

11  
10  
35

AFTER RECORDING RETURN TO:

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



\$56.00

00486091200300635600070076

05/20/2003 01:21:50 PM

D-E                      Cnt=1    Str=1    DEBBIE  
\$35.00 \$11.00 \$10.00

Map No.: 32E09C

Tax Lot No.: 400

Planning No.: C: 02-001

Grantor: Brett H. Brucker & Stuart J. Bailey

**CITY OF OREGON CITY, OREGON  
SLOPE, DRAINAGE & PUBLIC UTILITY(S) EASEMENTS  
(Temporary and Permanent)**

**KNOW ALL BY THESE PRESENTS, THAT Brett H. Brucker & Stuart J. Bailey** 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 slope, drainage and utility easements 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.

The GRANTORS bargain, sell, convey, transfer, and deliver unto CITY a temporary easement and right-of-way upon, across, and under so much of the aforesaid land as described as:

See attached Exhibit "A" Legal Description and attached Exhibit "B" Sketch for Legal Description.

It being understood that said temporary easement is only for the original excavation and construction of said utility line and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion herein before described as being a permanent easement.

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.

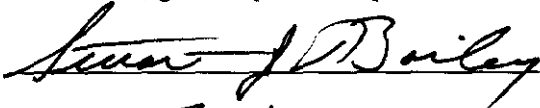
And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances (no exceptions) and that GRANTOR and their heirs and personal representatives shall 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 31 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.

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

Individuals, general partnerships



Signer's Name



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

Brett H. Bruckner  
Stuart J. Bailey  
and acknowledged the foregoing instrument  
to be his voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

WITNESS my hand and official seal.

Carl E. Long  
Notary's signature  
My Commission Expires: 1/7/04  
Stamp seal below



B & B  
14461 S. Glen Ave Rd S  
Oregon City, Oreg. 97045  
(Grantor's Name and Address)

**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 on the condition that the easement  
granted is free and clear from any taxes,  
liens, and encumbrances.

Mayor Alvin Jones

City Recorder  
Leilani Branson-Crelly

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

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary's signature  
My Commission Expires:  
Stamp seal below



DAVID EVANS  
AND ASSOCIATES INC.

**EXHIBIT "A"**

GLEN OAK ROAD, OREGON CITY  
CLACKAMAS COUNTY, OREGON  
CRG, DEA, INC., 12-19-02  
DEA JOB NO. ORCT0000-0013

COUNTY ROAD NO. 1448 & 881  
TAX MAP NO. 3 2E 09C 400

**PARCEL 1 (DEDICATION)**

A parcel of land situated in the Andrew Hood Donation Land Claim No 44, in the southwest quarter of Section 9, Township 3 south, Range 2 East, Willamette Meridian, Oregon City, Clackamas County, Oregon and being a portion of that property described in Warranty Deed to Brett H. Brucker and Stuart J. Baily in Records Fee No. 96-040557, recorded on June 6, 1996, Film Records of Clackamas County, Oregon, said parcel being that portion of land included in a strip of land 35.00 feet wide, lying on the northerly side of and parallel with the relocated centerline of Glen Oak Road, and being located between lines at right angles to said centerline at Engineer's Station 9+30 and 9+41, which centerline is described as follows:

Situated in the southwest quarter and southeast quarter of Section 9, and in the northwest quarter and northeast quarter of Section 16, also being in the Andrew Hood Donation Land Claim No. 44 and the Robert Caufield Donation Land Claim No. 53, all in Township 3 South, Range 2 East, Willamette Meridian, Oregon City, Clackamas County, Oregon, said centerline being more particularly described as follows:

Beginning at a point (referred to as Engineers Station 1+00.00) in the centerline of Cascade Hwy (State Hwy. 213) and Glen Oak Road which bears North 88° 15' 10" West, a distance of 1372.93 feet and South 01° 44' 50" West, a distance of 91.90 feet from the quarter corner common to Sections 9 and 16, Township 3 South, Range 2 East, Willamette Meridian being a found 1/2" iron pipe in a monument box; thence North 67° 46' 19" East, a distance of 99.61 feet (Station 1+99.61) to the beginning of a tangent 196.85 foot radius curve to the right; thence on said curve through a central angle of 23° 27' 51" (the long chord of which bears North 79° 30' 14" East, a distance of 80.05 feet) an arc distance of 80.62 feet to the end thereof (Station 2+80.23); thence South 88° 45' 50" East, a distance of 134.92 feet (Station 4+15.15) to the beginning of a tangent 492.13 foot curve to the left; thence on said curve through a central angle of 07° 48' 11" (the long chord of which bears North 87° 20' 04" East, a distance of 66.97 feet) an arc distance of 67.02 feet to the end thereof (Station 4+82.17); thence North 83° 25'



DAVID EVANS  
AND ASSOCIATES INC.

59" East, a distance of 158.52 (Station 6+40.69) feet to the beginning of a tangent 492.13 foot curve to the right; thence on said curve through a central angle of 08° 18' 52" (the long chord of which bears North 87° 35' 25" East, a distance of 71.35 feet) an arc distance of 71.41 feet to the end thereof (Station 7+12.10); thence South 88° 15' 10" East, a distance of 773.98 feet to said 1/2" iron pipe in a monument box, (Station 14+86.08), being the said quarter corner common to Sections 9 and 16; thence South 88° 26' 04" East, a distance of 2660.74 to a Found 3" brass cap in a monument box (Station 41+46.82), being the section corner common to Sections 9, 10, 15 and 16 of said township and range, and the terminus of this centerline description.

EXCEPT therefrom and that portion lying within the existing right-of-way of Glen Oak Road.

EXCEPT therefrom that portion lying within the existing right-of-way of Glen Oak Road.

The Parcel of land to which this description applies contains 75 square feet, more or less.

**PARCEL 2 (PERMANENT DRAINAGE, SLOPE AND PUBLIC UTILITY EASEMENT)**

A parcel of land situated in the Andrew Hood Donation Land Claim No 44, in the southwest quarter of Section 9, Township 3 south, Range 2 East, Willamette Meridian, Oregon City, Clackamas County, Oregon and being a portion of that property described in Warranty Deed to Brett H. Brucker and Stuart J Baily in Records Fee 96-040557, recorded on June 06, 1996, Film Records of Clackamas County, Oregon, said parcel being that portion of land included in a strip of land 65.00 feet wide, lying on the northerly side of and parallel with the relocated centerline of Glen Oak Road, and being located between lines at right angles to said centerline at Engineer's Station 9+30 and 11+20, which centerline is described in Parcel 1.

EXCEPT therefrom Parcel 1 and that portion lying within the existing right-of-way of Glen Oak Road.

The Parcel of land to which this description applies contains 7,710 square feet, more or less.

**PARCEL 3 (TEMPORARY CONSTRUCTION EASEMENT)**

A parcel of land situated in the Andrew Hood Donation Land Claim No 44, in the southwest quarter of Section 9, Township 3 south, Range 2 East, Willamette Meridian, Oregon City, Clackamas County, Oregon and being a portion of that property described in Warranty Deed to Brett H. Brucker and Stuart J Baily in Records Fee 96-040557,



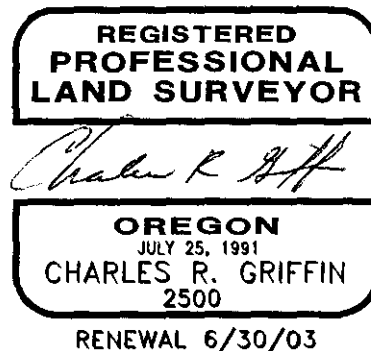
DAVID EVANS  
AND ASSOCIATES INC.

recorded on June 06, 1996, Film Records of Clackamas County, Oregon, said parcel being that portion of land included in a strip of land 85.00 feet wide, lying on the northerly side of and parallel with the relocated centerline of Glen Oak Road, and being located between lines at right angles to said centerline at Engineer's Station 9+30 and 11+20, which centerline is described in Parcel 1.

EXCEPT therefrom Parcel 1, 2 and that portion lying within the existing right-of-way of Glen Oak Road.

The Parcel of land to which this description applies contains 3,460 square feet, more or less.

The basis of bearing for this legal description is based on Survey Number 24286 and being South 88° 26' 04" East on the centerline of Glen Oak Road, also being the south line of said Section 9 as monumented and recorded in Clackamas County Survey Records, Clackamas County, Oregon.





T.L. 400 (3 2E 09C)  
BRETT H. BRUCKER  
STUART J. BAILY  
FEE NO. 96-40557  
14401 S. GLEN OAK RD.

T.L. 300 (3 2E 09C)  
ROSS D. & DUSTI L. KEITH  
FEE NO. 94-098555  
14433 S GLEN OAK RD.

STA 9+41  
35.00 L

9+00

10+00

85.00

20.00

11+00

12+00

GLEN OAK ROAD

T.L. 300 (3 2E 16B)  
STEVEN & CATILYN G. SPLONSKOWSKI  
FEE NO. 91-18493  
14422 S. GLEN OAK RD.

### LEGEND



RIGHT OF WAY DEDICATION = 75 SQ. FT. ±



SLOPE/UTILITY/DRAINAGE EASEMENT = 7,710 SQ. FT. ±



TEMPORARY CONSTRUCTION EASEMENT  
AREA = 3,460 SQ. FT. ±



**DAVID EVANS  
AND ASSOCIATES INC.**  
2100 Southwest River Parkway  
Portland Oregon 97201  
Phone: 503.223.6663

PROJECT

GLEN OAK ROAD (7)

SHEET

TITLE

EXHIBIT B

OREGON CITY

DWG. REF.

C-1

PROJECT

ORCT0000-0013

SCALE

1" = 50'

AMENDMENT NO.

0.0

DRAWN BY

LMCA

DESIGN BY

CRG

APPROVED BY

DATE

12-19-02

1