

5/5

AFTER RECORDING RETURN TO:

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



00579430200301348150050057

\$46.00

10/06/2003 04:22:05 PM

D-E Cnt#1 Snt#1 ELIZABETH  
\$25.00 \$11.00 \$10.00

Map No.: 3-2E-9D  
Tax Lot No.: 1400  
Planning No.: SP01-06 (FOR HIGH SCHOOL AVE)  
Grantor: Joseph and Penny Spaziani and Timothy J. Kotz

## CITY OF OREGON CITY, OREGON SLOPE EASEMENT

**KNOW ALL BY THESE PRESENTS, THAT** Joseph Spaziani, Penny Spaziani, and Timothy J. Kotz, hereinafter called the GRANTOR, do hereby grant unto the City of Oregon City, hereinafter called the CITY, its successors in interest and assigns, a permanent slope and stormwater drainage easement, including the permanent right to construct, reconstruct, operate, and maintain road slopes and stormwater drainage facilities 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.

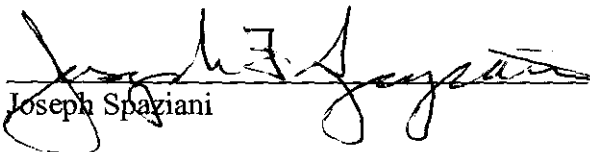
Upon completion of the construction, the CITY shall restore the surface of the property to its original condition and shall indemnify and hold the GRANTOR harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

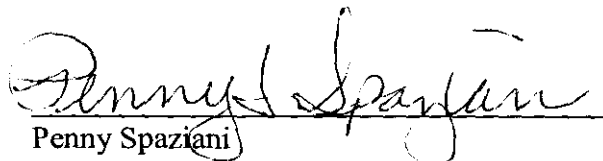
The true consideration of this conveyance is \$1.00, the receipt of which is hereby acknowledged by GRANTOR.

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. This easement is subject to all existing encumbrances of record.

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 18 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.

  
Joseph Spaziani

  
Penny Spaziani


Personal Acknowledgment  
STATE OF OREGON )  
County of Clackamas ) ss.

Personally appeared the above named Joseph Spaziani 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: 1-17-06  
Stamp seal below



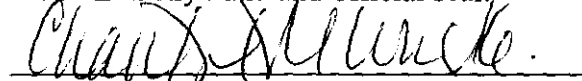
Personal Acknowledgment  
STATE OF OREGON )  
County of Clackamas ) ss.

Personally appeared the above named Penny Spaziani and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

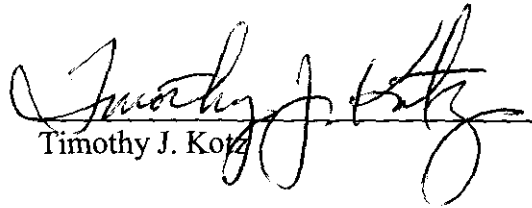
NOTARY PUBLIC FOR OREGON

WITNESS my hand and official seal.

  
Notary's signature  
My Commission Expires: 1-17-06  
Stamp seal below



City of Oregon City  
320 Warner Milne Road  
P.O. Box 3040  
Oregon City, OR 97045-0304  
Grantee's Name and Address

  
Timothy J. Kotz

Accepted on behalf of the City of Oregon City.

Mayor



Personal Acknowledgment

STATE OF OREGON

County of

Clackamas ) ss.


Personally appeared the above named

Timothy J. Kotz 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: 1-17-06

Stamp seal below



LEGAL DESCRIPTION  
15' SLOPE EASEMENT  
TAX LOT (MAP 3-2E-9D)  
SPAZIANI PROPERTY

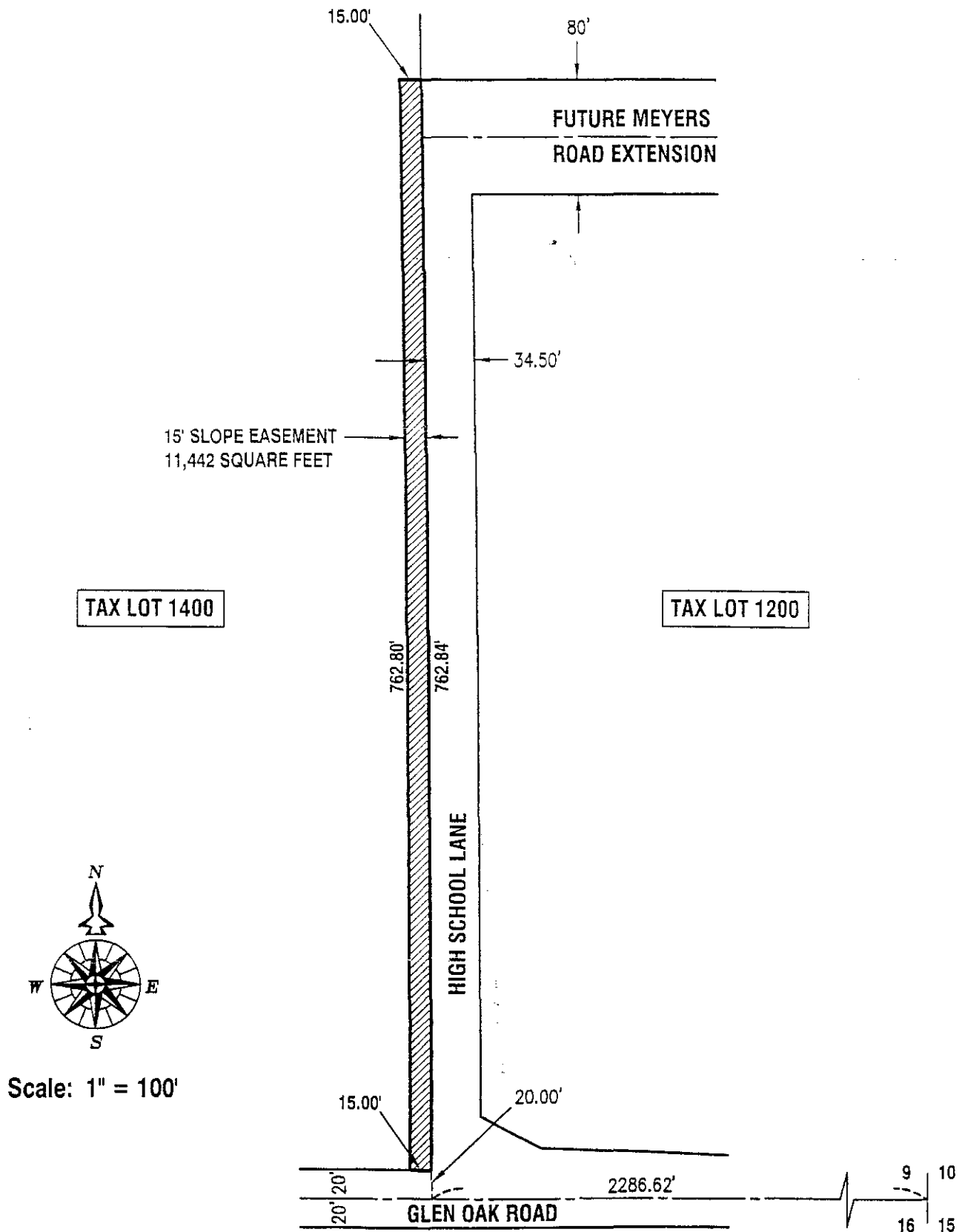
JOB NO. 4761.3  
12/2/02 MAR

EXHIBIT "A"

A TRACT OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 9, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3-1/4" BRASS DISC STAMPED "LAND DEV. CONSULTANTS" AT THE SOUTHEAST CORNER OF SAID SECTION 9; THENCE ALONG THE SOUTH LINE THEREOF, N.89°52'19"W, 2286.62 FEET; THENCE N.00°26'46"W, 20.00 FEET TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO JOSEPH F. SPAZIANI, ET AL, RECORDED FEBRUARY 14, 2000, CLACKAMAS COUNTY RECORDER'S FEE NO. 2000-009206, AND THE POINT-OF-BEGINNING; THENCE ALONG THE NORTH RIGHT-OF-WAY LANE OF GLEN OAK ROAD (COUNTY ROAD NO. 881)(20.00 FEET FROM CENTERLINE) N.89°52'19"W, 15.00 FEET; THENCE N.00°26'46"W, 762.80 FEET; THENCE N.89°59'28"E, 15.00 FEET TO THE EAST LINE OF SAID SPAZIANI TRACT; THENCE ALONG SAID EAST LINE, S00°26'46"E, 762.84 FEET TO THE POINT-OF-BEGINNING, CONTAINING 11442 SQUARE FEET.

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## EXHIBIT "B"



### COMPASS ENGINEERING

ENGINEERING SURVEYING PLANNING  
 6564 S.E. LAKE ROAD (503) 653-9093 PHONE  
 MILWAUKIE, OREGON 97222 WWW.COMPASS-ENGINEERING.COM

IN THE SE 1/4 OF SECTION 9  
 TOWNSHIP 3 SOUTH, RANGE 2 EAST, WM  
 CLACKAMAS COUNTY, OREGON

52

Slope Easement

3-2E-9D TL 1400

OCHS: Moss Campus  
(High School Ave)  
SP 01-06

[DOC# 2003-134815]

1818 | 8  
Pg | item

**CITY OF OREGON CITY**

P.O. Box 3040  
Oregon City, OR 97045-0304

ADDRESS SERVICE REQUESTED

**PRESERVING OUR PAST - BUILDING OUR FUTURE**