

741856

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT B.H.L.P. here inafter 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 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.

~~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 afor said land as described as:~~

~~See attached Exhibit "C" Legal Description and attached Exhibit "D" Sketch for Legal Description.~~

~~It being understood that said temporary easement is only for the original excavation and construction of said utility and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion hereinbefore 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 (except those of record)

PROJECT
EASEMENT TYPE

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 1 day of March, 1996.

Individuals,
general partnerships

Paul W. Ables

Signer's Name, Paul W. Ables, General Partner, BHLP

Signer's Name,

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

Personally appeared the above named Paul W. ABLES and
acknowledged the foregoing instrument to be
 voluntary act and deed.

Before me:

Colleen A. Argentine
31.1.96



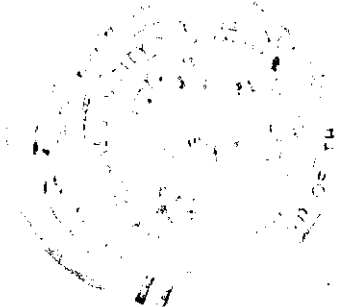
Berry Heights Limited Partnership
7831 S.E. Lake Rd. Suite 201
Portland, OR 97267
(Grantor's Name and Address)

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.

David W. Franklin
Mayor 3-6-96
Stan K. Elliott
City Recorder





WESTLAKE

CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

Phone: 503 684-0652

Fax: 503 624-0157

Waterline Easement
Berry Heights - Phase II
Project No: 531-04C-94
March 1, 1996

EASEMENT DESCRIPTION

An easement for purposes of installing and maintaining a waterline and any and all appurtenances thereto, over under and across a strip of real property having a width of 15.00 feet, measured at right angles to, and being 7.50 feet each side of the following described centerline:

Being a portion of Washington Williams Donation Land Claim Number 56, in the northwest one-quarter of Section 9, Township 3 South, Range 2 East of the Willamette Meridian, in the City of Oregon City, County of Clackamas, State of Oregon, also being a portion of that real property granted to Berry Heights Partnership, an Oregon Limited Partnership, in that document recorded as Fee Number 93-98858, Clackamas County Deed Records, said centerline being more particularly described as follows:

Commencing at the northeast corner of said document Fee Number 93-98858; thence, along the easterly line of said document Fee Number 93-98858, South $00^{\circ}04'45''$ West, 144.41 feet; thence leaving said easterly line, North $89^{\circ}55'15''$ West, 618.78 feet to the True Point of Beginning hereinafter called Point "A"; thence, North $85^{\circ}09'22''$ West, 5.94 feet; thence, South $85^{\circ}09'22''$ West, 2.50 feet to a point hereinafter called Point "B"; thence, South $85^{\circ}09'22''$ West, 134.00 feet to a point hereinafter called Point "C"; thence, South $85^{\circ}09'22''$ West, 100.34 feet to a point hereinafter called Point "D"; thence, North $85^{\circ}09'22''$ West, 52.93 feet; thence, North $67^{\circ}30'00''$ West, 17.37 feet; thence, South $24^{\circ}41'13''$ West, 19.71 feet to a point hereinafter called Point "E"; thence, South $24^{\circ}41'13''$ West, 187.21 feet to a point hereinafter called Point "F"; thence, South $24^{\circ}41'13''$ West, 13.68 feet; thence, South $04^{\circ}51'46''$ East, 10.17 feet to a point hereinafter called Point "G"; thence, South $04^{\circ}51'46''$ East, 137.48 feet; thence, North $85^{\circ}08'14''$ East, 34.54 feet to a point hereinafter called Point "H"; thence, North $85^{\circ}08'14''$ East, 16.27 feet to a point hereinafter called Point "J"; thence, North $85^{\circ}08'14''$ East, 91.07 feet to a point hereinafter called Point "K"; thence, North $85^{\circ}08'14''$ East, 8.14 feet to a point hereinafter called Point "L"; thence, South $85^{\circ}10'30''$ East, 99.72 feet to a point hereinafter called Point "M"; thence, South $85^{\circ}10'30''$ East, 134.24 feet to a point hereinafter called Point "N"; thence, South $85^{\circ}10'30''$ East, 3.56 feet to a point hereinafter called Point "P" to the point of termination of this centerline.

Also included herewith a centerline beginning at aforementioned Point "B" and running thence, South $04^{\circ}50'38''$ East, 21.58 feet.

Also included herewith a centerline beginning at aforementioned Point "C" and running thence, North $04^{\circ}50'38''$ West, 33.06 feet.

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Waterline Easement
Berry Heights
Project No: 531-04C-94

Also included herewith a centerline beginning at aforementioned Point "D" and running thence, North 02°05'06" West, 28.40 feet.

Also included herewith a centerline beginning at aforementioned Point "D" and running thence, South 03°00'5" West, 20.33 feet.

Also included herewith a centerline beginning at aforementioned Point "E" and running thence, South 65°18'47" East, 22.07 feet.

Also included herewith a centerline beginning at aforementioned Point "F" and running thence, South 65°18'47" East, 20.09 feet; thence, South 08°01'24" West, 12.53 feet; thence, South 85°08'14" West, 21.32 feet to aforementioned Point "G".

Also included herewith a centerline beginning at aforementioned Point "H" and running thence, North 04°51'46" West, 23.50 feet.

Also included herewith a centerline beginning at aforementioned Point "J" and running thence, South 04°51'46" West, 44.00 feet.

Also included herewith a centerline beginning at aforementioned Point "K" and running thence, South 04°51'46" East, 22.50 feet; thence, South 43°17'14" East, 16.00 feet.

Also included herewith a centerline beginning at aforementioned Point "L" and running thence, North 04°51'46" West, 12.00 feet; thence, North 47°22'51" East, 10.50 feet.

Also included herewith a centerline beginning at aforementioned Point "M" and running thence, South 04°49'30" West, 19.50 feet, thence, South 85°10'30" East, 14.00 feet.

Also included herewith a centerline beginning at aforementioned Point "N" and running thence, North 10°15'49" East, 21.60 feet.

Also included herewith a centerline beginning at aforementioned Point "P" and running thence, South 05°29'48" East, 30.80 feet.

53104C.ld

STATE OF OREGON 96-021849
CLACKAMAS COUNTY
Received and placed in the public
records of Clackamas County
RECEIPT# AND FEE: 33780 \$20.00
DATE AND TIME: 03/28/96 02:41 PM
JOHN KAUFFMAN, COUNTY CLERK

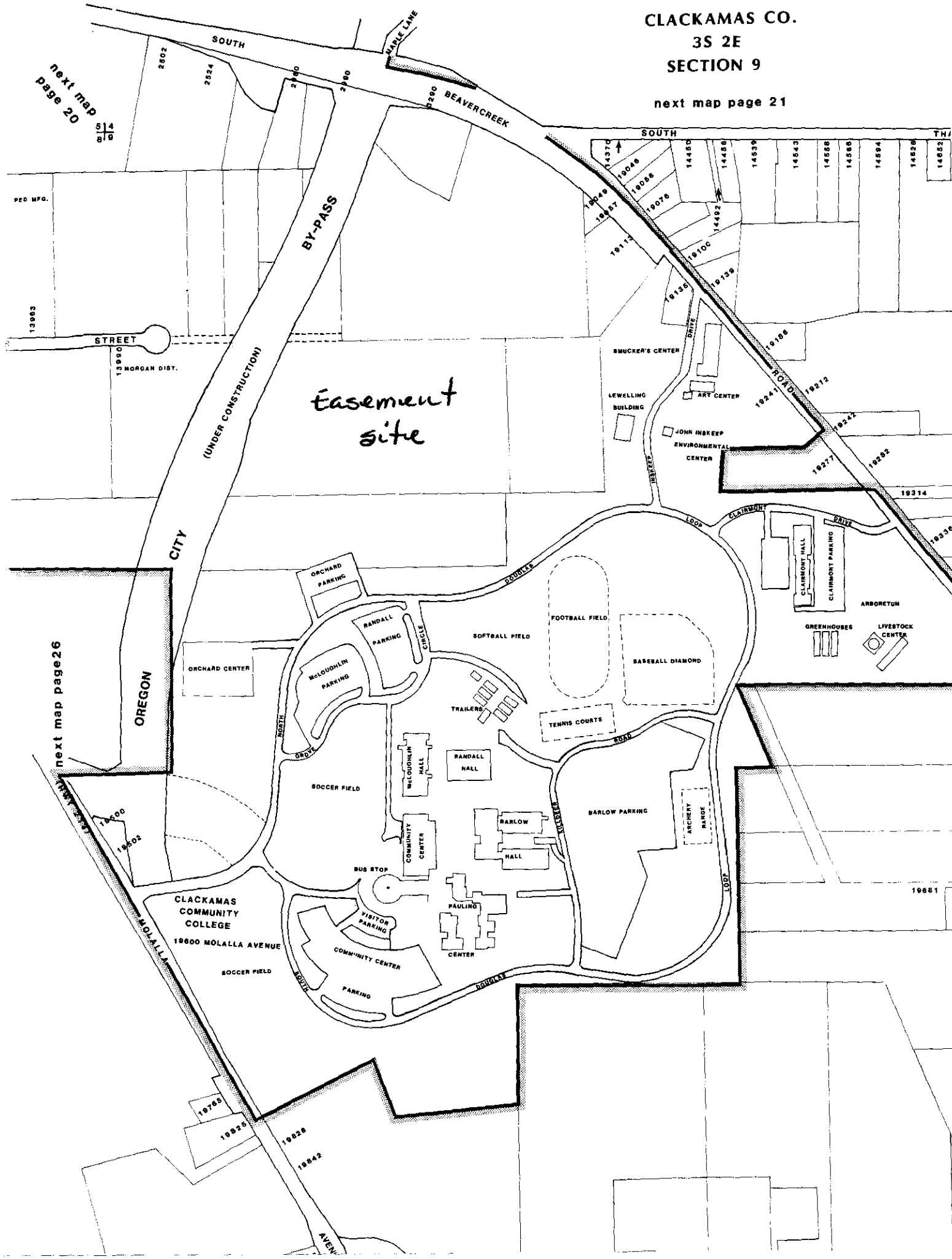
III

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CLACKAMAS CO.
3S 2E
SECTION 9

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Easement
site

(UNDER CONSTRUCTION)

next map page 26

OREGON

CLACKAMAS
COMMUNITY
COLLEGE
19860 MOLALLA AVENUE

STREET
13990
13983
MORGAN DIST.

19600
19602
19769
19826
19828
19842

14370
14376
14450
14458
14539
14643
14658
14680
14894
14828
14852

19040
19046
19076
19113
19150
19159
19188
19212
19242
19277
19282
19314
19336

BUCKER'S CENTER
LEWELLING BUILDING
JOHN INKKEP ENVIRONMENTAL CENTER
ART CENTER
19241

CLARIMONT DRIVE
CLARIMONT DRIVE
CLARIMONT DRIVE
CLARIMONT DRIVE
ARBORETUM
GREENHOUSES
LIVESTOCK CENTER

ORCHARD CENTER
ORCHARD PARKING
RANDALL PARKING
MCCLOUGHLIN PARKING
SOCCER FIELD
TRAILERS
TENNIS COURTS
BARLOW PARKING
ARCHERY RANGE

SOCCER FIELD
FOOTBALL FIELD
BASEBALL DIAMOND

McCLOUGHLIN HALL
RANDALL HALL
BARLOW HALL
COMMUNITY CENTER
PAULING CENTER
BUS STOP
VISITOR PARKING
COMMUNITY CENTER
PARKING

19681

Public Utility Easement

3-2E-9B

TL 1506



(purple)

B. H. L. P

Benny Heights
ph I + II

DOG# 96-021848

96-021849

Pg	Item
1514	4

Env. 48