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AFTER RECORDING RETURN TO:

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



\$46.00

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06/06/2002 02:27:53 PM

D-E Cnt=1 Stn=1 DEBBIE  
\$25.00 \$11.00 \$10.00

Map No.: 3-2E-5C

Tax Lots: 806

Engineering No.: E-Misc02-03 (Red Soils, Lot 6)

Grantor: City of Oregon City  
(Brian Nakamura, City Manager)

## CITY OF OREGON CITY, OREGON PUBLIC UTILITY(S) & PEDESTRIAN ACCESS EASEMENT

KNOW ALL BY THESE PRESENTS, THAT City of Oregon City 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 Utilities and Pedestrian Access 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.

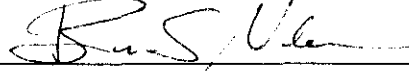
And the GRANTOR above named hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the above granted premises, free from all encumbrances (no exceptions) and that GRANTOR and their heirs and personal representatives shall 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 instrument this 23<sup>rd</sup> day of April, 2002; 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

  
City Manager  
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 )  
 ) ss.  
County of Clackamas )

On this 23rd day of April, 2002,  
before me, Vivian G. Finnegan, the  
undersigned Notary Public, personally appeared  
Brian S. Nakamura and  
acknowledged the foregoing instrument to be  
his/her voluntary act and deed.

NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-04  
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 John F. Williams, Jr.  
City Recorder Leilani Bronson-Crelly

**Corporate Acknowledgment**

STATE OF OREGON )  
 ) ss.  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
before me, \_\_\_\_\_, the  
undersigned Notary Public, personally appeared  
\_\_\_\_\_ and  
\_\_\_\_\_ who  
being duly sworn, each for himself/herself 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.

NOTARY PUBLIC FOR OREGON

My Commission Expires: \_\_\_\_\_  
Stamp seal below

## **EXHIBIT "A" – Legal Description**

An easement reserved for the purpose of installing and perpetually maintaining public utilities and pedestrian access to the site located in the Samuel N. Vanco D.L.C No. 51, in the Southwest  $\frac{1}{4}$  of Section 5, the Southeast  $\frac{1}{4}$  of Section 6, and the Northeast  $\frac{1}{4}$  of Section 7, and the Northwest  $\frac{1}{4}$  of Section 8, T3S, R2E, W.M., in the City of Oregon City, Clackamas County, Oregon, and being a part of Lot 6 of the duly recorded plat of "Red Soils" (#2980) and being more particularly described as follows:

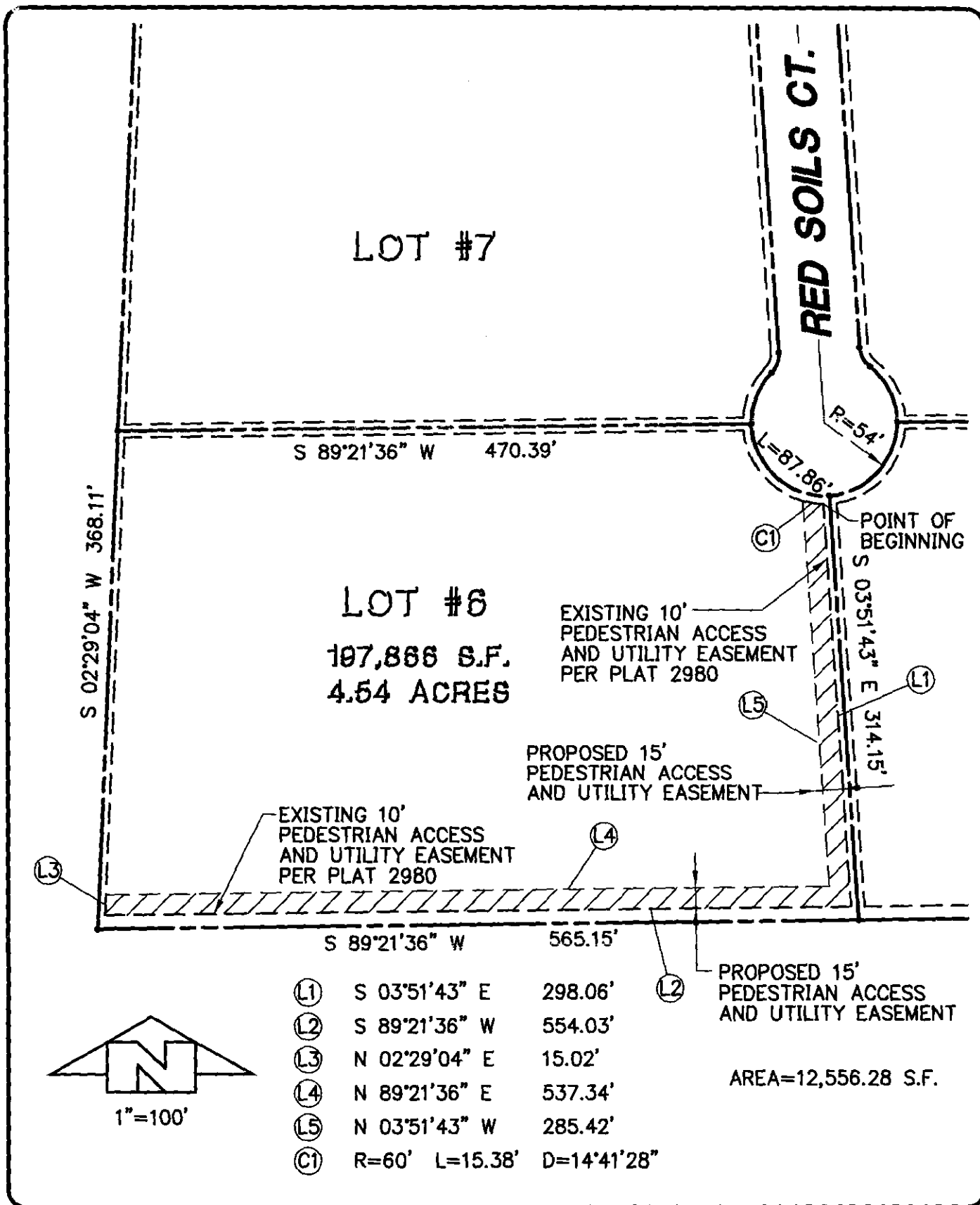
Beginning at the most easterly Northeast corner of Lot 6, said point being 54.00 feet from the center of the cul-de-sac on the right-of-way Red Soils Court; thence South  $03^{\circ}51'43''$  East along the easterly line of Lot 6, a distance of 5.79 feet; thence North  $86^{\circ}08'17''$  West, a distance of 5.00 feet to a point on the East line of an existing utility easement and the true point of beginning herein described.

Thence South  $03^{\circ}51'43''$  East, a distance of 298.06 feet, thence South  $89^{\circ}21'36''$  West, a distance of 554.03 feet, thence North  $02^{\circ}29'04''$  East, a distance of 15.02 feet, thence North  $89^{\circ}21'36''$  East, a distance of 537.34 feet, thence North  $03^{\circ}51'43''$  West, a distance of 285.42 feet, thence along the arc of a 60 foot radius curve to the left through a central angle of  $14^{\circ}41'28''$  and an arc length of 15.38 to the true point of beginning of the easement herein described.

The parcel of land to which this description applies contains 12,556.28 square feet more or less.

Said lines being elongated or shorted as needed to create easement shown on drawing Exhibit "B" - Pedestrian Easement.

Basis of bearing from duly recorded plat "Red Soils" (#2980), City of Oregon City, Clackamas County, Oregon.



OWNER:	<b>CITY OF OREGON CITY</b>	<b>LEE ENGINEERING, INC.</b> 1300 JOHN ADAMS ST. OREGON CITY, OR, 97045		
DWG TITLE:	<b>EXHIBIT 'B'</b> <b>PEDESTRIAN EASEMENT</b>	DATE: FEB 2002 FILE NO: OCL076	REVISED:	<b>DWG NO. 1</b>

P.U.E. (Public Utilities & Pedestrian  
Access)

3-2E-5C

TL 806

City of Oregon City

(E-Misc 02-03 (Red Soils, Lot 6))

[Doc. 2002-053526]

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ITEM # 8 #5

Env. 205