

After Recording Return To: City Recorder, City of Oregon City, 320 Warner Milne Road;
Oregon City, Oregon 97045

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT RS7 L.L.C. 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 a Fire Protection Waterline 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 any construction in this easement, 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 zero dollars (\$0.00), the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR above named hereby covenants to and with the GRANTEE(s), 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 personal representatives shall warrant and forever defend the said premises and every part thereof to the GRANTEE(s), 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 20th day of November, 1997; 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.

97-099074

Individuals,
general partnerships

Signer's Name

Signer's Name

(if executed by a corporation
affix corporate seal)

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: _____

(OFFICIAL SEAL)

Corporation
limited partnership

RS7 L.L.C.
Corporation/Partnership Name

[Signature] REGISTERED AGENT
Signer's Name, Title

Signer's Name, Title

Signer's Name, Title

Corporate Acknowledgment
STATE OF OREGON)
County of Clackamas) ss.

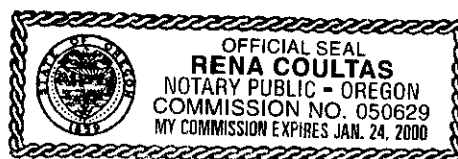
Personally appeared Terry Greenman, who
being duly sworn, each for himself and not one
for the other did say that the former is the
Registered Agent of RS7 L.L.C., a corporation,
and that the seal affixed to the foregoing
instrument was signed and sealed in behalf of said
corporation by authority of its board of directors;
and each of them acknowledged said instrument
to be its voluntary act and deed.

Before me:

[Signature]
NOTARY PUBLIC FOR OREGON

My Commission Expires: 1-24-2000

(OFFICIAL SEAL)



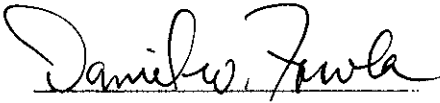
(Grantor's Name and Address)

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

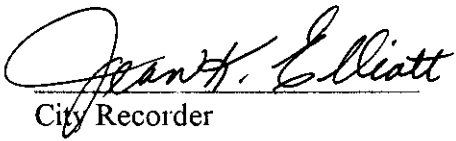
(Grantee's Name and Address)

Space reserved for County
Record's Office

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.



Mayor



City Recorder

12-3-97

Date

BUFORD ASSOCIATES, INC.

415 N. STATE STREET • P.O. BOX 1531 • LAKE OSWEGO, OREGON 97034 • PHONE (503) 635-3511

- consulting engineers
- land surveyors

Record No. L1556.174

September 1, 1997

Easement for Fire Protection Waterline
in Lot 7, RED SOILS
City of Oregon City, Clackamas County, Oregon

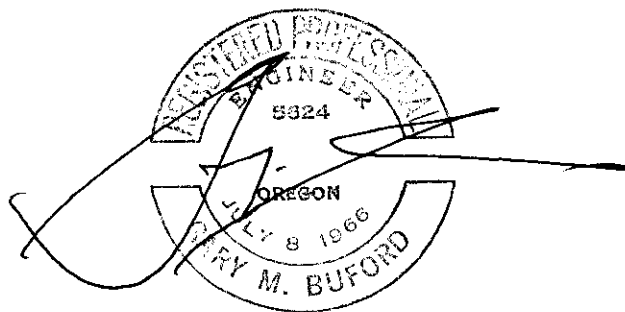
Two (2) fifteen (15.00) feet wide strips of land in Lot 7, RED SOILS situated in the Southwest one-quarter of Section 5, Township 3 South, Range 2 East of the Willamette Meridian, in the City of Oregon City, Clackamas County, Oregon, the center lines of which are more particularly described as follows, to-wit:

Strip A :

Beginning at the southwesterly corner of said Lot 7; thence North 89°21'36" East along the southerly line of said Lot 7 a distance of 61.91 feet; thence leaving said southerly line, North 00°38'24" West a distance of 15.00 feet to the TRUE POINT OF BEGINNING of the center line hereindescribed; thence North 00°38'24" West a distance of 256.46 feet; thence North 89°21'15" East a distance of 68.47 feet.

Strip B :

Beginning at the southwesterly corner of said Lot 7; thence North 89°21'36" East along the southerly line of said Lot 7 a distance of 61.91 feet; thence leaving said southerly line, North 00°38'24" West a distance of 23.84 feet to the TRUE POINT OF BEGINNING of the center line hereindescribed; thence North 89°21'15" East a distance of 68.46 feet.



Expires : December 31, 1997

STATE OF OREGON 97-099074
CLACKAMAS COUNTY

Received and placed in the public
records of Clackamas County

RECEIPT# AND FEE: 65138 \$30.00

DATE AND TIME: 12/18/97 01:57 PM
JOHN KAUFFMAN, COUNTY CLERK

4

B



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

December 3, 1997

Page 1 of 1

Subject: Public Utility Easement -
Red Soils, Lot 7 - Map 3-2E-5C, TL 807

Report No. 97-171

On the December 3, 1997 agenda is a Public Utility Easement (copy attached) for the construction, reconstruction, operation and maintenance of the "Fire Protection Water Line for the project "Red Soils Lot 7. This project was approved as Planning File SP97-06 and is described in Exhibits "A" and "B" (also attached). This easement was required as a condition of approval for this commercial development.

It is recommended that the Commission accept the easement and authorize the Mayor and City Recorder to execute.

CHARLES LEESON
City Manager

BC:jke

Attach.

cc:

Community Development Director
Jay Toll, Engineering Associate
Bob Cullison, City Engineer

PUBLIC UTILITY EASEMENT 3-2E-5C
(FIRE PROTECTION) T.L. 807

RED SOILS LOT 7
SP97-06

MAP 1412 #2
C. Co. # 97-099074

Env. 206