

5/3

AFTER RECORDING RETURN TO:

City Recorder
City of Oregon
P.O. Box 3040
Oregon City, Oregon 97045-0304

Map No.: 2-2E-28AB
Tax Lot No.: 1400
Planning No.: N/A

Clackamas County Official Records
Sherry Hall, County Clerk

2009-061263



01338149200900612630030055

\$51.00

08/27/2009 10:58:35 AM

D-E Cnt=1 Stn=1 TINAJAR
\$25.00 \$16.00 \$10.00

Grantor: Oregon City School District

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

KNOW ALL BY THESE PRESENTS, THAT Oregon City School District 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 temporary easement and right-of-way, including the right to construct sidewalks on the following described land:

The GRANTORS bargain, sell, convey, transfer, and deliver unto CITY a temporary easement and right-of-way upon, across, and under so much of the aforesaid land as described as:

See attached Exhibit "A" Legal Description and attached Exhibit "B" Sketch for Legal Description

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

It being understood that said temporary easement is only for the original excavation and construction of said utility and upon the completion of the construction thereof shall utterly cease and desist.

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 adjacent 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 11 day of August, 2009; 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

Corporation/limited partnership



Roger Rada, Superintendent
Signer's Name:

Corporation/Partnership Name

Signer's Name:

Signer's Name, Title:

Signer's Name:

Signer's Name, Title:

Signer's Name:

Signer's Name, Title:

(if executed by a corporation
affix corporate seal below)

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

Personal Acknowledgment

STATE OF OREGON)
) ss.
County of Clackamas)

Personally appeared the above named

Roger Rada

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

Before me:

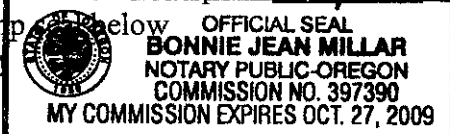
NOTARY PUBLIC FOR OREGON

Bonnie Jean Millar

Notary's signature

My Commission Expires: 10/27/09

Stamp seal below
*Seal Below



Oregon City School District

PO Box 2110 (1417 12th St.)

Oregon City OR 97045

(Grantor's Name and Address)

City of Oregon City

P.O. Box 3040

320 Warner Milne Road

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

Alvin Norris

City Recorder

Nancy Rade

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Corporate Acknowledgment

STATE OF OREGON)
) ss.
County of _____)

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

Notary's signature

My Commission Expires: _____

Stamp seal below

EXHIBIT "A"

Project Name: Holcomb Road
Owner: SCHOOL DISTRICT NO. 62
Date: April 14, 2009

Project No. CI-77105
Tax Lot No. 22E28AB 01400

Temporary Construction Easement:

A parcel of land, as shown on attached Exhibit "B" which by this reference is made a part hereof, in the George Abernathy D.L.C. No. 58, in the northeast 1/4 of Section 28, Township 2 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, said parcel being more particularly described as follows:

Beginning at a 5/8" iron rod with yellow plastic cap stamped "COMPASS ENGINEERING at the most southwesterly corner of the property described in Deed Book 633, Page 151 as per the survey recorded as SN-29771, Survey Records of Clackamas County; thence South 82°56'04" East, along the northerly right of way line of Holcomb Road as per said survey SN-29771, 43.50 feet to a point; thence along the arc of a 250.00 foot radius non-tangent curve to the right, through a central angle of 22° 00' 00", for an arc distance of 95.99 feet (the long chord of which bears North 89°35'00" East, 95.40 feet) to a point; thence South 79° 25'00" East, 26.00 feet to a point; thence North 10°35'00" East, 5.00 feet to a point; thence South 79° 25'00" East, 10.00 feet to a point; thence South 10°35'00" West, 5.00 feet to a point; thence South 79° 25'00" East, 12.07 feet to a point on the westerly line Holcomb School Road as per said survey SN-29771; thence along the arc of a 25.00 foot radius non-tangent curve to the left, through a central angle of 32° 10' 54", for an arc distance of 14.04 feet (the long chord of which bears North 29°22'03" East, 13.86 feet) to a point; thence North 13°16'36" East, 7.21 feet to a point; thence North 82°56'04" West, 165.06 feet to a point; thence South 49°37'23" West, 40.00 feet to the point of beginning.

EXCEPTING therefrom any portion within existing county roads.

Containing 3712 Sq. Ft., more or less.

The bearings for this description are based on the 5/8" iron rods with yellow plastic cap stamped "COMPASS ENGINEERING", set on August 28th, 2002 at the most southwesterly corner of the property described in Deed Book 633, Page 151 and at the intersection of the northerly right of way line of Holcomb Road and the PC of a 25.00 foot radius curve on the westerly line of Holcomb School Road. The bearing between the two monuments is South 82°56'04" East as per the survey recorded as SN-29771, Survey Records of Clackamas County.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory L. Petersen

OREGON
JANUARY 20, 1989
GREGORY L. PETERSEN
2385

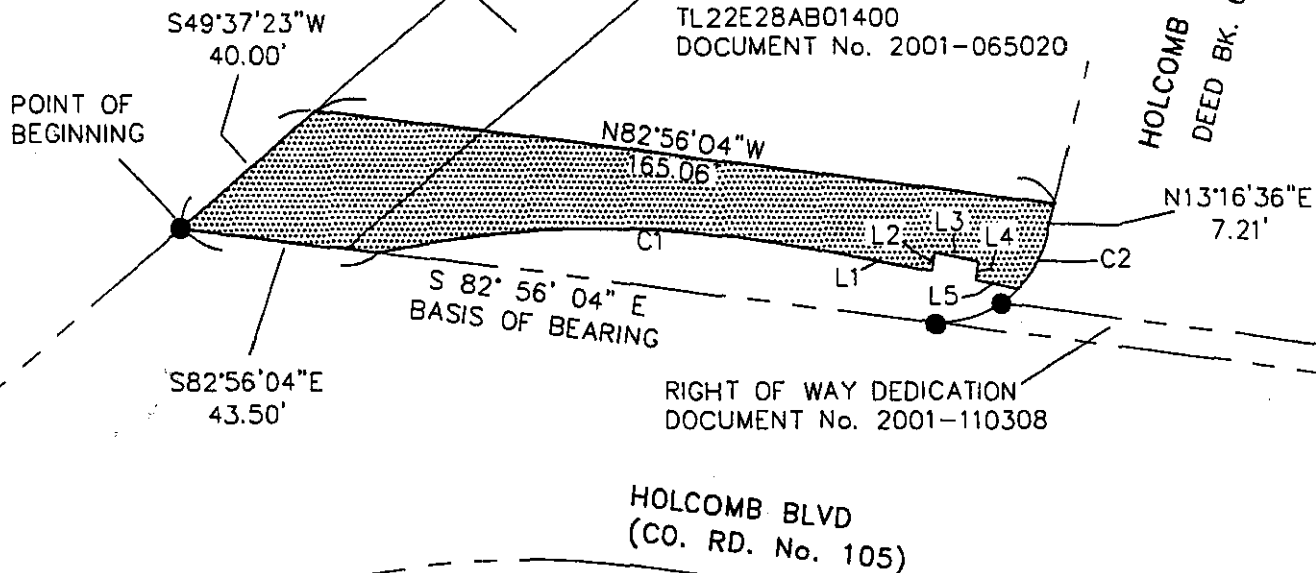
EXPIRES 12-31-10

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SCHOOL DISTRICT No. 62
TL22E28AB01300
DEED BOOK 633, PAGE 151

SCHOOL DISTRICT No. 62
TL22E28AB01400
DOCUMENT No. 2001-065020

HOLCOMB SCHOOL ROAD
DEED BK. 675, PG. 107

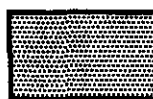


CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD DIST.
C1	250.00'	22°00'00"	95.99'	N 89°35'00" E	95.40'
C2	25.00'	32°10'54"	14.04'	N 29°22'03" E	13.86'

LINE TABLE

LINE	BEARING	DIST.
L1	S 79°25'00" E	26.00'
L2	N 10°35'00" E	5.00'
L3	S 79°25'00" E	10.00'
L4	S 10°35'00" W	5.00'
L5	S 79°25'00" E	12.07'



TEMPORARY CONSTRUCTION
EASEMENT
AREA = 3712 Sq.Ft.±

- INDICATES 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" SET AS PER SN-29771, CLACKAMAS COUNTY SURVEY RECORDS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory L. Petersen

OREGON
JANUARY 20, 1989
GREGORY L. PETERSEN
2385

EXPIRES 12-31-10



CLACKAMAS
COUNTY
DEPARTMENT OF
TRANSPORTATION
AND
DEVELOPMENT

EXHIBIT "B"
HOLCOMB BLVD
PROJECT NO. C177105
PAGE 1 OF 1

SCHOOL DISTRICT No. 62
TEMPORARY CONSTRUCTION EASEMENT
IN THE NE 1/4 SEC. 28, T2S, R2E, WM.

PROJ. NO. C177105	DRAWN BY M. BAYS	DESIGN BY	DATE: 04-14-09
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