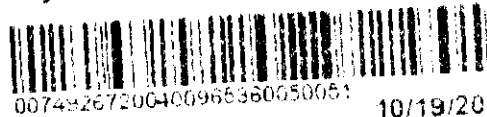


3/5

Clackamas County Official Records
Sherry Hall, County Clerk

2004-096536



\$46.00

10/19/2004 01:32:07 PM

AFTER RECORDING RETURN TO:

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

D-E CITE: STORM ELIZABETH
\$25.00 \$11.00 \$10.00

Map No.: 3-2E-1588/158D
Tax Lots.: 16594/2989
Planning No.: N/A

Grantor: Three Mountains Randall
Property Owners

See TP94-04

CITY OF OREGON CITY, OREGON STORM DETENTION EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Three Mountains Randall Property Owners 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, including the permanent right to construct, reconstruct, operate, and maintain 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.

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 except matters of record 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.

NOTICE TO NOTARIES. No notary stamp or corporate seal is allowed over any typed information.

Personal Acknowledgment

STATE OF OREGON)

) ss.

County of _____)

Personally appeared the above named

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

Before me:

NOTARY PUBLIC FOR OREGON

WITNESS my hand and official seal.

Notary's signature

My Commission Expires: _____

Stamp seal below

(Grantor's Name and Address)

City of Oregon City
320 Warner Milne Road
P.O. Box 3040
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 Morris

City Recorder

Leilani Branson-Crelly

Corporate Acknowledgment

STATE OF OREGON)

) ss.

County of Clackamas)

Personally appeared Cristy

Murray and Danny

R. Baker who being duly sworn,

each for himself and not one for the other did

say that the former is the current president-Treasurer

and that the latter is the current secretary-President

of Three Mountains Ranch Prop. Owners

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: Kevin Alexander

NOTARY PUBLIC FOR OREGON

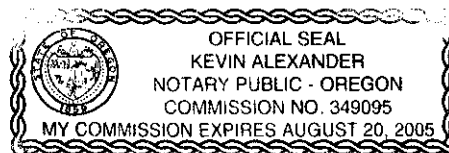
WITNESS my hand and official seal.

Kevin Alexander

Notary's signature

My Commission Expires: Aug 20, 2005

Stamp seal below



IN WITNESS WHEREOF, the GRANTOR has executed this 18th day of September 2004; 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

Ch
Curly Murray

Signer's Name

(if executed by a corporation
affix corporate seal below)

Corporation/limited partnership

Corporation

Corporation/Partnership Name

Three Mountains Randall Property Owners

Signer's Name, Title

Curly Murray Treasurer

Signer's Name, Title

Danny R Baker president

Signer's Name, Title



EXHIBIT A

ORCT0000-0013
CRG
7/22/2004

City of Oregon City
Storm Detention Easement

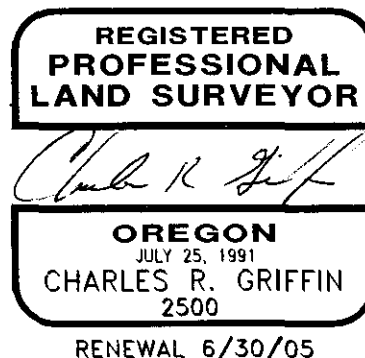
A blanket easement for storm, surface water drainage, detention and access to the City of Oregon City being a parcel of land situated in the northwest quarter of Section 15, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon and being Tract "G" Plat of Three Mountains-Randall (Plat No. 2482), Clackamas County Survey Records, being described as follows:

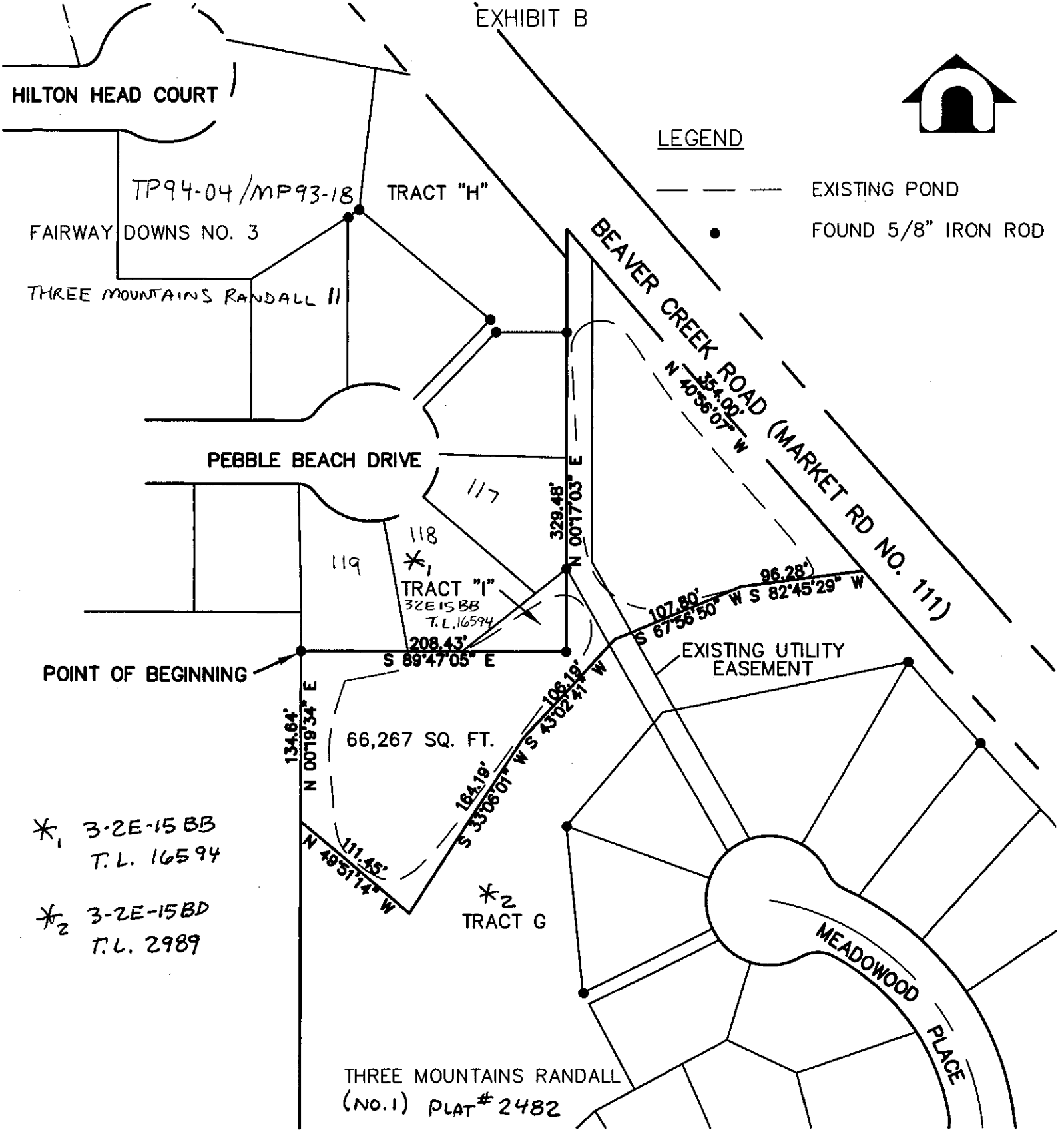
Beginning at the northwest corner of said Tract "G", being a found 5/8" iron rod with yellow plastic cap stamped "Land Tech"; thence on the north line of said Tract "G" South 89° 47' 05" East, a distance of 208.43 feet; thence on the northerly west line of said Tract "G" North 00° 17' 03" East, A distance of 329.48 feet more or less to the westerly right-of-way line of said Beaver Creek Road (Market Rd. No. 111); thence on the westerly right-of-way line of said Beaver Creek Road, South 40° 56' 07" East, a distance of 354.00 feet; the leaving said right-of-way line South 82° 45' 29" West, a distance of 96.28 feet; thence South 67° 56' 50" West, a distance of 107.80 feet; thence South 43° 02' West, a distance of 106.19 feet, thence South 33° 06' 01" West, a distance of 164.19 feet; thence North 49° 51' 14" West, a distance of 111.45 feet to the west line of said Tract "G"; thence North 00° 19' 34" East, a distance of 134.64 feet to the point of beginning.

Subject to easements and restrictions of record.

The parcels of land to which this description applies contains 66,267 square feet or 1.52 acres, more or less.

Basis of bearing for the legal description being the west line of Tract "G" being North 0° 19' 34" East, Plat of Three Mountains-Randall, Clackamas County Survey Records.






*₁ 3-2E-15BB
T.L. 16594

*₂ 3-2E-15BD
T.L. 2989

PROJECT		CITY OF OREGON CITY		SHEET 2
TITLE		STORM DETENTION EASEMENT		
		PORTION OF TRACT "G"		
DWG. REF.	PROJECT	SCALE	AMENDMENT NO.	
	ORCT0000-0013	1" = 100'		
DRAWN BY	DESIGN BY	APPROVED BY	DATE	
MJFL	CRG	(S)	07-07-04	

**COMMISSION REPORT: CITY OF OREGON CITY
TO THE HONORABLE MAYOR AND COMMISSIONERS**

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

 INCORPORATED 1844	Agenda Item No.: 3.8	Topic: Storm Detention Easement, a Portion of Tract G, Three Mountains Randall Plat
	Report No.: 04-191	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: October 6, 2004	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prepared By: N. Kraushaar	Reviewed By: N.J.T. Kraushaar	Approved By: Larry Patterson

RECOMMENDATION:

Staff recommends that the City Commission adopt a motion accepting the attached easement and authorize the Mayor and City Recorder to execute the documents.

REASON FOR RECOMMENDATION:

The proposed easement applies to property that Oregon City Public Works (OCPW) is operating and maintaining for public stormwater management. The proper easement to allow such activities needs to be formally accepted and recorded.

BACKGROUND:

The originally prepared easement for the detention basins located in the proposed easement area was executed by the Homeowners Association, but then was never formally accepted by Oregon City. Upon reviewing that easement description, the OCPW Stormwater Division concluded that it did not accurately describe the area within which the stormwater improvements were constructed and are operated and maintained.

OCPW contracted with David Evans and Associates Inc. to survey the appropriate easement area and prepare corrected easement documents for acceptance by the City Commission. The easement area is needed for safety and welfare of the Oregon City community. The easement benefits the public by allowing construction, operations, and maintenance of facilities that control stormwater runoff rates and reduce the potential for downstream pollutant migration in the Caufield Basin.

BUDGET IMPACT: FY(s): 2004-05

Funding Source: Stormwater SDCs Charges

Attachment 1 – Stormwater Easement Document

32E15BB/15BD

TL 16594 / 2989

Approved