

613

AFTER RECORDING RETURN TO:

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



\$56.00

01338147200900612610030069

08/27/2009 10:58:35 AM

D-E Cnt=1 Stn=1 TINAJAR
\$30.00 \$18.00 \$10.00

Map No.: 3-2E-9B
Tax Lot: 1601
Planning No.: N/A

Grantor: Clackamas Fire District #1

**CITY OF OREGON CITY, OREGON
PUBLIC UTILITY(S) EASEMENT
TEMPORARY AND PERMANENT**

KNOW ALL BY THESE PRESENTS, THAT Clackamas Fire District #1 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 and permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain Waterline on the following described land:

See attached;

Exhibit "A" Legal Description for permanent easement

Exhibit "B" Legal Description for temporary construction easement

Exhibit "C" Sketch for temporary and permanent easements

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.

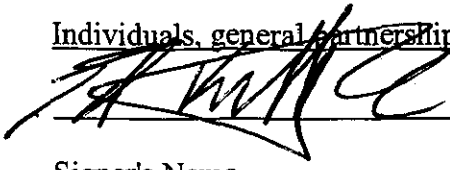
In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this 11TH 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



Signer's Name

Corporation/Partnership Name

ED KIRCHMASTER, FIRE CHIEF

Signer's Name

Signer's Name, Title

(if executed by a corporation
affix corporate seal below)

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 the above named
Chief Ed Kirchofer

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

Before me:

NOTARY PUBLIC FOR OREGON

Karen S. Strejc

Notary's signature

My Commission Expires: March 29, 2011

Stamp seal below



Clackamas Fire District #1

11300 SE Fuller Road

Milwaukie, OR 97222

(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 Alan Norris

City Recorder Nancy [Signature]

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

Notary's signature

My Commission Expires: _____

Stamp seal below

EXHIBIT "A"

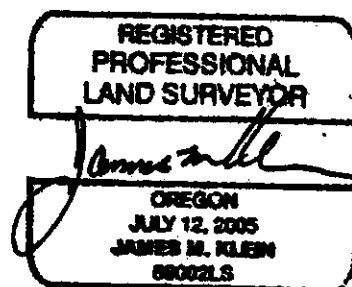
KLEIN & ASSOCIATES, INC.
1308 12TH HOOD RIVER, OREGON 97031
INFO@KLEINASSOCINC.COM

LEGAL DESCRIPTION
FOR
WATERLINE EASEMENT

LEGAL DESCRIPTION FOR A WATERLINE EASEMENT 15.00 FEET WIDE LOCATED IN THE NORTHWEST ONE QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST. OF THE WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, SAID WATERLINE EASEMENT LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A POINT IN THE NORTH LINE OF ROBERT CAUFIELD DONATION LAND CLAIM NO. 53, SAID POINT BEARS SOUTH 89°04'28" EAST, 153.54 FEET FROM THE NORTHWEST CORNER OF SAID ROBERT CAUFIELD DLC NO. 53; THENCE LEAVING THE DONATION LAND CLAIM ALONG THE EAST RIGHT-OF-WAY OF MOLALLA AVENUE (MARKET ROAD NO. 22) SOUTH 28°41'13" EAST, 16.96 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 86°51'21" EAST, 69.26 FEET, THENCE SOUTH 89°08'34" EAST, 316.73 FEET, THENCE NORTH 46°15'51" EAST, 4.22 FEET, THENCE SOUTH 89°46'17" EAST, 24.63 FEET, TO A POINT ON EAST BOUNDARY OF THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED AUGUST 28, 2008, AS INSTRUMENT NO. 2008-060448 CLACKAMAS COUNTY RECORD AND THE TERMINUS OF THIS DESCRIPTION

THE SIDELINES OF SAID STRIP OF LAND TO BE LENGTHENED OR SHORTENED AS NECESSARY TO INTERSECT THE EASTERLY RIGHT-OF-WAY OF MOLALLA AVENUE AND THE EASTERLY LINE OF THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED AUGUST 28, 2008, AS INSTRUMENT NO. 2008-060448 CLACKAMAS COUNTY



EXPIRES 6-25-11

EXHIBIT "B"

KLEIN & ASSOCIATES, INC.
1308 12TH HOOD RIVER, OREGON 97031
INFO@KLEINASSOCINC.COM

**LEGAL DESCRIPTION
FOR
A TEMPORARY
CONSTRUCTION EASEMENT**

A TEMPORARY CONSTRUCTION EASEMENT OVER A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN CORRECTION DEED RECORDED FEBRUARY 3, 1977 IN INSTRUMENT NO. 77-4418 CORRECTING DEED FILED SEPTEMBER 13, 1971, IN INSTRUMENT NO. 71-22929 AND THAT PORTION LYING WEST AND NORTH OF THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED AUGUST 28, 2008 IN INSTRUMENT NO. 2008-060448 CLACKAMAS COUNTY RECORDS. LOCATED IN THE NORTHWEST ONE QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST. OF THE WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE ROBERT CAUFIELD DONATION LAND CLAIM NO. 53, SAID POINT BEARS SOUTH 89°04'28" EAST, 153.54 FEET FROM THE NORTHWEST CORNER OF SAID ROBERT CAUFIELD DLC NO. 53; THENCE SOUTH 89°04'28" EAST, CONTINUING ALONG THE NORTH LINE OF THE SAID ROBERT CAUFIELD DONATION LAND CLAIM NO. 53, 421.96 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOUNDARY LINE AGREEMENT RECORDED AUGUST 28, 2008, IN INSTRUMENT NO. 2008-060448 CLACKAMAS COUNTY RECORDS; THENCE SOUTH 00°58'18" WEST, 32.00 FEET ALONG THE EAST BOUNDARY OF SAID BOUNDARY LINE AGREEMENT; THENCE NORTH 89°04'48" WEST, 286.48 FEET, ALONG A LINE WHICH IS 32.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID BOUNDARY LINE AGREEMENT; THENCE SOUTH 22°39'03" WEST, 64.26 FEET TO A POINT; THENCE NORTH 88°36'17" WEST, 59.83 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF MOLALLA AVENUE (MARKET ROAD NO. 22); THENCE NORTH 28°41'13" WEST, 104.91 FEET ALONG SAID EAST RIGHT-OF-WAY OF MOLALLA AVENUE TO THE POINT OF BEGINNING; CONTAINING 18,475 SQUARE FEET MORE OR LESS.

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

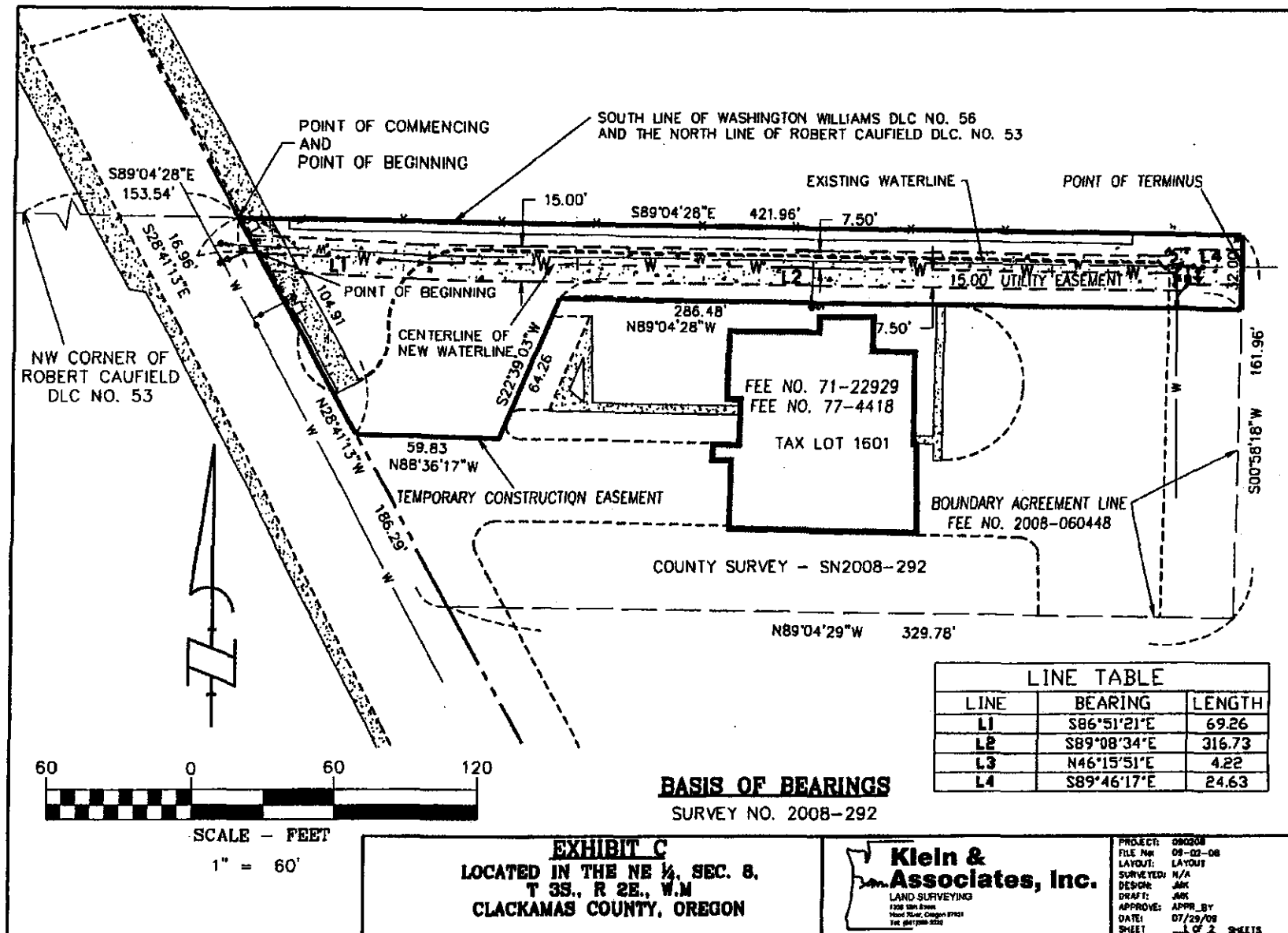
James M. Klein
**OREGON
JULY 12, 2006
JAMES M. KLEIN
00002LS**

EXPIRES 6-25-11

**EXHIBIT C
LOCATED IN THE NE ¼, SEC. 8,
T 3S., R 2E., W.M
CLACKAMAS COUNTY, OREGON**

**Klein &
Associates, Inc.**
LAND SURVEYING
1229 11th Street
Hood River, Oregon 97031
Tel: (503) 738-8282

PROJECT: 080208
FILE No: 09-02-08
LAYOUT: LAYOUT
SURVEYED: N/A
DESIGN: JMK
DRAFT: JMK
APPROVE: APPR_BY
DATE: 07/29/09
SHEET: 2 OF 2 SHEETS



6

LINE TABLE		
LINE	BEARING	LENGTH
L1	S86°51'21"E	69.26
L2	S89°08'34"E	316.73
L3	N46°15'51"E	4.22
L4	S89°46'17"E	24.63

BASIS OF BEARINGS
SURVEY NO. 2008-292



EXHIBIT C
LOCATED IN THE NE 1/4, SEC. 8,
T 35., R 2E., W.M
CLACKAMAS COUNTY, OREGON

Klein & Associates, Inc.
LAND SURVEYING
1208 18th Street
Hood River, Oregon 97121
Tel: (503) 338-3322

PROJECT: 090208
FILE No: 09-02-08
LAYOUT: LAYOUT
SURVEYED: N/A
DESIGN: JAK
DRAFT: ASK
APPROVE: APPR. BY
DATE: 07/29/09
SHEET: 1 OF 2 SHEETS