet Westerly of Engineer's Station "JE" 603+17.00 on said center line; thence Southwesterly in a straight line to a point opposite and 236.00 feet Westerly of Engineer's Station "JE" 603+90.00 on said center line; thence Southwesterly in a straight line to a point opposite and 301.00 feet Westerly of Engineer's Station "JE" 604+47.00 on said center line to the point of beginning.

The center line of the relocated Clackamas River Drive referred to herein is described as follows:

Beginning at Engineer's center line Station "JE" 600+00, said Station being South 75°48'20" East, 1147.34 feet from the Quarter Corner common to Sections 20 and 29, Township 2 South, Range 2 East of the W.M; thence South 46°05'48" East 44.84 feet; thence along a 204.75 foot radius curve to the right (the long chord of which bears South 16°59'39" East, 199.17 feet) 208.00 feet; thence South 12°06'30" West 74.69 feet; thence along a 1000.80 foot radius curve to the left (the long chord of which bears South 02°28'15" West, 335.10 feet) 336.68 feet; thence South 07°10'00" East 78.98 feet; thence along a 240.15 foot radius curve to the right (the long chord of which bears South 31°24'16" West, 299.46 feet) 323.34 feet; thence South 69°58'33" West 90.57 feet to Engineer's center line Station "JE" 611+57.10, said station being South 36°25'36" East 1585.47 feet from said Quarter Corner common to Sections 20 and 29.

Bearings are based upon the Oregon State Plane Coordinate System 1983 (CORS 96) Epoch 2002, North Zone.

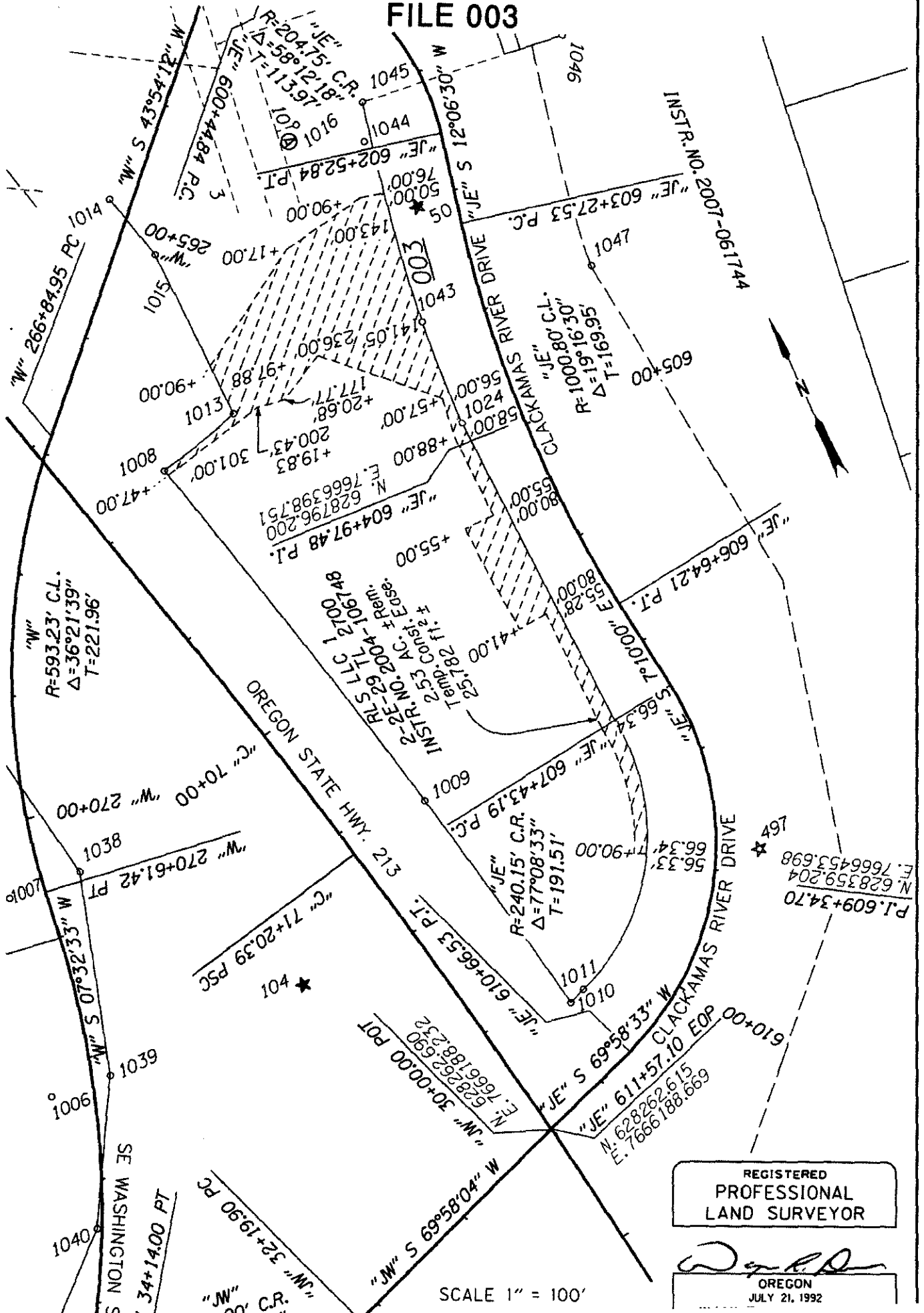
This parcel of land contains 25,782 Square Feet, more or less.



RENEWAL DATE: 12/31/11

SIGNED: May 6, 2010

EXHIBIT "B"
FILE 003



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 21, 1992

SCALE 1" = 100'