

CITY OF OREGON CITY, OREGON

ACCESS EASEMENT

File No.: TP 96-07
Map: 3 E 12AC
Tax Lot 7400

KNOW ALL MEN BY THESE PRESENTS, THAT Norton Wallace Properties, LLC, hereinafter called the GRANTOR, do(es) hereby grant unto the City of Oregon City, hereinafter called the GRANTEE, its successors in interest and assigns, a temporary easement for an Emergency Services Vehicle Turn around 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 GRANTEE, its successors in interest and assigns forever.

Said temporary easement shall be void and of no further force and effect at such time as the street known as Pine Place in the recorded subdivision plat known as Hazel Meadows is extended through to the street known as Pine Place in the recorded subdivision plat known as Hazel Grove V. The GRANTEE shall not be required to remove any improvements on said easement upon expiration. GRANTOR may remove or paint over striping upon expiration of said easement.

GRANTEE and other Emergency services vehicles of Grantees and other emergency service providers shall have the right to use the surface of the land exclusively for a vehicle turn around. Such land uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the subject easement area by the GRANTEE. No structures, parking, storage, or other improvements 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 GRANTEE.

The GRANTEE shall have all rights of ingress and egress to and from the real estate (including the right from time to time, except as hereinafter provided, to cut, trim, and remove trees, brush, overhanging branches and other obstructions) necessary for the GRANTEE's use, enjoyment, and operation of the easement hereby granted and all rights and privileges incident there to.

During the existence of this easement, maintenance of the easement and costs of repair of the easement, if damaged by natural disasters or other events for which all holders of an interest in the easement are blameless, shall be the responsibility of the GRANTEE.

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

GRANTOR hereby covenants to and with the GRANTEE, and GRANTEE'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 GRANTEE, 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 3 day of December 1998; 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.



Personal Acknowledgment

STATE OF OREGON)

County of _____)

ss.

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

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

Norton Wallace Properties, LLC.
17142 S. Redwood Lane
Oregon City, Oregon 97045

(Grantor's Name and Address)

City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045

(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
taxes, liens, and encumbrances.

John F. Williams, Jr.
Mayor

Glen K. Elliott
City Recorder

1-6-99



Corporate Acknowledgment

STATE OF OREGON)

County of CLATSOP)

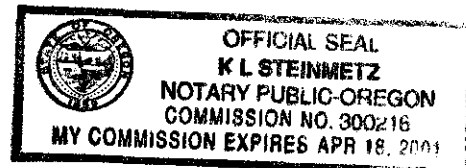
ss.

Personally appeared DARROW WALLACE 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 MEMBER SECRETARY of -
NORTON WALLACE PROPERTIES LLC
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

My Commission Expires: 4-18-2001



A TRACT OF LAND LOCATED WITHIN LOT 28 OF THE PLAT "HAZEL MEADOWS," CLACKAMAS COUNTY PLAT RECORDS, IN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY.

SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINING AT THE MOST EASTERLY CORNER OF SAID LOT 28; WHICH POINT IS MARKED BY A 5/8" X 30" IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "LAND TECH" AND IS LOCATED AT THE INTERSECTION OF PROPERTY LINE COMMON TO LOTS 27 AND 28 AND THE RIGHT-OF-WAY OF PINE PLACE;

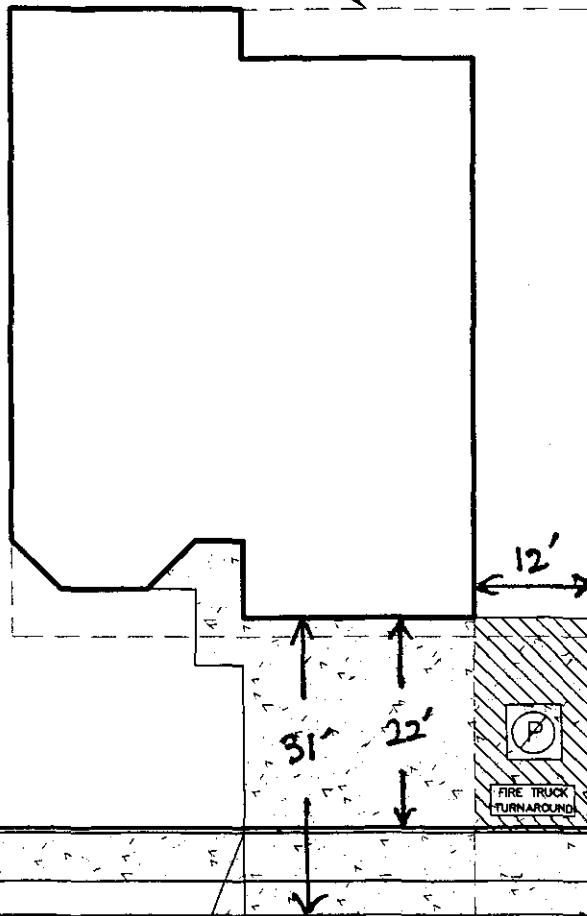
THENCE N 46° 43' 57" W, ALONG THE PROPERTY LINE COMMON TO LOTS 27 AND 28, 22.00 FEET TO A POINT;

THENCE S 43° 16' 03" W, 19.00 FEET TO A POINT;

THENCE S 46° 43' 57" E, 22.00 FEET TO A POINT;

THENCE N 43° 16' 03" E, ALONG THE RIGHT-OF-WAY OF PINE PLACE, 19.00 FEET TO THE POINT OF BEGINING.

BUILDING
SETBACK (TYP)



INSTALL THICKENED
DRIVEWAY SECTION,
6" THICK CONCRETE
W/ 6"x6" WELDED
WIRE REINFORCEMENT,
STRIPED AS SHOWN

NOTE:

STRIPING TO BE
REMOVED UPON
EXTENSION OF STREET.

1" = 20'



Trahan Consulting, Inc.

Construction Management • Planning • Design

1419 7th Street
Oregon City, OR 97045

Phone: (503) 557-4941
Fax: (503) 557-4832

HAZEL MEADOWS
NORTON-WALLACE LLC
OREGON CITY, OREGON

TEMPORARY TURNAROUND

DESIGN:	RPK	APPR:	DATE:	AUG 98	JOB NO.	9720	SHEET	1
DRAWN:	RPK	CHKD:						



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

January 6, 1999

Page 1 of 1

Subject: Temporary Turnaround Easement
Vacation for Lots 16 and 28, Hazel Meadows
Subdivision - Resolution No. 99-01 and
Access Easement Acceptances for Lots 16 and 28
For Emergency Services Vehicle Turnaround Easements

Report No. 99-06

When the Hazel Meadows Subdivision Plat was recorded, the owner granted a "temporary turnaround easement" on Hazel Meadows Lots 16 and 28 as required by the conditions of approval for the subdivision. This temporary turnaround easement was for the purpose of providing enough space for oversize vehicles, i.e., fire trucks, to turn around and covered the entire area of Lots 16 and 28.

Recently, the developer proposed reducing the size of the easement for the purpose of constructing homes on the lots. They also proposed that the "temporary turnaround easement" be rededicated as a temporary "emergency services vehicle turnaround" until such time as a through street is constructed. This proposal has been reviewed by staff and found to be acceptable.

To implement this change, on the January 6, 1999 agenda is proposed Resolution No. 99-01 (copy attached) which vacates the original "temporary turnaround easement" for Lots 16 and 28 of Hazel Meadows subdivision.

Also on the January 6, 1999 agenda are Access Easements (copies attached) for Commission acceptance to provide for a temporary "Emergency Services Vehicle Turnaround Easement" for a smaller portion of Lots 16 and 28 as depicted in diagrams with each easement.

It is recommended that the Commission accept the Access Easements for a temporary Emergency Services Vehicle Turnaround and authorize the Mayor and City Recorder to execute and adopt Resolution No. 99-01 to vacate the temporary turnaround easement that covered the entire Lots 16 and 28.

CHARLES LEESON
City Manager

JT:jke
Attach.
cc:

Engineering Manager
Norton Wallace Properties, LLC
File TP96-07

Access Easement

31E-12AC H 7400

DOC# 99-002760

Norton Wallace
Properties

TP 916-07

HAZEL MEADOWS LOT 28

pg 11 item
1006 / 4

Enr. 280