

9/9

Clackamas County Official Records
Sherry Hall, County Clerk

2004-096533

AFTER RECORDING RETURN TO:

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



\$66.00

007492642004006565330090090

10/19/2004 01:32:07 PM

D-E Cnt#1 Snt#3 ELIZABETH
\$45.00 \$11.00 \$10.00

Map No.: 3-2E-09C

Tax Lots: 800, 880 & 890

Planning No.: CU01-09 (SP02-02a/b/c)

Grantor: Clackamas Community College
Al Erdman

**CITY OF OREGON CITY, OREGON
PUBLIC STREET SIGNS, SLOPES, UTILITIES & SIDEWALKS EASEMENT**

**RE-RECORDED
DOCUMENT COVER PAGE**

**NOTE: Document has been re-recorded as to include City of Oregon City Commission Approval,
superceding Clackamas County Recorder's Document No. 2003-032142**

8/8

2003-032142



\$61.00

00445432200300321420080082

03/17/2003 01:32:12 PM

AFTER RECORDING RETURN TO:

D-DED Cnt=1 Str=1 ELIZABETH
\$40.00 \$11.00 \$10.00

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

JOHND A KINMAN
HUTCHISON, HAMMOND, WALSH
21790 WILLAMETTE DR
WEST LINN, OR 97068

SPO2-02 a : STREETER ANNEX BLDG
b : STUDIO ARTS BLDG
c : WELDING Bldg

Map No.: 3-2E-9C

Tax Lots.: 800, 890, 880

Planning No.: CU 01-09 (SPO2-02)

Grantor: Clackamas Community College
AL ERDMAN

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

KNOW ALL BY THESE PRESENTS, THAT Clackamas Community College 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 signs, slopes, utilities, on the following described land:
and sidewalks

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

IN WITNESS WHEREOF, the GRANTOR has executed this 14 day of
March, 2003; 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

Al Erdman,
Address

Dean of College Services
Clackamas Community College

Corporation/limited partnership

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)

) ss.

County of Clackamas)

Personally appeared the above named

Al Erdman,

Dean of College Services

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

Before me: This 14 day of
March, 2003

NOTARY PUBLIC FOR OREGON

Sara E. Simmons

Notary's signature

My Commission Expires: Sept 18, 2004

Stamp seal below



Clackamas Community College

19600 S. Molalla Ave.

Oregon City, OR 97045

(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

Alice Harris

City Recorder

DeLani Benson-Celly

Page 4

Corporate Acknowledgment

STATE OF OREGON)

) ss.

County of _____)

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

5 *

NLV SERVICES, INC.
SURVEYING – MAPPING

16395 S.E. HWY. 212, CLACKAMAS, OREGON 97015
PHONE 503-329-5703 FAX 503-658-6453

EXHIBIT "A"
EASEMENT DESCRIPTION

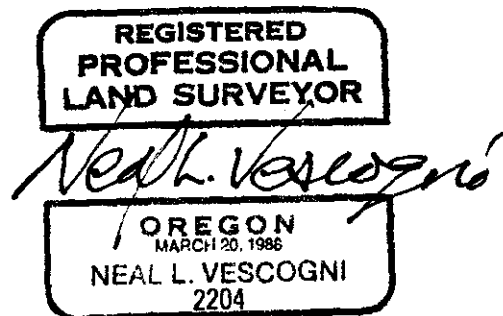
PARCEL 1

A 5.00 foot wide strip of land situated in the southeast quarter of Section 9, Township 3 South, Range 2 East, Willamette Meridian, in the Andrew Hood Donation Land Claim No. 44, City of Oregon City, Clackamas County, Oregon, being more particularly described as follows (see attached Exhibit "B"-Vicinity Map):

Beginning at the most northerly and easterly corner of that tract of land conveyed to Clackamas County Area Education District by Deed recorded as Fee No. 69-5775; thence North $89^{\circ}50'35''$ West along the north line of said Andrew Hood Donation Land Claim 59.28 feet to the **True Point Of Beginning** of the strip herein to be described, said point being 45.00 feet from the centerline of Beaver Creek Road (Market Road No. 11) when measured at right angles thereto; thence South $40^{\circ}27'37''$ East parallel with the southerly right-of-way line of Beaver Creek Road 26.08 feet to a point which bears North $89^{\circ}50'35''$ West 59.28 feet from the most southerly and easterly corner of said Fee No. 69-5775; thence North $89^{\circ}50'35''$ West parallel with the north line of said Donation Land Claim 6.59 feet to a point 50.00 feet from the centerline of Beaver Creek Road when measured at right angles thereto; thence North $40^{\circ}27'37''$ West parallel with the southerly right-of-way line of Beaver Creek Road 26.08 feet to a point on the north line of said Andrew Hood Donation Land Claim; thence South $89^{\circ}50'35''$ East along the north line of said Donation Land Claim 6.59 feet to the **True Point Of Beginning**.

Said strip of land contains 130 square feet.

Bearings and distances based on Bert Mason Jr. Record Of Survey dated 2/16/1977.



FLC

NLV SERVICES, INC.
SURVEYING – MAPPING

16395 S.E. HWY. 212, CLACKAMAS, OREGON 97015
PHONE 503-329-5703 FAX 503-658-6453

EXHIBIT "A"
EASEMENT DESCRIPTION

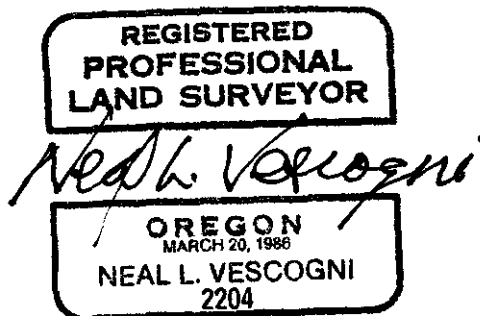
PARCEL 2

A 5.00 foot wide strip of land situated in the northeast quarter of Section 9, Township 3 South, Range 2 East, Willamette Meridian, in the Washington Williams Donation Land Claim No. 56 and the Robert Caufield Donation Land Claim No. 53, City of Oregon City, Clackamas County, Oregon, being more particularly described as follows (see attached Exhibit "B"-Vicinity Map):

Beginning at a point which bears South 49°32'55" East 15.00 feet from the most northerly and easterly corner of Parcel II of those tracts of land conveyed to Clackamas County Area Education District by Deed recorded as Fee No. 90-06405, said point being 45.00 feet from the centerline of Beaver Creek Road (Market Road No. 11) when measured at right angles thereto; thence South 40°27'37" East parallel with the southerly right-of-way line of Beaver Creek Road 1,361.81 feet to a point which bears North 89°50'35" West 59.28 feet from the most southerly and easterly corner of that tract of land conveyed to Clackamas Community College by Deed recorded as Fee No. 68-12069; thence North 89°50'35" West along the south line of said Fee No. 68-12069 6.59 feet to a point 50.00 feet from the centerline of Beaver Creek Road when measured at right angles thereto; thence North 40°27'37" West parallel with the southerly right-of-way line of said road 1,357.52 feet to a point on the northerly line of said Parcel II, Fee No. 90-06405; thence North 49°32'55" East along said northerly line 5.00 feet to the **Point Of Beginning**.

Said strip of land contains 6,801 square feet.

Bearings and distances based on Bert Mason Jr. Record Of Survey dated 2/16/1977.



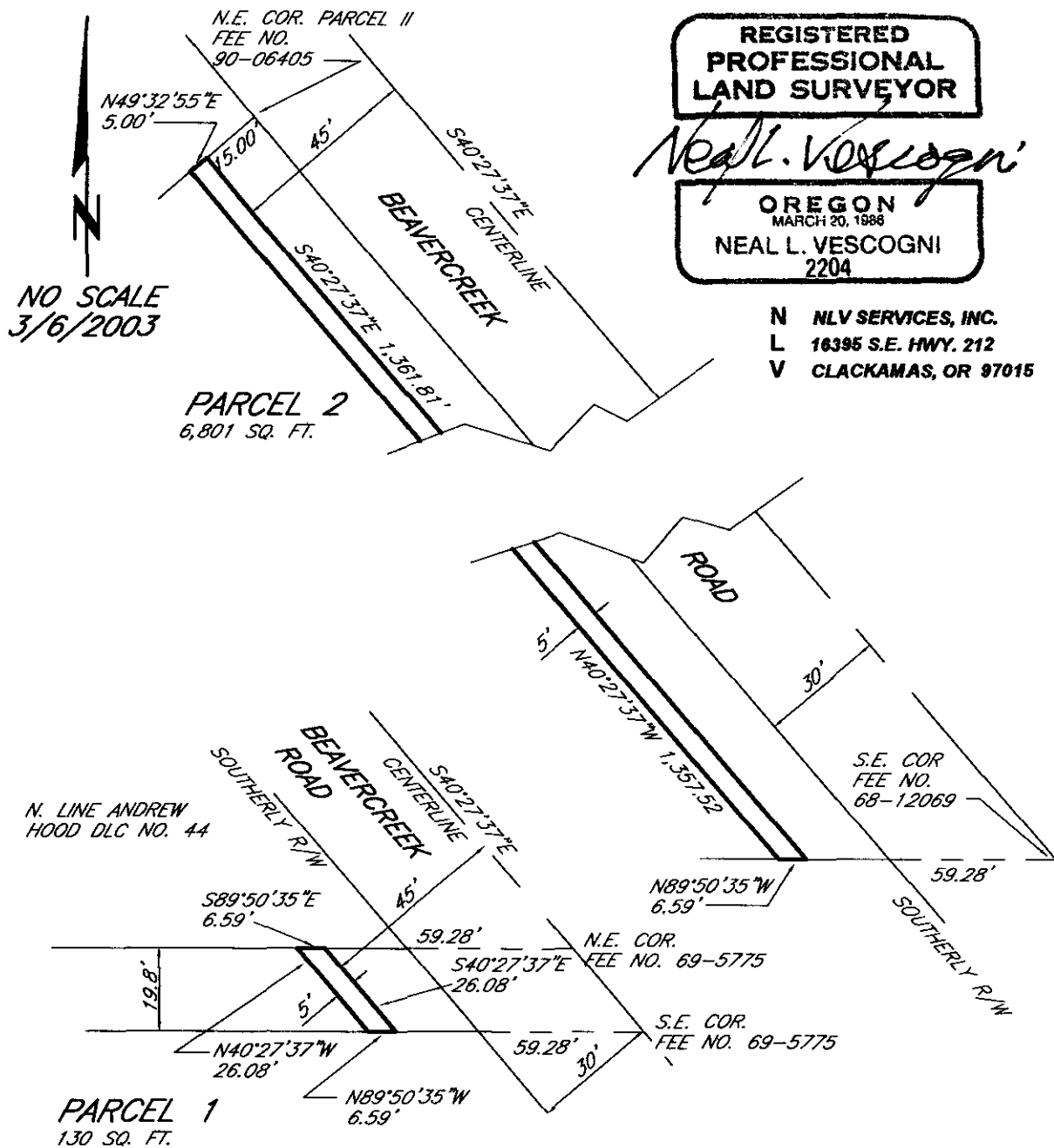
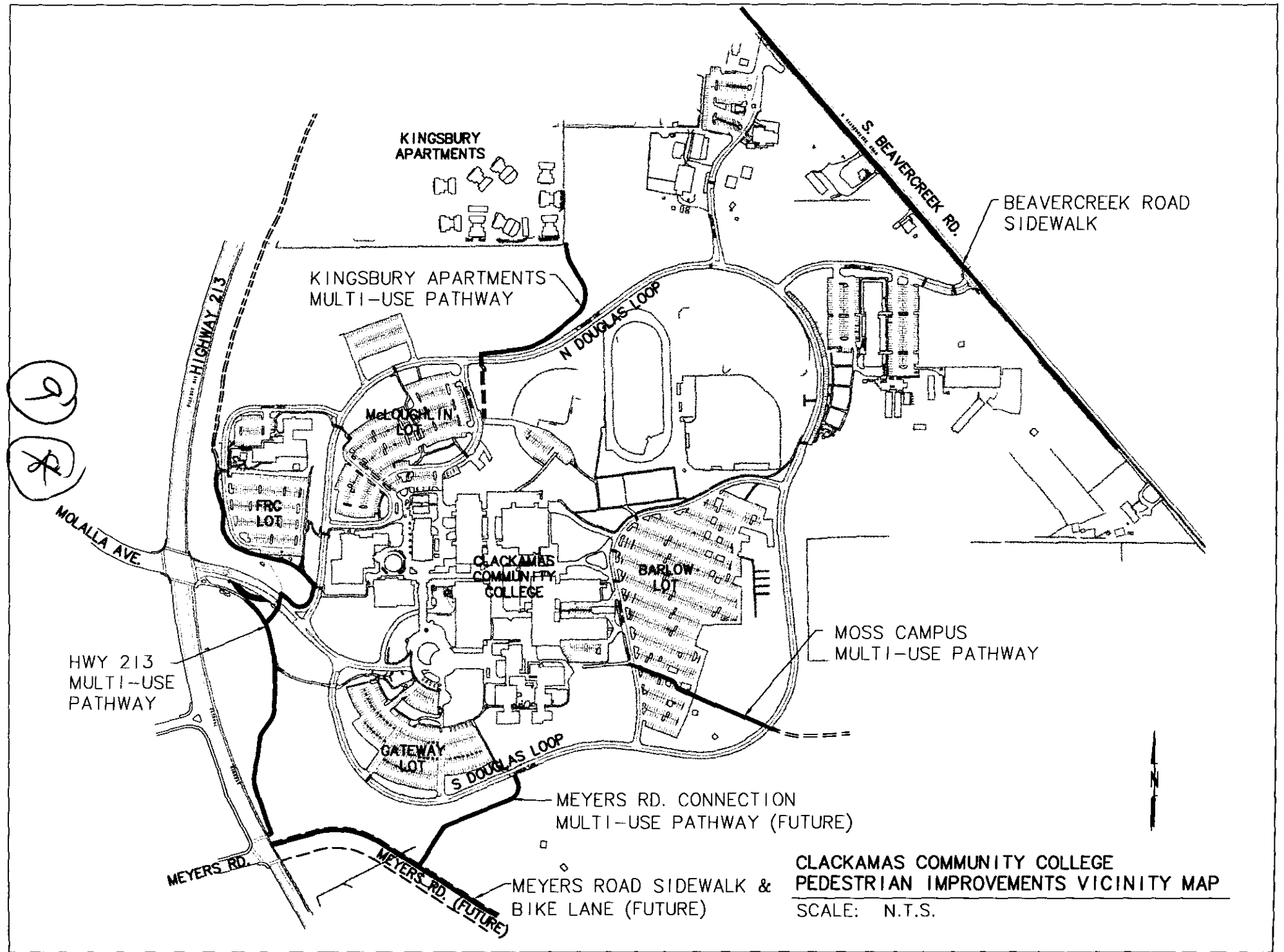


EXHIBIT "B"-VICINITY MAP. EASEMENTS


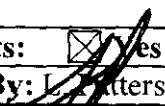
EASEMENTS SITUATED IN THE N.E. 1/4 AND S.E. 1/4 OF SECTION 9, T.3S., R.2E., W.M., IN THE ANDREW HOOD D.L.C. NO. 44, THE WASHINGTON WILLIAMS D.L.C. NO. 56 AND THE ROBERT CAUFIELD D.L.C. NO. 53, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON.

BEARINGS AND DISTANCES BASED ON BERT MASON JR. RECORD OF SURVEY DATED 2/16/1977.



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

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

 INCORPORATED 1844	Agenda Item No.: 3.3	Topic: Public Utility Easement along Beavercreek Road from Clackamas Community College (SP02-02a/b/c)
	Report No.: 04-182	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: October 6, 2004	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prepared By: John Knapp	Reviewed By: Dean Norlin	Approved By:  Patterson

RECOMMENDATION:

It is recommended that the City Commission adopt a motion accepting this Street Signs, Slopes, utilities and Sidewalk Easement and authorize the Mayor and City Recorder to execute it.

REASON FOR RECOMMENDATION:

This Easement provides the needed additional easement area for street supporting slopes and facilities (for Clackamas County and/or "future" City, street purposes, for the Clackamas Community College Expansion project. City Engineering staff has coordinated with Clackamas County (Doug Cutshall) for the city to obtain/finalize this easement. The Easement is attached for Commission review.

The developer's representative (Hutchison, Hammond & Walsh) has already prematurely recorded said easement prior to City Commission acceptance. Said easement shall be re-recorded after executed by the city.

BACKGROUND:

On the October 6, 2004, agenda is the Street, Signs, Slopes, Utilities and Sidewalks Easement (for Beavercreek Road) for the Clackamas Community College Expansion project – City Planning File No. SP02-02a/b/c.

Map No. 3-2E-9C

Tax Lot 800, 880 & 890

Clackamas Community College Expansion project
(Streeter Annex Bldg: SP02-02a)
(Studio Arts Bldg: SP02-02b)
(Welding Bldg: SP02-02c)

BUDGET IMPACT: FY(s): N/A

Funding Source: N/A

Attachment:

1) Street, Signs, Slopes, Utilities and Sidewalks Easement (for Beavercreek Road) with cover sheet

Approved