

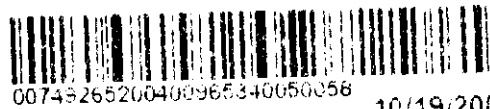
5/5

Clackamas County Official Records  
Sherry Hall, County Clerk

2004-096534

AFTER RECORDING RETURN TO:

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



\$46.00

00749265200400965340050058  
D-ER Cnt=1 Str=3 ELIZABETH  
\$25.00 \$11.00 \$10.00

10/19/2004 01:32:07 PM

Map No.: 3-2E-09D

Tax Lots: 1101

SP01-06

Planning No.: ~~CU01-09 (SP01-01a) (1/1)~~ for TP99-11

Grantor: Smith, Craig A.

CITY OF OREGON CITY, OREGON  
TERMINATION OF RECORDER'S DOCUMENT NO. 2003-134814

EASEMENT  
TERMINATED  
DOCUMENT COVER PAGE

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

Mayor

Alice Morris

City Recorder

Leilani Bronson-Crelly

NOTE: Termination of Recorder's Document No. 2003-134814 has been approved by the City of Oregon City Commission and shall be complete with the recording of this document.

2/4

AFTER RECORDING RETURN TO:

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



10/06/2003 04:22:05 PM

D-E Cnt=1 Snt=1 ELIZABETH  
\$20.00 \$11.00 \$10.00

Map No.: 3-2E-9D  
Tax Lot No.: 1101  
Planning No.: SPO1-06 (FOR MEYERS ROAD)  
Grantor: Craig A. Smith

## CITY OF OREGON CITY, OREGON DRAINAGE EASEMENT

**KNOW ALL BY THESE PRESENTS, THAT** Craig A. Smith, hereinafter called the GRANTOR, does hereby grant unto the City of Oregon City, hereinafter called the CITY, its successors in interest and assigns, a stormwater drainage 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 until such time as Meyers Road, a proposed right-of-way adjacent to Grantor's property, including all stormwater collection facilities within such right-of-way, is constructed. This easement shall automatically expire when that portion of Meyers Road and all stormwater collection facilities within Meyers Road adjacent to Grantor's property are constructed and accepted by the CITY. Upon such construction and acceptance by the CITY, the CITY shall record a termination of this Easement. The easement granted herein shall permit the discharge of stormwater from adjacent property over and across the property described on Exhibit A.

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. The CITY 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.

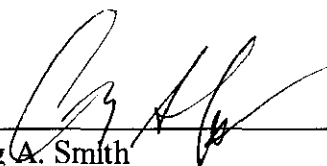
The true consideration of this conveyance is \$1.00, the receipt of which is hereby acknowledged by GRANTOR.

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.

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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 \_\_\_\_\_, 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.

  
\_\_\_\_\_  
Craig A. Smith

Personal Acknowledgment

STATE OF OREGON )

County of Multnomah ) ss.

Personally appeared the above named  
Craig A. Smith and  
acknowledged the foregoing instrument to be  
his voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON  
WITNESS my hand and official seal.

  
\_\_\_\_\_  
Kathy J. Smith

Notary's signature

My Commission Expires: 3-7-06

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

Accepted on behalf of the City of Oregon City.

Mayor

  
\_\_\_\_\_  
Alice P. Morris



LEGAL DESCRIPTION  
DRAINAGE EASEMENT  
TAX LOT 1101 (MAP 3-2E-9D)

JOB NO. 4761.3  
3-17-03

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 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., 412.18 FEET TO THE POINT-OF-BEGINNING; THENCE CONTINUING ALONG SAID AGREEMENT LINE N.89°41'43"W., 400.00 FEET; THENCE LEAVING SAID LINE AND RUNNING S.00°18'17"W., 90.00 FEET; THENCE S.89°41'43"E., 295.89 FEET; THENCE N.49°27'44"E., 137.62 FEET TO THE POINT-OF-BEGINNING, CONTAINING 31315 SQUARE FEET.

3 A

5  
\*

**TAX LOT 1300  
MOSS CAMPUS  
OREGON CITY SCHOOL DISTRICT**

N 89°41'43" W 400.00'

**MEYERS ROAD (PROPOSED)**

S 00°18'17" W  
90.00'

S 89°41'43" E 295.89'

**CARRINGTON PLACE**

**STREET "B"  
(PROPOSED)**

**TAX LOT 1101  
ALDINGER/SMITH**

N 49°27'44" E

**STREET "A"  
(PROPOSED)**

137.62'

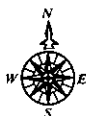
**DRAINAGE EASEMENT  
31,315 SQUARE FEET**



**PLAN**

SCALE: 1" = 60'

**EXHIBIT "B"**



**COMPASS ENGINEERING**


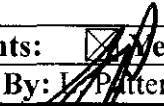
ENGINEERING ★ SURVEYING ★ PLANNING  
6564 S.E. LAKE ROAD (503) 653-9093 PHONE  
MILWAUKIE, OREGON 97222 (503) 653-9095 FAX

Aldinger & Associates  
6140 SE Macadam  
Portland, Oregon 97201  
503-246-9800

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

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

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

 INCORPORATED 1844	<b>Agenda Item No.:</b> 3.4	<b>Topic:</b> Dissolve Stormwater Easement for Meyers Road for Carrington Place Subdivision Plat  (TP99-11)
	<b>Report No.:</b> 04-183	
	<b>Agenda Type:</b> DISCUSSION/ACTION	
	<b>Meeting Date:</b> October 6, 2004	<b>Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Prepared By:</b> John Knapp	<b>Reviewed By:</b> Dean Norlin	<b>Approved By:</b>  J. Patterson

**RECOMMENDATION:**

It is recommended that the City Commission adopt a motion accepting the termination of the unneeded storm easement known as Clackamas County Recorder's Document No. 2003-134814 and authorize the Mayor and City Recorder to execute the termination.

**REASON FOR RECOMMENDATION:**

The Easement provided an off-site public storm drainage easement for the Moss Campus High School Project. Said easement is on the property now being developed as the Carrington Place subdivision and is now no longer needed since the Carrington Place subdivision shall provide the needed right-of-way dedication, public storm drainage facilities and public easements.

Said Easement needs to be terminated to facilitate the subdivision plat for Carrington Place. The Easement, with termination cover letter, is attached for Commission review.

**BACKGROUND:**

On the October 6, 2004, agenda is the Termination Request for Recorder's Document No. 2003-134814 for the Carrington Place subdivision project – City Planning File No. TP99-11.

Map No. 3-2E-9D

Tax Lot 1101

Carrington Place subdivision project  
(TP99-11)

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

Attachment: Recorder's Document No. 2003-134814

*approved*