

6/14
AFTER RECORDING RETURN TO:

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



\$51.00

00579456200301348300060062
D-E Cnt=1 Snt=1 ELIZABETH
\$30.00 \$11.00 \$10.00

10/06/2003 04:39:25 PM

Map No.: 3 2E 9D

Tax Lot: 1300

Planning No.: SP01-06 (MOSS campus)

Grantor: Oregon City School District #62

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

KNOW ALL BY THESE PRESENTS, THAT Oregon City School District #62
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
WATERLINE EASEMENT 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 instrument this ____ day of _____, 20____; 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

Therese W. Ryan

Signer's Name

THOMAS W. REZAC

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.

Personally appeared the above named

Kenneth W. Bezac

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

Before me:

NOTARY PUBLIC FOR OREGON

Kelli D Grant

Notary's signature

My Commission Expires: 9-26-03

Stamp seal below



Oregon City School Dist. #62

1417 12th Street

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

Alvin Morris

City Recorder

Leilani Branson-Crelly

Page 3

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

3

LEGAL DESCRIPTION
WATERLINE EASEMENT
OREGON CITY SCHOOL DISTRICT

4761.3
08/07/03 MAR

EXHIBIT "A"

A STRIP OF LAND 15.00 FEET WIDE, SITUATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 9 AND THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, LYING 7.50 FEET ON EACH SIDE OF THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS CORP." AT THE MOST EASTERLY POINT OF THAT LINE DESCRIBED IN A BOUNDARY LINE AGREEMENT, RECORDED IN FEE NO. 94-050228, CLACKAMAS COUNTY DEED RECORDS, SAID POINT BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11) (30.00 FEET FROM CENTERLINE); THENCE ALONG SAID AGREEMENT LINE, S.49°27'44"W., 20.00 FEET; THENCE N.40°27'34"W., 142.58 FEET TO THE POINT-OF-BEGINNING; THENCE S.49°30'09"W., 5.00 FEET TO POINT "A"; THENCE S.49°30'09"W., 39.01 FEET TO POINT "B"; THENCE S.49°30'09"W., 14.69 FEET TO POINT "C"; THENCE S.49°30'09"W., 302.13 FEET; THENCE S.90°00'00"W., 14.60 FEET TO POINT "D"; THENCE S.90°00'00"W., 275.04 FEET TO POINT "E"; THENCE S.90°00'00"W., 249.05 FEET TO POINT "F"; THENCE S.90°00'00"W., 16.54 FEET TO POINT "G"; THENCE N.00°00'00"E., 47.72 FEET; THENCE N.08°09'46"W., 72.27 FEET; THENCE N.19°37'39"W., 284.17 FEET; THENCE N.00°00'00"E., 48.05 FEET TO POINT "H"; THENCE N.00°00'00"E., 230.31 FEET; THENCE N.90°00'00"E., 16.01 FEET TO POINT "I"; THENCE N.90°00'00"E., 156.58 FEET; THENCE N.49°32'24"E., 179.18 FEET TO POINT "J"; THENCE N.49°32'24"E., 77.50 FEET TO POINT "K"; THENCE N.49°32'24"E., 44.01 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF BEAVERCREEK ROAD (50.00 FEET FROM CENTERLINE), AND THE TERMINUS OF SAID CENTERLINE.

ALSO TWELVE (12) BRANCH EASEMENTS, BEING 15.00 FEET WIDE, 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

- 1) BEGINNING AT AFOREMENTIONED POINT "K"; THENCE S.40°27'34"E., 237.68 FEET TO POINT "L"; THENCE S.29°18'27"E., 210.66 FEET; THENCE S.40°27'34"E., 62.65 FEET TO POINT "M"; THENCE S.40°27'34"E., 23.90 FEET; THENCE S.85°27'38"E., 57.63 FEET; THENCE S.40°27'34"E., 251.22 FEET TO POINT "B" AND THE TERMINUS OF SAID CENTERLINE;
- 2) BEGINNING AT AFOREMENTIONED POINT "A"; THENCE N.40°27'34"W., 22.50 FEET TO THE TERMINUS;
- 3) BEGINNING AT AFOREMENTIONED POINT "C"; THENCE S.40°27'34"E., 62.62 FEET TO THE TERMINUS;
- 4) BEGINNING AT AFOREMENTIONED POINT "D"; THENCE N.00°00'00"E., 17.80 FEET TO THE TERMINUS;
- 5) BEGINNING AT AFOREMENTIONED POINT "E"; THENCE N.00°00'00"E., 26.16 FEET TO THE TERMINUS;
- 6) BEGINNING AT AFOREMENTIONED POINT "F"; THENCE S.00°00'00"W., 126.65 FEET TO THE TERMINUS;

4

LEGAL DESCRIPTION
WATERLINE EASEMENT
OREGON CITY SCHOOL DISTRICT

4761.3
08/07/03 MAR

- 7) BEGINNING AT AFOREMENTIONED POINT "G"; THENCE S.90°00'00"W., 34.00 FEET TO THE TERMINUS;
- 8) BEGINNING AT AFOREMENTIONED POINT "H"; THENCE N.90°00'00"E., 17.50 FEET TO THE TERMINUS;
- 9) BEGINNING AT AFOREMENTIONED POINT "I"; THENCE N.00°00'00"E., 17.50 FEET TO THE TERMINUS;
- 10) BEGINNING AT AFOREMENTIONED POINT "J"; THENCE N.40°27'34"W., 17.50 FEET TO THE TERMINUS;
- 11) BEGINNING AT AFOREMENTIONED POINT "L"; THENCE S.49°32'24"W., 37.50 FEET TO THE TERMINUS;
- 12) BEGINNING AT AFOREMENTIONED POINT "M"; THENCE N.49°32'24"E., 11.50 FEET TO THE TERMINUS;


TOGETHER WITH THE FOLLOWING DESCRIBED STRIP OF LAND, BEING 12.50 FEET EAST OF THE FOLLOWING DESCRIBED CENTERLINE; BEGINNING AT AFOREMENTIONED POINT "G"; THENCE N.00°00'00"E., 22.50 FEET.

TOGETHER WITH THE FOLLOWING DESCRIBED STRIP OF LAND, BEING 15.00 FEET NORTHWEST AND 13.00 FEET SOUTHEAST OF THE FOLLOWING DESCRIBED CENTERLINE: BEGINNING AT THE POINT-OF-BEGINNING; THENCE S.49°30'09"W., 44.00 FEET.

THIS DESCRIPTION WAS PREPARED FROM THE ATTACHED EXHIBIT MAP "B", AND SAID MAP BY REFERENCE THERETO IS MADE A PART HEREOF.

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

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

 INCORPORATED 1844	Agenda Item No.: 3.6	Topic: Public Water Facilities Utility Easement for the Moss Campus High School Project (SP01-06)
	Report No.: 03-189	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: September 3, 2003	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prepared By: John Knapp	Reviewed By: Dean Norlin	Approved By: <i>[Signature]</i>

RECOMMENDATION:

It is recommended that the City Commission adopt a motion accepting this public water facilities utility easement and authorize the Mayor and City Recorder to execute it.

REASON FOR RECOMMENDATION:

This instrument provides the needed public easement for public water facilities installed for the Moss Campus High School project. The easement instrument is attached for Commission review.

BACKGROUND:

On the September 3, 2003, agenda is the Public Water Facilities Utility Easement Instrument for the Moss Campus High School project -- City Engineering File No. SP01-06.

Map No. 3-2E-9D

Tax Lot 1300

Moss Campus High School project
(SP01-06)

BUDGET IMPACT: FY(s): N/A Funding Source: N/A

Attachment 1 -- Public Utility(s) Easement

approved

Waterline Easement

3-2E-90

TL1300

Oregon City School District
#62 (SP01-06) (Mass Campus)

[Doc. 2003-134830]

10/06/03

Page 1819 §1719, 1820

ITEM #7 §4, 5