

82  
AFTER RECORDING RETURN TO:

Asst. City Recorder (Kelly Burgoyne)  
City of Oregon  
P.O. Box 3040  
Oregon City, Oregon 97045-0304

Map No.: 32E09D  
Tax Lot: 1802 & 1803  
Planning No.: TP 06-03

Grantor: TL III, LLC

Clackamas County Official Records  
Sherry Hall, County Clerk

2014-039955



\$88.00

01786343201400399550080081

08/11/2014 11:04:02 AM

D-ER Cnt=1 Stn=54 COUNTER2  
\$40.00 \$16.00 \$22.00 \$10.00

## CITY OF OREGON CITY, OREGON PUBLIC UTILITY(S) EASEMENT

KNOW ALL BY THESE PRESENTS, THAT TL III, LLC hereinafter called the GRANTOR, do(es) hereby grant unto the City of Oregon City, hereinafter called the CITY, its successors in interest and assigns, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain the public pedestrian and access easement on the following described land:

See attached Exhibit "A-1" & "A-2" Legal Description and attached

Exhibit "B-1" & "B-2" Sketch for Legal Description

**TO HAVE AND TO HOLD**, the above described easement unto the CITY, its successors in interest and assigns forever.

GRANTOR reserves the right to use the surface of the land for walkways, plantings, parking, and related uses. Such uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the subject easement area by the CITY. No building or utility shall be placed upon, under, or within the property subject to the foregoing easement during the term thereof, however, without the written permission of the CITY.

Upon completion of the construction, the CITY shall restore the surface of the property to its original condition and shall indemnify and hold the GRANTOR harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is \$1.00, the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances (no exceptions)

and that GRANTOR and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 15<sup>th</sup> day of July, 2014; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

GRANTOR:

**TL III, LLC, an Oregon Limited Liability Company**

BY: TL 177, LLC, AN OREGON LIMITED LIABILITY COMPANY, ITS SOLE MEMBER

BY: VERGEPOINTE CAPITAL FUND XI, LP, A DELAWARE LIMITED PARTNERSHIP, ITS MANAGER

BY: VCFGF XI, LLC, AN OREGON LIMITED LIABILITY COMPANY, ITS GENERAL PARTNER

BY: VCJT, LLC, AN OREGON LIMITED LIABILITY COMPANY, ITS MANAGER

BY:   
Scott Roberts, Manager

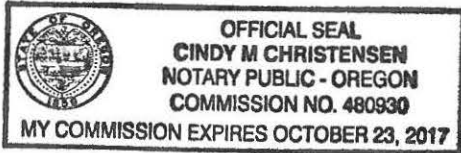
BY:   
Matthew Vance, Manager

BY:  By H.S. Attorney in Fact  
Jeffrey D. Smith, Manager *MATTHEW D. VANCE*

~~STATE OF OREGON~~ )

STATE OF OREGON     )  
                                  ) ss.  
County of Clackamas     )

This instrument was acknowledged before me on July 15, 2014 (date) by Scott Roberts, Manager, VCJT, LLC, an Oregon LLC, Manager VCFGP XI, LLC, General Partner of Vergepointe Capital Fund XI, LP, Manager of TL 177, LLC, Sole Member of TL III, LLC and he acknowledged the foregoing instrument to be his voluntary act and deed.

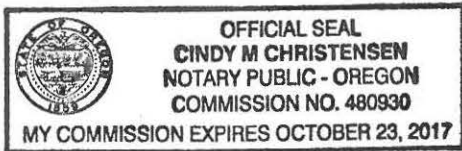


Cindy M Christensen  
Notary Public for Oregon

My commission expires: 10-23-2017.

STATE OF OREGON     )  
                                  ) ss.  
County of Clackamas     )

This instrument was acknowledged before me on July 15, 2014 (date) by Matthew Vance, Manager, VCJT, LLC, an Oregon LLC, Manager VCFGP XI, LLC, General Partner of Vergepointe Capital Fund XI, LP, Manager of TL 177, LLC, Sole Member of TL III, LLC and he acknowledged the foregoing instrument to be his voluntary act and deed.



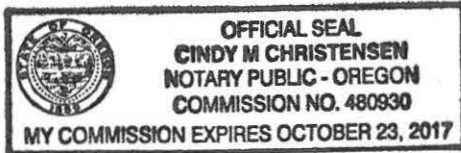
Cindy M Christensen  
Notary Public for Oregon

My commission expires: 10-23-2017.

STATE OF OREGON            )  
  ) ss.  
County of Clackamas        )

Matthew Vance  
Attorney in Fact for

This instrument was acknowledged before me on July 15, 2014 (date) by Jeffrey D. Smith, Manager, VCJT, LLC, an Oregon LLC, Manager VCFGP XI, LLC, General Partner of Vergepointe Capital Fund XI, LP, Manager of TL 177, LLC, Sole Member of TL III, LLC and he acknowledged the foregoing instrument to be his voluntary act and deed.



Cindy M Christensen

Notary Public for Oregon

My commission expires: 10-23-2017.

CITY:

City of Oregon City  
P.O. Box 3040  
625 Center Street  
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

Doug D. [Signature]

City Recorder

Nancy [Signature]

**ENGINEERING    PLANNING  
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



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AKS Job No. 3432

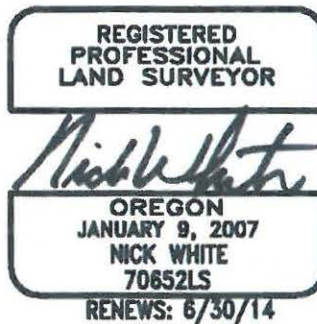
**EXHIBIT A -1**

A tract of land located in the Southeast One-Quarter of Section 9, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon being more particularly described as follows:

Beginning at the northwesterly corner of Lot 12 of the plat "Carrington Place"; thence along the westerly line of said Lot South  $00^{\circ}31'57''$  East 9.22 feet to a point; thence South  $53^{\circ}53'18''$  West 91.48 feet to a point on the northerly line of Lot 203 of the plat "Sequoia Landing No. 2"; thence along said northerly line North  $89^{\circ}52'19''$  West 10.18 feet to a point on the easterly right-of-way line of Sunstone Place; thence along said easterly right-of-way line along non-tangent curve to the left with a Radius of 46.50 feet, a Delta of  $11^{\circ}33'43''$ , a Length of 9.38 feet, and a Chord of North  $19^{\circ}36'40''$  West 9.37 feet to a point; thence North  $53^{\circ}53'18''$  East 107.76 feet to a point on the westerly line of Lot 11 of said plat; thence along said westerly line South  $00^{\circ}31'57''$  East 9.22 feet to the Point of Beginning.

The above described tract of land contains 1,538 square feet, more or less.

4/5/2013





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FORESTRY**

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AKS Job No. 3432

**EXHIBIT A - 2**

A tract of land located in the Southeast One-Quarter of Section 9, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon being more particularly described as follows:

Beginning at the northwesterly corner of Lot 12 of the plat "Carrington Place"; thence along the westerly line of said Lot South  $00^{\circ}31'57''$  East 63.30 feet to southeasterly corner of Lot 202 of the plat "Sequoia Landing No. 2"; thence along the southerly line of said Lot North  $89^{\circ}52'19''$  West 74.40 feet to the True Point of Beginning; thence South  $53^{\circ}53'18''$  West 11.20 feet to a point on the easterly right-of-way line of Sunstone Place; thence along said easterly right-of-way line along non-tangent curve to the left with a Radius of 46.50 feet, a Delta of  $08^{\circ}17'17''$ , a Length of 6.73 feet, and a Chord of North  $09^{\circ}41'10''$  West 6.72 feet to the southwesterly corner of said Lot; thence along the southerly line of said Lot South  $89^{\circ}52'19''$  East 10.18 feet to the True Point of Beginning.

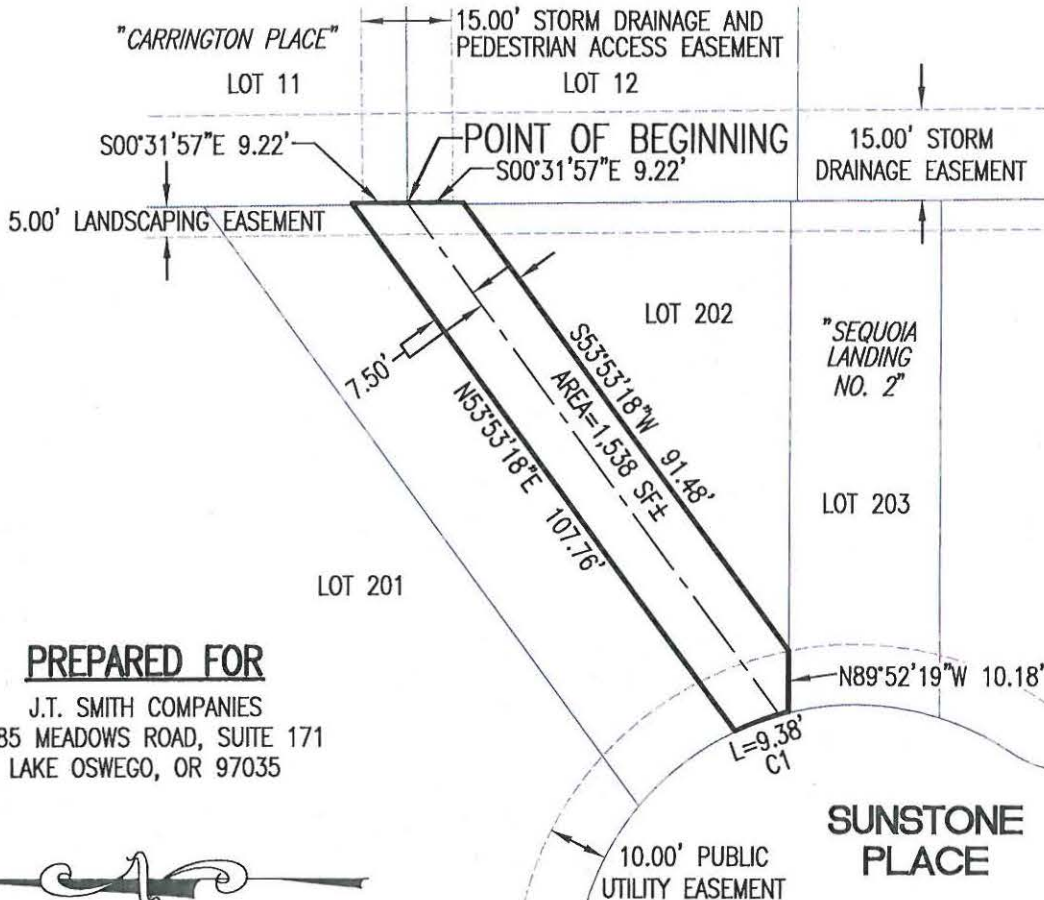
The above described tract of land contains 33 square feet, more or less.

4/5/2013



# EXHIBIT B -1

LOT 202 OF "SEQUOIA LANDING NO. 2"  
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 9,  
 TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,  
 CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON



## PREPARED FOR

J.T. SMITH COMPANIES  
 5285 MEADOWS ROAD, SUITE 171  
 LAKE OSWEGO, OR 97035



SCALE 1" = 30 FEET



## CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	46.50'	11°33'43"	9.38'	N19°36'40"W 9.37'

4/5/2013

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Nick White*

OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS

RENEWALS: 6/30/14

SEQUOIA LANDING NO. 3  
 JOB NAME: REPLAT - PLA

JOB NUMBER: 3432

DRAWN BY: WCB

CHECKED BY: NSW

DWG NO.: 3432\_040513\_EXB

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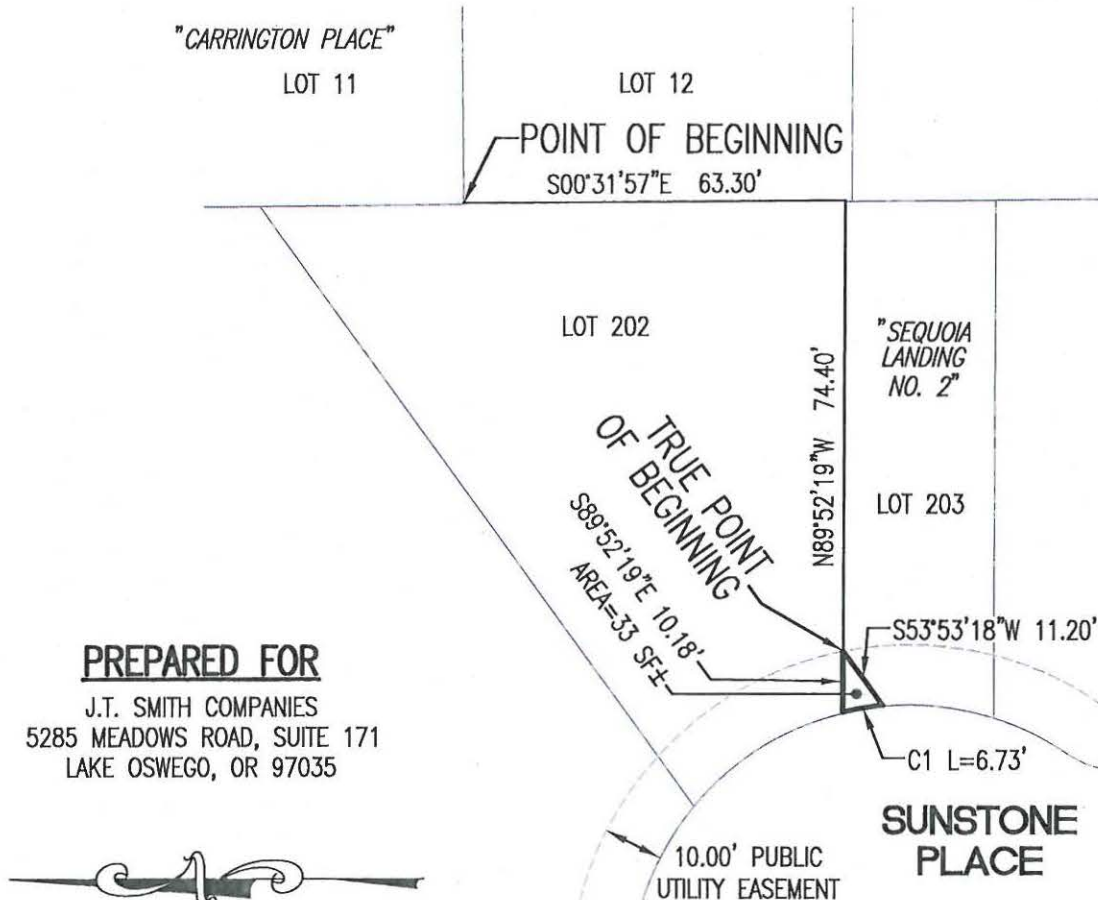
LICENSED IN OR & WA

13910 SW GALBREATH  
 DRIVE, SUITE 100  
 SHERWOOD, OR 97140  
 PHONE: (503) 925-8799  
 FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

# EXHIBIT B-2

LOT 203 OF "SEQUOIA LANDING NO. 2"  
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 9,  
 TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,  
 CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON



## PREPARED FOR

J.T. SMITH COMPANIES  
 5285 MEADOWS ROAD, SUITE 171  
 LAKE OSWEGO, OR 97035



SCALE 1" = 30 FEET



## CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	46.50'	08°17'17"	6.73'	N09°41'10"W 6.72'

4/5/2013

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Nick White*

OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS

RENEWS: 6/30/14

SEQUOIA LANDING NO. 3  
 JOB NAME: REPLAT - PLA

JOB NUMBER: 3432

DRAWN BY: WCB

CHECKED BY: NSW

DWG NO.: 3432\_040513\_EXB

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