

AFTER RECORDING RETURN TO:

ASST. City Recorder, Kelly Burgoyne
City of Oregon
625 Center Street
P.O. Box 3040
Oregon City, Oregon 97045-0304

Map No.: 3-2E-16BC
Tax Lot: 04000
Planning No.: N/A

Clackamas County Official Records
Sherry Hall, County Clerk

2013-001226



\$73.00

01646304201300012260050062

01/08/2013 09:46:09 AM

D-E Cnt=1 Stn=6 KARLYNWUN
\$30.00 \$16.00 \$17.00 \$10.00

Grantor: Brendon Estates Homeowner's Association

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

KNOW ALL BY THESE PRESENTS, THAT BRENDON ESTATES HOMEOWNER'S ASSOCIATION, P.O. Box 322, Oregon City, Oregon 97045, 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 Sanitary Sewer Pump Station and access on the following described land:

A portion of Tract A, Brendon Estates No. 2, plat number 3188, a duly recorded plat in Clackamas County, Oregon; as described on attached Exhibit "A" legal description and depicted on attached Exhibit "B" Sketch

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 27th day of November, 2012; 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.

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

Individuals, general partnerships

Signer's Name

Signer's Name

(if executed by a corporation
affix corporate seal below)

Corporation/limited partnership

Brendon Estates Homeowner's Association

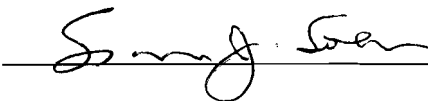


Martha Schroeder, President

Steve Ihrig, Treasurer



Susan J. Soen, Association Member



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

Personal Acknowledgment

STATE OF OREGON)
) ss.
County of _____)

Personally appeared the above named _____

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

Notary's signature

My Commission Expires: _____

Stamp seal below

Brendon Estates Homeowner's Association

P.O. Box 322

Oregon City, OR 97045

(Grantor's Name and Address)

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 Ruby

City Recorder

Nancy S. Ide

Corporate Acknowledgment

STATE OF OREGON)
) ss.
County of Clackamas)

Personally appeared Martha Aida Minor Schroeder, Stephen Charles Ihrig, and Susan Joy Soen who being duly sworn, each for himself and not one for the other did say that the former is the Homeowner's Association president and treasurer, that the latter is a member of Brendon Estates Homeowner's Association, 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. *Appeared on November 27, 2012*

Before me:

NOTARY PUBLIC FOR OREGON

Nancy S. Ide
Notary's signature

My Commission Expires: 12-01-2013

Stamp seal below

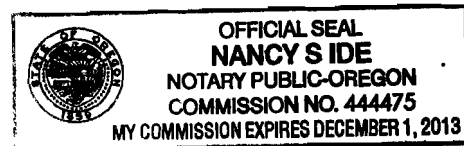


EXHIBIT A

DESCRIPTION OF SANITARY SEWER PUMP STATION EASEMENT
BRENDON ESTATES
CLACKAMAS COUNTY ASSESSOR'S MAP NO.
3-2E-16BC, TAX LOT 4000

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, COUNTY OF CLACKAMAS AND STATE OF OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY POINT OF TRACT A IN THE DULY RECORDED PLAT, BRENDON ESTATES NO. 2, OREGON CITY, CLACKAMAS COUNTY, OREGON, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF CONWAY DRIVE;

THENCE, NORTH 42° 37' 35" WEST A DISTANCE OF 33.33 FEET TO A POINT ON THE MOST EASTERLY LINE OF SAID TRACT A WHICH IS THE TRUE POINT OF BEGINNING;

THENCE, NORTH 42° 37' 35" WEST A DISTANCE OF 57.00 FEET TO THE MOST NORTHERLY POINT OF SAID TRACT A;

THENCE, FOLLOWING THE MOST NORTHERLY LINE OF SAID TRACT A, SOUTH 76° 44' 14" WEST A DISTANCE OF 25.00 FEET TO A POINT;

THENCE SOUTH 00° 00' 00" A DISTANCE OF 46.48 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY LINE OF SAID TRACT A, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF CONWAY DRIVE;

THENCE ALONG AN ARC OF A CURVE TO THE RIGHT FOLLOWING THE NORTHERLY RIGHT-OF-WAY LINE OF CONWAY DRIVE A DISTANCE OF 49.10 FEET MORE OR LESS, THE CHORD OF WHICH BEARS NORTH 87° 49' 16" WEST A DISTANCE OF 49.10 FEET MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CONWAY DRIVE;

THENCE ALONG AN ARC OF A CURVE TO THE LEFT FOLLOWING THE NORTHERLY RIGHT-OF-WAY LINE OF CONWAY DRIVE A DISTANCE OF 14.63 FEET MORE OR LESS, THE CHORD OF WHICH BEARS NORTH 79° 57' 01" WEST A DISTANCE OF 14.62 FEET MORE OR LESS;

THENCE NORTH 00° 00' 00" A DISTANCE OF 20.16 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING ON THE MOST EASTERLY LINE OF SAID TRACT A.

Excerpt of Brendon Estates No. 2, Plat # 3188

- 4) A FIVE FOOT WIDE PUBLIC SIDEWALK EASEMENT SHALL EXIST CONTIGUOUS TO
- 5) A SIX FOOT WIDE PUBLIC UTILITY EASEMENT SHALL EXIST CONTIGUOUS TO THE

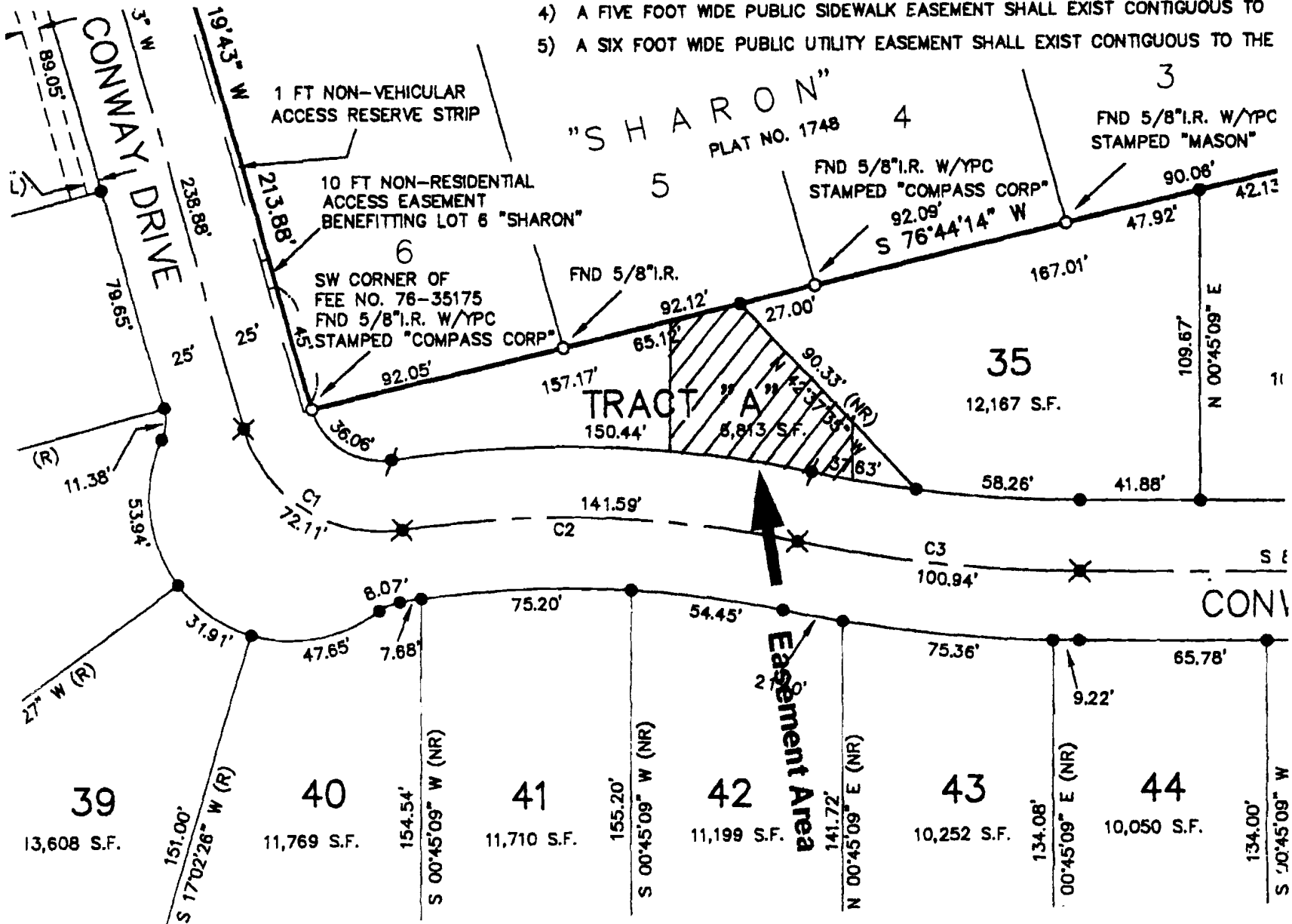


Exhibit B

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