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AFTER RECORDING RETURN TO:

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

Map No.: 3S-2E-9D  
Tax Lots: 1400  
Grantor: Joseph Spaziani

Clackamas County Official Records  
Sherry Hall, County Clerk

2006-115524



01052527200601155240050056

\$46.00

12/15/2006 01:07:10 PM

D-E Cnt=1 Stn=1 ELIZABETH  
\$25.00 \$11.00 \$10.00

## CITY OF OREGON CITY, OREGON PERMANENT TRAFFIC BARRICADE EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Joseph F. Spaziani 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 Traffic Barricade 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, 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 3<sup>rd</sup> day of October, 2006; 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 - Joseph F. Spaziani

\_\_\_\_\_  
Signer's Name

(if executed by a corporation  
affix corporate seal below)

Corporation/limited partnership

\_\_\_\_\_  
Corporation/Partnership Name

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
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

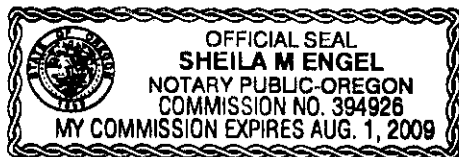
STATE OF OREGON )

County of Clackamas ) ss.

On this 3rd day of October, 2006,  
before me, Joseph F. Spaziani \*, the  
undersigned Notary Public, personally appeared  
Joseph F. Spaziani and  
acknowledged the foregoing instrument to be  
his/her voluntary act and deed. \*Sheila M Engel

NOTARY PUBLIC FOR OREGON

My Commission Expires: 8/01/09  
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

Alene Morris

City Recorder

Nancy Elder

Corporate Acknowledgment

STATE OF OREGON )

County of \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
before me, \_\_\_\_\_, the  
undersigned Notary Public, personally appeared  
\_\_\_\_\_ and  
\_\_\_\_\_ who  
being duly sworn, each for himself/herself 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.

NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_  
Stamp seal below

**Legal Description**  
**Proposed Barricade Easement**  
September 13, 2006

A portion of Parcel 1 of Statutory Special Warranty Deed to Joseph F. Spaziani and Penny J. Spaziani recorded February 14, 2000 as Fee No. 2000-009206, Clackamas County Deed Records, also being a portion of the Andrew Hood D.L.C. No. 44, located in the Southeast One-Quarter of Section 9, Township 3 South, Range 2 East, of the Willamette Meridian, City of Oregon City, Clackamas County, Oregon, being more particularly described as follows:

**Commencing** at a 3-1/4 inch bronze disc at the southeast corner of said Section 9 as shown on U.S.B.T. Entry 2004-057, Clackamas County Survey Records;

Thence N89°51'58"W, along the south line of said Section 9, 2286.62 feet to the intersection with the southerly extension of the east line of Parcel 1 of said Fee No. 2000-009206;

Thence leaving said south line of Section 9 N00°26'46"W, along the east line of Parcel 1 of said Fee No. 2000-009206 and the southerly extension thereof, 662.83 feet to the **True Point of Beginning**, also being the intersection of the westerly south line of Deed of Dedication to the City of Oregon City recorded January 24, 2006 as Fee No. 2006-006643, Clackamas County Deed Records with the east line of Parcel 1 of said Fee No. 2000-009206;

Thence leaving the east line of Parcel 1 of said Fee No. 2000-009206 S89°59'28"W, along the westerly extension of the westerly south line of said Fee No. 2006-006643, 10.00 feet to a point 10.00 feet westerly as measured at right angles to the east line of Parcel 1 of said Fee No. 2000-009206;

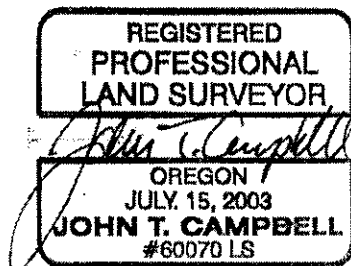
Thence leaving the westerly extension of the said westerly south line N00°26'46"W, parallel to the east line of Parcel 1 of said Fee No. 2000-009206, 80.00 feet to the westerly extension of the north line of said Fee No. 2006-006643;

Thence N89°59'28"E, along the westerly extension of the north line of said Fee No. 2006-006643, 10.00 feet to the east line of Parcel 1 of said Fee No. 2000-009206;

Thence S00°26'46"E, along the east line of Parcel 1 of said Fee No. 2000-009206, 80.00 feet to the **Point of Beginning**.

Containing 800 square feet more or less.

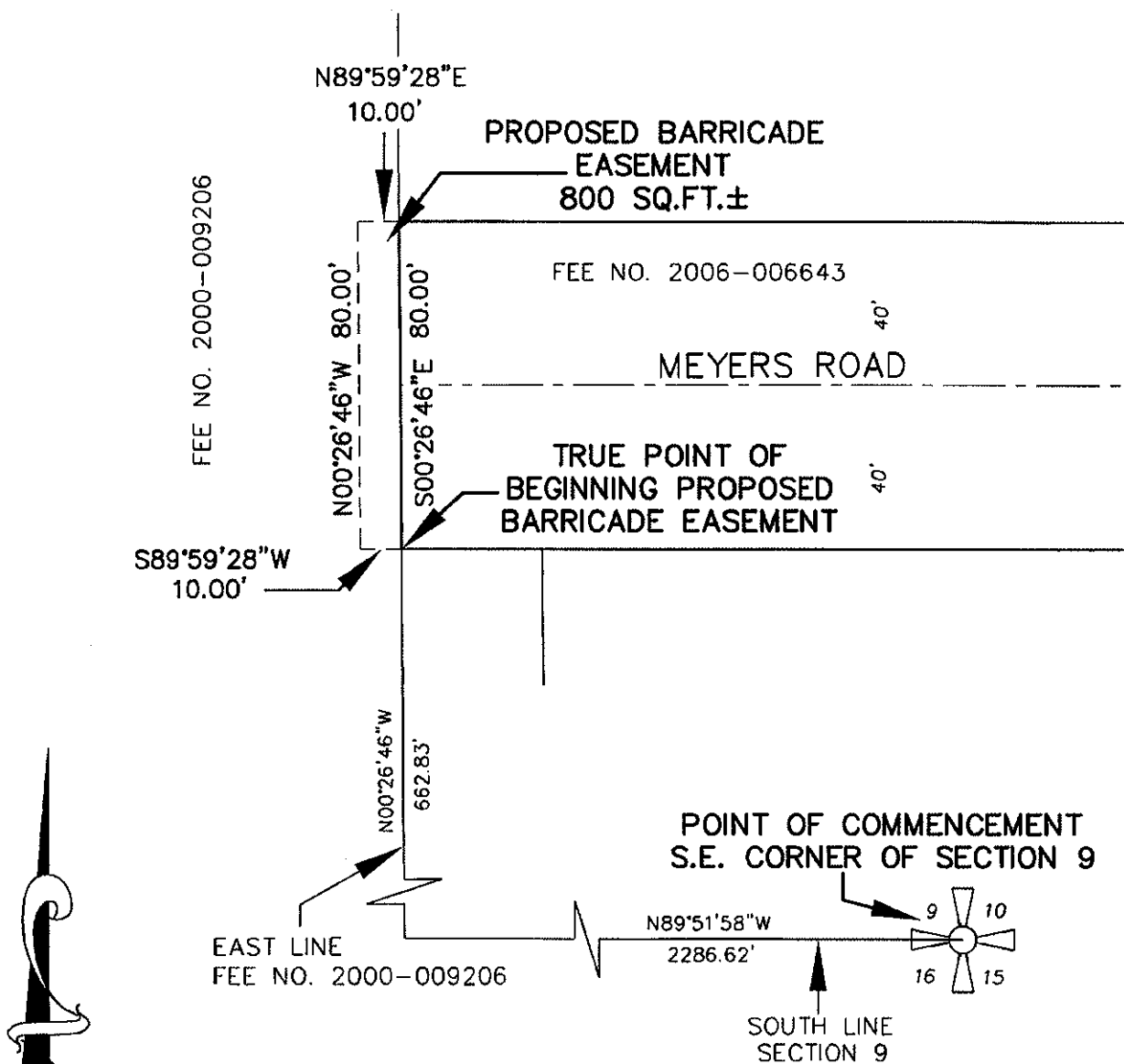
This legal description and the basis of bearing thereof, is based upon Pre-Construction Record of Survey recorded as SN 2006-141, Clackamas County Survey Records.



12-31-07

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# EXHIBIT



**Harper  
Houf Peterson  
Righellis Inc.**

ENGINEERS · PLANNERS · SURVEYORS  
5200 SW MACADAM AVENUE, SUITE 580, PORTLAND, OR 97239  
TEL 503.221.1131 www.hhpr.com FAX 503.221.1171

SCALE SEPTEMBER 13, 2006  
1" = 40' JOB NO. ORE-05

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