

588
\$46

AFTER RECORDING RETURN TO:

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

Map No.: 3-2E-08DB
Tax Lot: 1200(FOR 1300)
Planning No.: MP 06-09

(FOR: WESTHAVEN HOMES)
SMITH/SHAW PARTITION
MP 06-09

Clackamas County Official Records
Sherry Hall, County Clerk

2007-043548



01104175200700435480050055

\$46.00

05/18/2007 03:19:08 PM

D-OD Cnt=1 Stn=11 TINAJAR
\$25.00 \$11.00 \$10.00

Grantor: Marvin L. and Donna M. Caldwell

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

KNOW ALL BY THESE PRESENTS, THAT Marvin L. and Donna M. Caldwell 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 **a public sanitary sewer line** 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 9 day of April, 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

Corporation/limited partnership

Signer's printed Name, Title & Address (below)

Corporation/Partnership Name

Marvin Z. Caldwell
Marvin Z. Caldwell
1955 2 S. Folcon Dr. D.C.

Signer's Name, Title

Signer's printed Name, Title & Address (below)

Signer's Name, Title

Donna M. Caldwell
Donna M. Caldwell
19562 S. Folcon Dr. D.C.

Signer's Name, Title

(if executed by a corporation
affix corporate seal below)

Corporation/Partnership Address (below)

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

Marvin L. Caldwell
Dona M. Caldwell

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

Before me:

NOTARY PUBLIC FOR OREGON

Notary's signature

My Commission Expires: OCT 22, 2010

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

Quilford

City Recorder

Nancy Wade

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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

A Public Sanitary Sewer Easement located in the Southeast One-Quarter of Section 8, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon being more particularly described as follows:

Beginning at the Southeast corner of Lot 12 of the Plat "Gaffney Lane Acres", said point being a 5/8" iron rod; thence along Southerly line of said Lot 12, N72°56'58"W 243.02 feet to a point on the Easterly Right-of-Way line of S. Falcon Drive (Country Road Number 2927); thence along said Right-of-Way line on a Non-Tangential curve to the left with a Radius of 50.00 feet, a Length of 23.51 feet, a Delta of 26°56'31", and a Chord bearing N67°29'34"E 23.30 feet to a point; thence leaving said Right-of-Way line to a Point on the Easterly line of said Lot 12 the following courses:

S50°48'05"E 10.13 feet, S65°16'11"E 26.56 feet, S72°36'15"E 36.81 feet, S75°17'53"E 54.59 feet, S86°29'20"E 19.93 feet, S81°08'58"E 26.92 feet, S88°09'02"E 22.97 feet, S72°57'21"E 29.80 feet;

thence along said Easterly line, S17°03'02"W 24.01 feet to the said Point of Beginning.

The above described Easement contains 3,042 square-feet more or less.

The Basis of Bearing is per the Plat "Gaffney Lane Acres" Plat Number 1491.

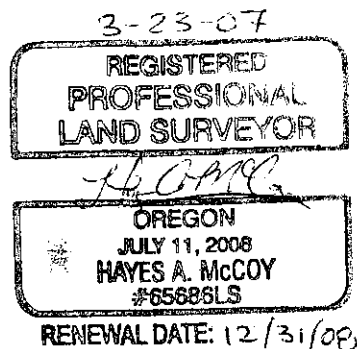
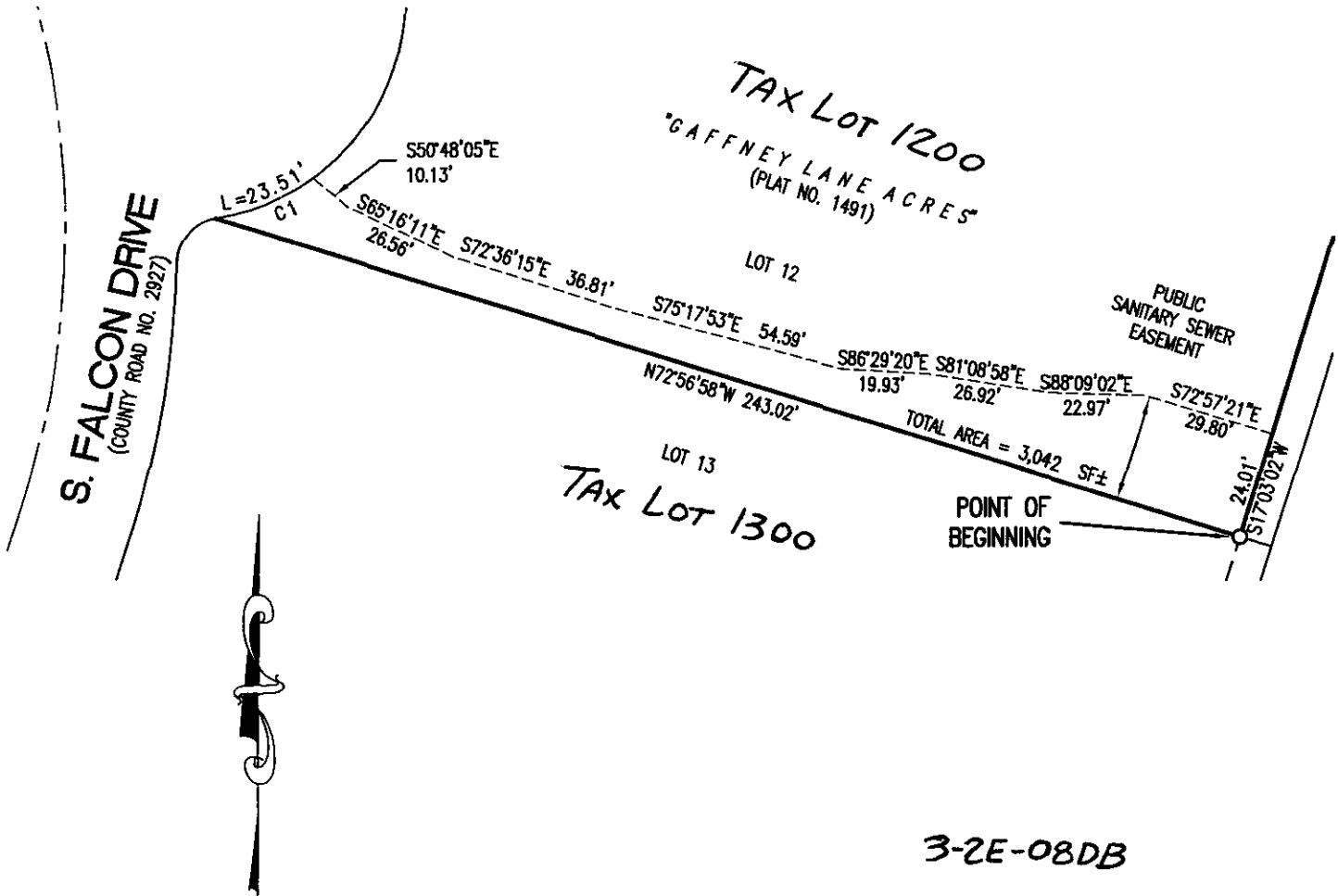


EXHIBIT B

PUBLIC SANITARY SEWER EASEMENT LOCATED IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON



SCALE 1" = 40 FEET



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BRG.
C1	50.00'	23.51'	26°56'31"	23.30'	N67°29'34"E

3-23-07

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Hayes A. McCoy

OREGON
JULY 11, 2006
HAYES A. MCCOY
65686LS

RENEWAL DATE: 12/31/08

JOB NAME: FALCON DRIVE
JOB NUMBER: 1452
DRAWING NUMBER: EXHIBIT B
DRAWN BY: HBT
CHECKED BY: HAM

ENGINEERING • PLANNING • SURVEYING • FORESTRY



LICENSED IN OR & WA

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SUITE 100
SHERWOOD, OR 97140
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FAX: (503) 925-8969

E-MAIL: aks@aks-eng.com

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