

AFTER RECORDING RETURN TO:

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



\$41.00

10/06/2003 04:22:05 PM

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

Map No.: 3-2E-9D  
Tax Lot No.: 1101  
Planning No.: SP01-06 (FOR MEYERS ROAD)  
Grantor: Craig A. Smith

## CITY OF OREGON CITY, OREGON SLOPE 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 permanent slope easement, including the permanent right to construct, reconstruct, operate, and maintain road slopes 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 17 day of September, 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  
Craig A. Smith

Grantee's Name and Address:

City of Oregon City  
320 Warner Milne Road  
P.O. Box 3040  
Oregon City, OR 97045-0304

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

Accepted on behalf of the City of Oregon City.  
Mayor

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

Michelle Davis

Before me:

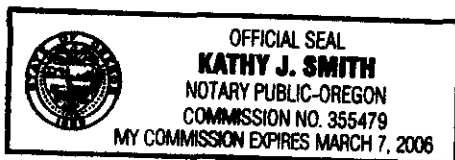
City Recorder

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

Leilani Brunson-Crelly



LEGAL DESCRIPTION  
SLOPE EASEMENT  
TAX LOT 1101 (MAP3-2E-9D)

11/12/02 MAR  
4761.3

EXHIBIT "A"

A TRACT OF LAND 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 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING 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 RIGHT-OF-WAY LINE, S.40°27'34"E., 5.00 FEET; THENCE 5.00 FEET SOUTHEASTERLY OF AND PARALLEL WITH SAID AGREEMENT LINE, S.49°27'44"W. 414.04 FEET; THENCE N.89°41'43"W., 16.76 FEET; THENCE 76.50 FEET ALONG THE ARC OF A 490.00 FOOT, NON-TANGENT CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 08°56'43" (THE LONG CHORD BEARS N.53°56'05"E., 76.42 FEET) TO A POINT ON AFOREMENTIONED AGREEMENT LINE; THENCE ALONG SAID AGREEMENT LINE, N.49°27'44"E., 350.53 FEET TO THE POINT-OF-BEGINNING, CONTAINING 2215 SQUARE FEET.

3



Scale: 1" = 100'

TAX LOT 1300  
MOSS CAMPUS  
OREGON CITY SCHOOL DISTRICT

RADIUS=490.00'  
LENGTH=76.50'  
DELTA=8°56'43"  
CHORD=N53°56'05"E  
76.42'

MEYERS ROAD (PROPOSED)

BEAVERCREEK ROAD

POINT OF BEGINNING

S40°27'34"E  
5.00'

SLOPE EASEMENT  
2,215 SQUARE FEET

N89°41'43"W  
16.76'

TAX LOT 1101  
ALDINGER/SMITH

EXHIBIT "B"



**COMPASS ENGINEERING**


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

IN THE SE 1/4 OF SEC. 9 & SW 1/4 SEC. 10  
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> 3.5	<b>Topic:</b> Meyers Road Slope Easement for the Moss Campus High School Project  (SP01-06)
	<b>Report No.:</b> 03-201	
	<b>Agenda Type:</b> DISCUSSION/ACTION	
	<b>Meeting Date:</b> September 17, 2003	<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> D. Wimmer <i>LB</i>

## RECOMMENDATION:

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

## REASON FOR RECOMMENDATION:

This Slope Easement provides the needed additional easement area for street supporting slopes (for CITY street, road, right-of-way, and public utilities), for a portion of Meyers Road, for the Oregon City School District No. 62 Moss Campus High School project. The Slope Easement is attached for Commission review.

## BACKGROUND:

On the September 17, 2003, agenda is the Slope Easement, for a portion of Meyers Road, for the Oregon City School District Moss Campus project – City Planning File No. SP01-06.

Map No. 3-2E-9D Tax Lot 1101 Oregon City School District No. 62 Moss Campus High School project (SP01-06)

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

Attachment 1: Meyers Road Slope Easement

*Approved*

Slope Easement

3-ZE-9D

TL1101

Smith, Craig A.

(For Meyers Rd SPO1-06)

[Doc. 2003-134810]  
10/06/03

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ITEM #4