

207 SP
15



\$71.00

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12/27/2007 11:49:40 AM

AFTER RECORDING RETURN TO:

D-E Cnt=1 Stn=5 LESLIE
\$25.00 \$16.00 \$10.00 \$20.00

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

Map No.: 32E08AB
Tax Lots.: 600, 700 (800)
Planning No.: SPOG-08

Grantor: Gaffney Investors 2, LLC

(FOR BERRY PARK VILLAS)

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

KNOW ALL BY THESE PRESENTS, THAT Gaffney Investors 2, 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
PUBLIC WATER FACILITIES on the following described land:

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.

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 26 day of November, 2007; 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

Gaffney Investors 2, LLC
X [Signature]

Signer's Name

Corporation/limited partnership

Robert Schneider, CEO

Address

Signer's Name, Title

Signer's Name

Signer's Name, Title

(if executed by a corporation
affix corporate seal below)

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 _____) ss.
_____)

Personally appeared the above named

_____ and
_____ who being duly sworn,
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

(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 *Aui Morris*

City Recorder *Nancy Cole*

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Corporate Acknowledgment
STATE OF OREGON)

County of Washington) ss.
_____)

Personally appeared Robert Schneider
_____ and _____

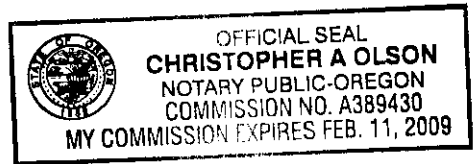
_____ who being duly sworn,
each for himself and not one for the other did
say that the former is the CEO president
and that the latter is the _____ secretary
of Graftney Investors 2, LLC
_____, a corporation, and that the seal affixed
to the foregoing instrument was signed and
sealed in behalf of said 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

Christopher A. Olson

Notary's signature
My Commission Expires: 2/11/09
Stamp seal below



LEGAL DESCRIPTION
WATERLINE EASEMENT
BERRY PARK VILLAS

JOB NO. 6025.2
11/14/07 MAR

EXHIBIT "A"

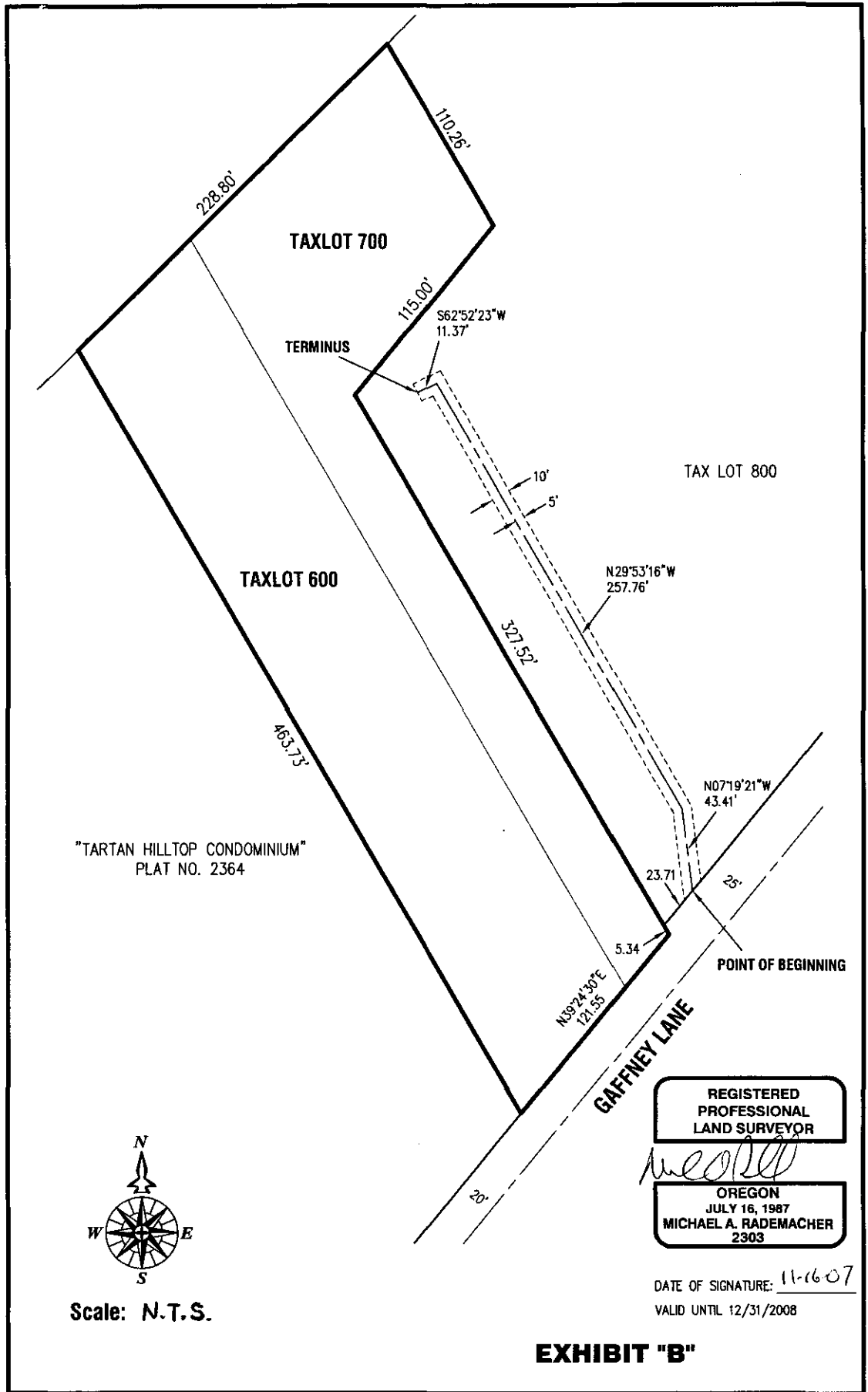
A STRIP OF LAND, 10.00 FEET WIDE, LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, THE CENTERLINE OF SAID STRIP BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF "TARTAN HILLTOP CONDOMINIUM", A PLAT OF RECORD (NO. 2364) IN SAID CLACKAMAS COUNTY; THENCE ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GAFFNEY LANE (20.00 FEET FROM CENTERLINE) N. 39°24'30"E., 121.55 FEET TO THE MOST EASTERLY CORNER OF PARCEL I AS DESCRIBED IN DEED TO JMJ-BERRY PARK II, LLC, RECORDED NOVEMBER 7, 2006, IN CLACKAMAS COUNTY RECORDERS DOCUMENT NO. 2006-103353; THENCE ALONG THE NORTHEASTERLY LINE OF SAID PARCEL I, N.30°10'22"W., 5.34 FEET TO A POINT THAT IS 25.00 FEET FROM THE CENTERLINE OF GAFFNEY LANE, MEASURED AT RIGHT ANGLES THERETO; THENCE ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF GAFFNEY LANE (25.00 FEET FROM CENTERLINE) N.39°24'30"E., 23.71 FEET TO THE POINT-OF-BEGINNING; THENCE N.07°19'21"W., 43.41 FEET; THENCE N.29°53'16"W., 257.76 FEET; THENCE S.62°52'23"W., 11.37 FEET TO THE TERMINUS OF SAID CENTERLINE.

THE SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO TERMINATE ALONG THE RIGHT-OF-WAY LINE OF GAFFNEY LANE.



DATE OF SIGNATURE: 11-16-07
VALID UNTIL 12/31/2008



"TARTAN HILLTOP CONDOMINIUM"
PLAT NO. 2364



Scale: N.T.S.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael A. Rademacher

OREGON
JULY 16, 1987
MICHAEL A. RADEMACHER
2303

DATE OF SIGNATURE: 11-16-07
VALID UNTIL 12/31/2008

EXHIBIT "B"



COMPASS ENGINEERING
ENGINEERING SURVEYING PLANNING
4105 S.E. INTERNATIONAL WAY, SUITE 501
MILWAUKIE, OREGON 503.653.9093

SANTE GROUP
25117 SW PARKWAY AVENUE, SUITE F
WILSONVILLE, OR 97070

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