

4/4

AFTER RECORDING RETURN TO:

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



\$51.00

10/06/2003 04:39:25 PM

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

For: Map No.: 22E28A
Tax Lot: 1500 AND 1600
Planning No.: TP02-04

SEE 22E28CA
TAX LOT 600

Grantor: HOLCOMB RIDGE DEVELOPMENT LLC

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

KNOW ALL BY THESE PRESENTS, THAT HOLCOMB RIDGE DEVELOPMENT LLC 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 PUBLIC STORM 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.

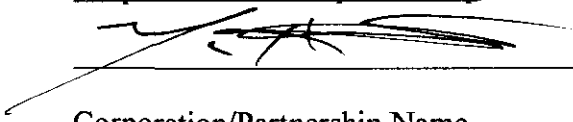
IN WITNESS WHEREOF, the GRANTOR has executed this 26 day of August, 2003; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

NOTICE: No stamp or corporate seal is allowed over any typed information.

Individuals, general partnerships

Corporation/limited partnership

Signer's Name



Corporation/Partnership Name

Signer's Name

Signer's Name, Title

(if executed by a corporation
affix corporate seal below)

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

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

Before me:

NOTARY PUBLIC FOR OREGON

Notary's signature

My Commission Expires: _____

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 Alui Morris

City Recorder Leilani Bronson-Crelly

Page 3

Corporate Acknowledgment
STATE OF OREGON)

County of Clackamas) ss.

Personally appeared Mark Handris
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 Holcomb Ridge Development LLC
_____, 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.

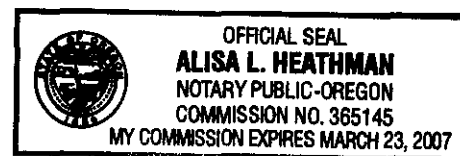
Before me:

NOTARY PUBLIC FOR OREGON

Alisa L. Heathman
Notary's signature

My Commission Expires: 03-23-07

Stamp seal below



3

After Recording Return To:

Holcomb Ridge Development, LLC
2008 Willamette Falls Dr. #B
West Linn, Or 97068

No change in Tax Statements

Exhibits

Grant of Public Storm Sewer Easement

Donald E. Golding, trustee of the Golding Living Trust dated 3-15, 1996, does hereby grant and convey to Holcomb Ridge Development, LLC, an Oregon Limited Liability Company, the following described non-exclusive perpetual easement, over, under, and across the following described real property in Clackamas County, Oregon for the purpose of Storm Sewer:

See attached exhibits A and B

Running of the Benefits and the Burdens: All rights of and to the easement as established by this Grant, including the benefits and the burdens thereof, shall run with the affected and described lands, and are binding upon and shall inure to the benefit of the heirs, successors, and/or assigns. The consideration paid for this easement is \$1000.00.

SIGNED AND ACKNOWLEDGED: On the dates set forth below.

By: Donald E. Golding
Donald E. Golding, trustee

STATE OF OREGON)
County of Clackamas)ss.

This instrument was acknowledged before me on this 15th day of August 2003 by Donald E. Golding, trustee of the Golding Living Trust dated 3-15, 1996.



Melanie E. Alben
NOTARY PUBLIC FOR Oregon
My commission expires: May 3, 2005

4

EXHIBIT A

A 15 foot wide public storm sewer easement located over a portion of document number 96-020264, a deed of record in Clackamas County, located in the NE 1/4 of the SW 1/4 of Section 28, Township 2 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, and being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped "ASSOC. LAND SURVEYORS INC." at the southeast corner of Tract "A" from the plat of "Wayne Ann Estates", recorded in Clackamas County Plat Book 106, Page 16, said point also being on the north property line of aforementioned deed described in document number 96-020264; Thence South 69°22'31" West 192.67 feet; Thence South 20°37'29" East 15.00 feet; Thence North 69°22'31" East 238.74 feet to said north property line; Thence along said north property line South 87°24'04" West 48.47 feet to the point of beginning.

The above described easement contains 3,236 square feet, more or less.

The bearings and distances for this description is based on the record of survey number 29,943 recorded with the Clackamas County Surveyor's Office.

EXHIBIT B
PUBLIC STORM SEWER EASEMENT
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

"WAYNE ANN ESTATES"
PLAT NUMBER 3254
BOOK 106 PAGE 16

THE BEARINGS AND DISTANCES FOR THIS
EXHIBIT MAP ARE BASED ON RECORD OF
SURVEY NUMBER 29943, RECORDED WITH
CLACKAMAS COUNTY SURVEYOR'S OFFICE.

TRACT 'A'

DOC. # 2002-037811

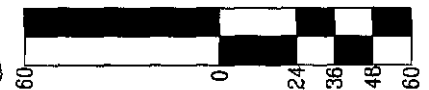
POINT OF BEGINNING

5/8" IR WITH YELLOW PLASTIC CAP
STAMPED "ASSOC. LAND SURVEYORS
INC."; PER PS 26605

S87°24'04"W
48.47'

N87°24'52"E 356.11'

SCALE 1" = 60 FEET



DOC. # 96-020264

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Clinton H. Stubbs Jr.
OREGON
JANUARY 15, 2002
CLINTON H. STUBBS JR.
55469LS

RENEWAL DATE: 06/30/04

15' PUBLIC STORM SEWER EASEMENT
AREA = ±3,236 SQUARE FEET

PREPARED FOR:

ICON CONSTRUCTION AND
DEVELOPMENT LLC.
2008 WILLAMETTE FALLS DR.
WEST LINN, OR 97068

JOB NAME: HOLCOMB RIDGE
JOB NUMBER: 872
DRAWING NUMBER: 872EASEMENT
DRAWN BY: CHS
CHECKED BY: MBH

ENGINEERING • PLANNING • SURVEYING • FORESTRY

LICENSED IN OR & WA




13910 SW GALBREATH DR.,
SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

E-MAIL: aks@aks-eng.com

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

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

 INCORPORATED 1844	Agenda Item No.: 3.5	Topic: Storm Drainage Public Utility Easement For the Holcomb Ridge Subdivision (TP02-04)
	Report No.: 01-188	
	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: Jay Toll	Approved By: D. Wimmer

RECOMMENDATION:

It is recommended that the City Commission adopt a motion accepting this Storm Drainage Public Utility Easement and authorize the Mayor and City Recorder to execute it.

REASON FOR RECOMMENDATION:

This public utility easement provides for the use of the described property for public storm drainage. The easement is attached for Commission review.

BACKGROUND:

On the September 3, 2003, agenda is the Storm Drainage Public Utility Easement for the Holcomb Ridge subdivision – City Planning File No. TP02-04.

For: Map No. 2-2E-28A Tax Lot 1500 & 1600 Holcomb Ridge subdivision
(TP02-04)

Over: Map No. 2-2E-28A Tax Lot 600 Deed No. 96-020264
(Golding Living Trust property)

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

Attachment 1 – Public Utility(s) Easement

*Approved
4:0*

Storm Easement

Z-ZE-~~28A~~ 28CA (For: 28AT L1600 & 1500)
TL 600
Hokomb Ridge Development LLC
(Public Storm Easement TPO2-04)

2003-134828
[Doc. ~~2004-082806~~]
9/03/04

Page 417 \$517
ITEM #13 & #6