

2/2 Leilani Branson-Crelly, City Recorder  
City of Oregon City  
POB 3040  
Oregon City, OR 97045  
After recording return to:

Clackamas County Official Records  
Sherry Hall, County Clerk

2005-036394

Gramor Development, Inc.  
19767 SW 72<sup>nd</sup> Avenue  
Tualatin, Oregon 97062



\$31.00

G0825098200500363940020020

04/22/2005 03 21 38 PM

D-E Cnt=1 Str=3 ELIZABETH  
\$10.00 \$11.00 \$10.00

## RELEASE OF EASEMENT

**THIS RELEASE OF EASEMENT** is made this 20th day of April, 2005, by the City of Oregon City ("Grantor") for the benefit of Ronald R. and Glenda K. Saunders ("Grantees").

## RECITALS

- A. Grantees own the real property in Clackamas County, Oregon described on the attached Exhibit A (the "**Property**").
- B. A portion of the Property is encumbered by the easement for utilities and access (the "**Easement**") reserved in Ordinance No. 91-1027 recorded in the Records of Clackamas County, Oregon as Fee No. 91-50950.
- C. Grantor is the holder of the Easement and the rights reserved by the Easement.
- D. Grantees have requested that Grantor release and extinguish the Easement and Grantor has agreed to release and extinguish the Easement.

**NOW, THEREFORE**, Grantor hereby releases and quitclaims to Grantees, as owners of the Property, the Easement and any rights in the Property arising out of or under the Easement.

**IN WITNESS WHEREOF**, Grantor has executed this Release of Easement as of the date first set forth above.

## CITY OF OREGON CITY

By: Alice Norris

Name/Title: ALICE NORRIS, Mayor

STATE OF OREGON )  
 ) ss.  
County of Clackamas )

This instrument was acknowledged before me on April 21, 2005, by Alice Norris, the Mayor of the City of Oregon City, on its behalf.

Alisa L. Finnegan  
Notary Public for Oregon  
My commission expires: 03-23-07



## **EXHIBIT A**

### **Legal Description of the Property**

That certain parcel of land situate, in the County of Clackamas and State of Oregon, and better known and described as follows, to-wit:

A portion of the ROBERT CAUFIELD ADDITION TO OREGON CITY and described as Lots 17, 18, 19 and 20, otherwise described as commencing at a point 2.60 chains East of the Northwest corner of the Robert Caufield Donation Land Claim No.53, Township 3 South, Range 2 East, of the Willamette Meridian, Oregon. Running thence South 30° East 900.5 feet to the place of beginning of said lands; thence East 681 feet to a stake; thence South 170.01 feet to a stake; thence West 584.6 feet to the center of the County road; thence North 30° West along the County road to the place of beginning.

TOGETHER WITH that portion of unnamed Public Road adjoining as vacated by Ordinance No.91-1027, recorded October 7,1991 as Fee No.91-50950.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its Department of Transportation by Deed recorded December 5, 1983 as Fee No.83-40740.



(32E08A  
T.L. 3200, 3300 & 3400) ORDINANCE NO. 91-1027

COPY

AN ORDINANCE VACATING AN UNNAMED PUBLIC ROAD BETWEEN MOLALLA AVENUE AND HIGHWAY 213, IN OREGON CITY, CLACKAMAS COUNTY, OREGON.

WHEREAS, it appears to the City Commission of Oregon City, that on July 17, 1991, Resolution No. 91-30 was duly adopted initiating action on its own motion pursuant to ORS 271.080 to and including ORS 271.230, for a vacation of an unnamed public road between Molalla Avenue and Highway 213, and thereafter the City Recorder caused notice to be given by posting and publication as required by law, and the proof of said posting and publication is on file with the City Recorder, and that the matter of said vacation together with a hearing of any objections or claims to be heard and considered concerning said vacation would be heard and considered at 8:00 p.m. on Wednesday, August 21, 1991, in the meeting room of the City Commission in the City Hall, 320 Warner Milne Road, Oregon City, Oregon; and said hearing having been held, and the Commission finds that the proposed vacation meets the criteria for a street vacation (that there is no present or future public need for the street, that the vacation is in the best public interest, that there would be no impacts to the adjacent property owners); and it appearing that the public interest will not be prejudiced by the said vacation;

NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:

That the following described unnamed public road within the corporate limits of Oregon City, Clackamas County, Oregon, to wit:

A parcel of land 30.00 feet in width situated in the Northeast one-quarter Section 8, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, County of Clackamas and State of Oregon, being a portion of a 30.00 foot wide strip of land heretofore conveyed to the Public for a Public Road by and through the County of Clackamas and State of Oregon by that certain document recorded February 28, 1950, Deed Book 428, Page 488, Deed Records for Clackamas County, Oregon, said road more particularly described as follows:

BEGINNING at a point in the Easterly line of Molalla Avenue (Market Road No. 22), 60 feet wide, said point bears North 89° 40' 43" East 156.38 feet along the North line of the Robt. Caufield D.L.C. No. 53 (as shown on P.S. No. 21921) and South 209° 49' 50" East 865.83 feet from a stone marking the N.W corner of said Caufield D.L.C.; THENCE along the North line of said road North 89° 40' 43" East 504.46 feet

COPY

(SEE DOC. NO. 2005-036394)  
"RELEASE OF ACCESS AND PUBLIC  
UTILITIES EASEMENT"

91-50950

to a Point in the West line of State Highway No. 213 (Oregon City By-Pass) as described in Clackamas County Recorder's Fee No. 83-40741, recorded December 5, 1983; THENCE along said West line South 00°11'17" East 30.00 feet to a point therein; THENCE along the South line of said road South 89°40'43" West 487.41 feet to the Easterly line of Molalla Avenue, aforesaid; THENCE along said line North 29°49'50" West 34.47 feet to the POINT OF BEGINNING.

Containing therein an area of 14,878.1 square feet.


Basis of Bearings for this description is P.S. No. 21921.

This vacation is subject to the following condition: An easement for utilities and access shall be retained by the public across the south half (15 feet) of the right-of-way to be vacated. If property including the easement is redeveloped and the utilities and access are provided through other means, then the easement shall be released by the City.

Read first time at a regular meeting of the City Commission held on the 4th day of September, 1991, and the foregoing ordinance was finally enacted by the City Commission this 4th day of September, 1991.

  
JEAN K. ELLIOTT, City Recorder

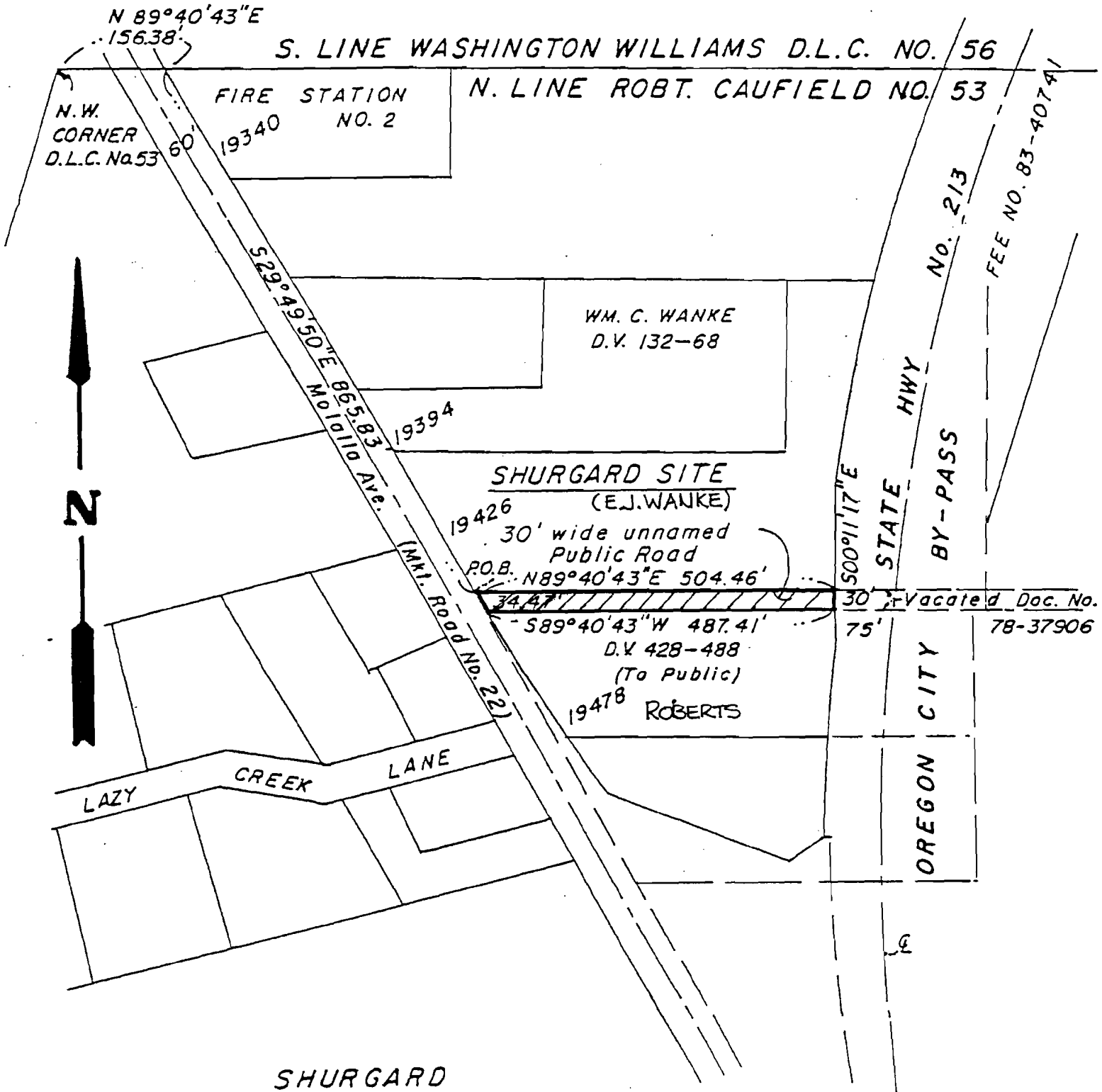
ATTESTED this 4th day of September, 1991.

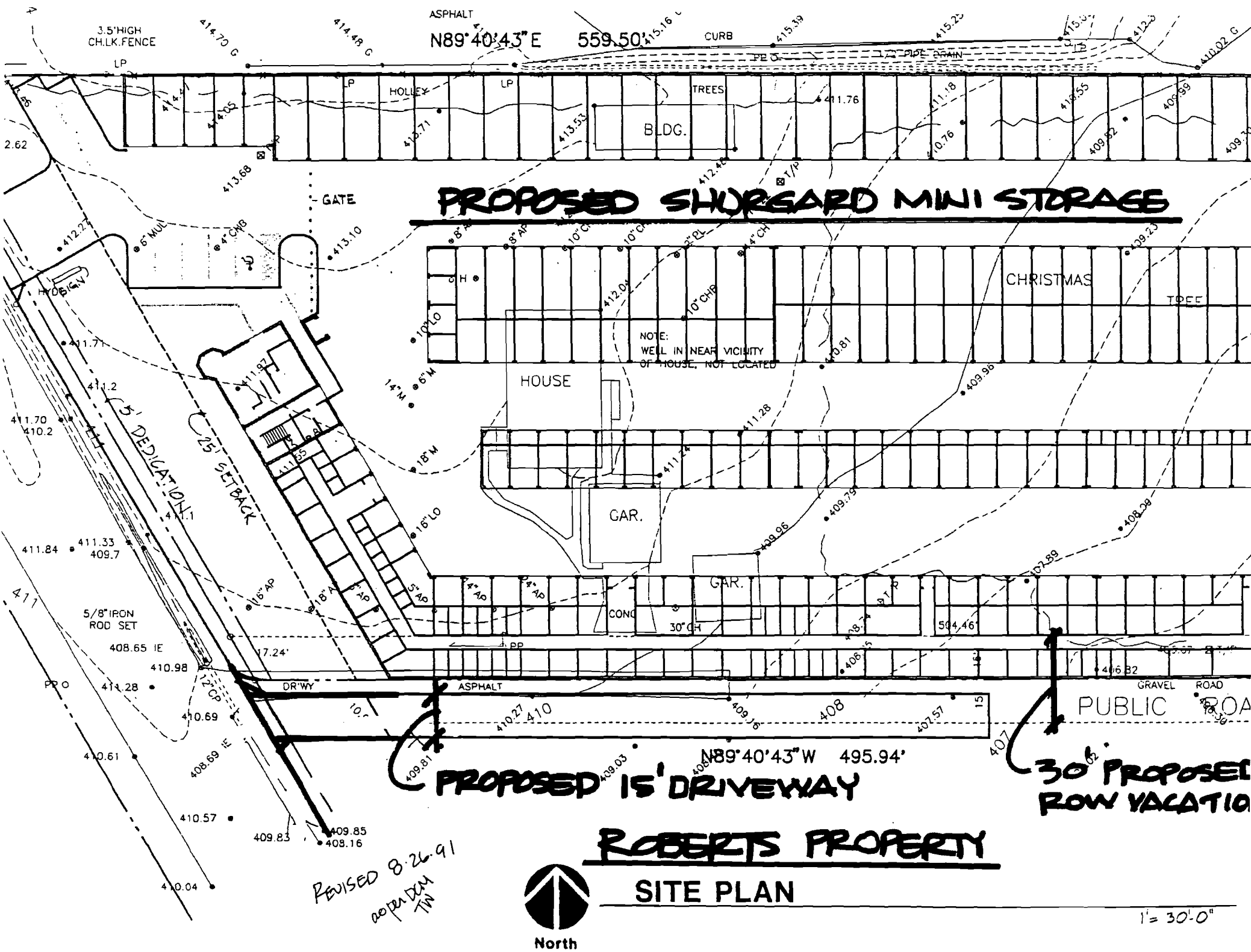
  
\_\_\_\_\_  
DANIEL W. FOWLER, Mayor

ORDINANCE NO. 91-1027

Effective Date: October 4, 1991

SITUATED IN  
NE 1/4 SEC. 8, T3S, R2E, W.M.,  
CLACKAMAS CO., OR.





ASPHALT  
N89°40'43"E

559.50'

CURB

# PROPOSED SHURGARD MINI STORAGE

HOUSE

GAR.

CHRISTMAS

TREE

NOTE:  
WELL IN NEAR VICINITY  
OF HOUSE, NOT LOCATED

PROPOSED 15' DRIVEWAY

30' PROPOSED  
ROW VACATIO

ROBERTS PROPERTY

SITE PLAN



North


1" = 30'-0"

REVISED 8-26-91  
as per T/W

# COMMISSION REPORT: CITY OF OREGON CITY

TO THE HONORABLE MAYOR AND COMMISSIONERS

320 Warner Milne Road----(503) 657-0891

 INCORPORATED 1844	Agenda Item No.: 4.4	Topic: Release of Public Utility and Access Easement for 19478 Molalla Avenue to Allow Future Development
	Report No.: 05-044	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: April 20, 2005	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prepared By: Bob Cullison	Reviewed By: Bill Kabeiseman	Approved By: L. Patterson

## RECOMMENDATION:

City Commission should approve the Mayor signing the attached Release of Easement.

**FILE COPY**

## REASON FOR RECOMMENDATION:

For SP 05-07

Grantees have requested that the City release and extinguish the Easement. Staff has reviewed the said utility and access easement and finds no current or future need. Staff is requesting the City Commission release and extinguish the Easement.

## BACKGROUND:

Ronald R. and Glenda K. Saunders ("Grantees") own the real property in Clackamas County, Oregon described on the attached Exhibit A (the "Property"). Gramor Development, Inc. is in the process of developing this property along with the two adjoining properties. A portion of the Property is encumbered by the easement for utilities and access (the "Easement") reserved in Ordinance No. 91-1027 recorded in the Records of Clackamas County, Oregon as Fee No. 91-50950. The City ("Grantor") is the holder of the Easement and the rights reserved by the Easement. Gramor's proposed site plan proposes a different access and no longer requires utility easements over the property in question.

BUDGET IMPACT: FY(s): \_\_\_\_\_

Funding Source: \_\_\_\_\_

3-2E-8A TL 3200 3300 & 3400

*Approved*

S. LINE WASHINGTON WILLIAMS D.L.C. NO. 56

N. LINE ROBERT CAUFIELD D.L.C. NO. 53

3090  
3.00 Ac.

19300

62-64

END

SEE MAP  
3 2E 9B

62-88

## TRAILS

**19500**

62-02

3 2E 8A.

BOOK 29

3 2E 8D  
-88