

20
After Recording Return to: Oregon City Recorder, 320 Warner Milne Road, Oregon City, OR 97045

CITY OF OREGON CITY, OREGON

PUBLIC SIDEWALK EASEMENT
NEWELL CREST

KNOW ALL MEN BY THESE PRESENTS, THAT DAWN R. & GREG DRIVER Owner of Lot 3 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 sidewalk 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 \$ ONE DOLLAR 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

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 25th day of Aug, 1994; 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.

Individuals,
General Partnerships

Owner

Owner

Personal Acknowledgment

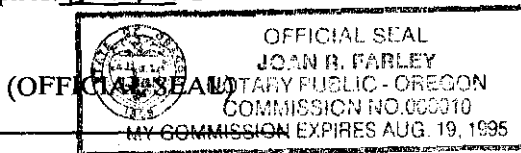
STATE OF OREGON)
County of Clackamas ss.

Personally appeared the above named Greg Driver
and Dawn Driver and acknowledged the foregoing
instrument to be their voluntary act and deed.

Before me:

Joan R. Farley
NOTARY PUBLIC FOR OREGON

My Commission Expires: 8-19-95



(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.

Mayor

City Recorder

(OFFICIAL SEAL)

2-1-95



Corporation
limited partnership

Corporation/Partnership Name

Signer's Name, Title

Signer's Name, Title

(if executed by a corporation
affix corporate seal)

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

My Commission Expires: _____

(OFFICIAL SEAL)

Space reserved for County
Recorder's Office

NEWELL CREST
MAP 3-2E-5AB, LOT 3500

EASEMENT DESCRIPTION FOR
SIDEWALK CONSTRUCTION
LOT 3 "BARCLAY HILLS NO. 5"
FOR LLOYD FARLEY

92-3080
5/11/94 MAR

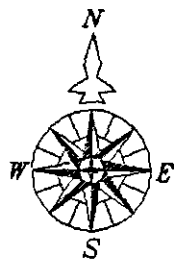
EXHIBIT "A"

A strip of land situated in the NE 1/4 Section 5, T. 3 S., R. 2 E., W.M., City of Oregon City, Clackamas County, Oregon being a portion of Lot 3 "Barclay Hills No. 5", a subdivision plat of record (No. 2516, Book 81, page 28) in said Clackamas County, described as follows:

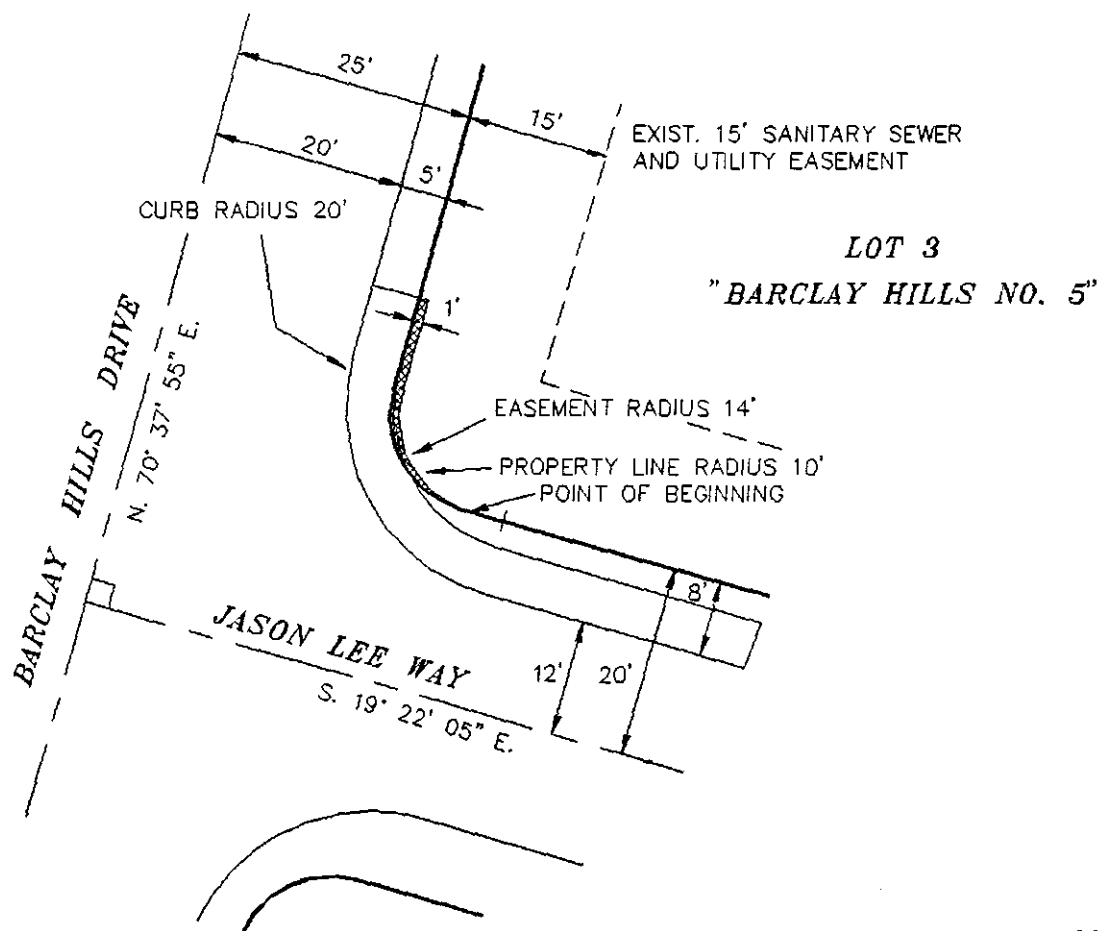
Commencing at the S.W. corner of Lot 3 "Barclay Hills No. 5"; thence along the boundary of said Lot 3 the following courses; thence N. 19° 22' 05" W., 47.00 feet; thence 2.91 feet along the arc of a 10.00 foot radius curve, concave to the southeast, through a central angle of 16° 40' 00" (the long chord bears N. 11° 02' 05" W., 2.90 feet) to the true point-of-beginning; thence from said true point-of-beginning the strip to be described continues 12.80 feet along the arc of a 10.00 foot radius curve, concave to the southeast, through a central angle of 73° 20' 00" (the long chord bears N. 33° 57' 55" E., 11.94 feet); thence N. 70° 37' 55" E., 8.00 feet; thence leaving the northerly line of said Lot 3, S. 19° 22' 05" E., 1.00 feet; thence S. 70° 37' 55" W., 6.00 feet; thence 13.64 feet along the arc of 14.00 foot radius curve, concave to the southeast, through a central angle of 55° 48' 20" (the long chord bears S. 42° 43' 45" W., 13.10 feet) to the point-of-beginning, containing 21 square feet, more or less.

NEWELL CREST

SIDEWALK EASEMENT



SCALE: 1" = 20'



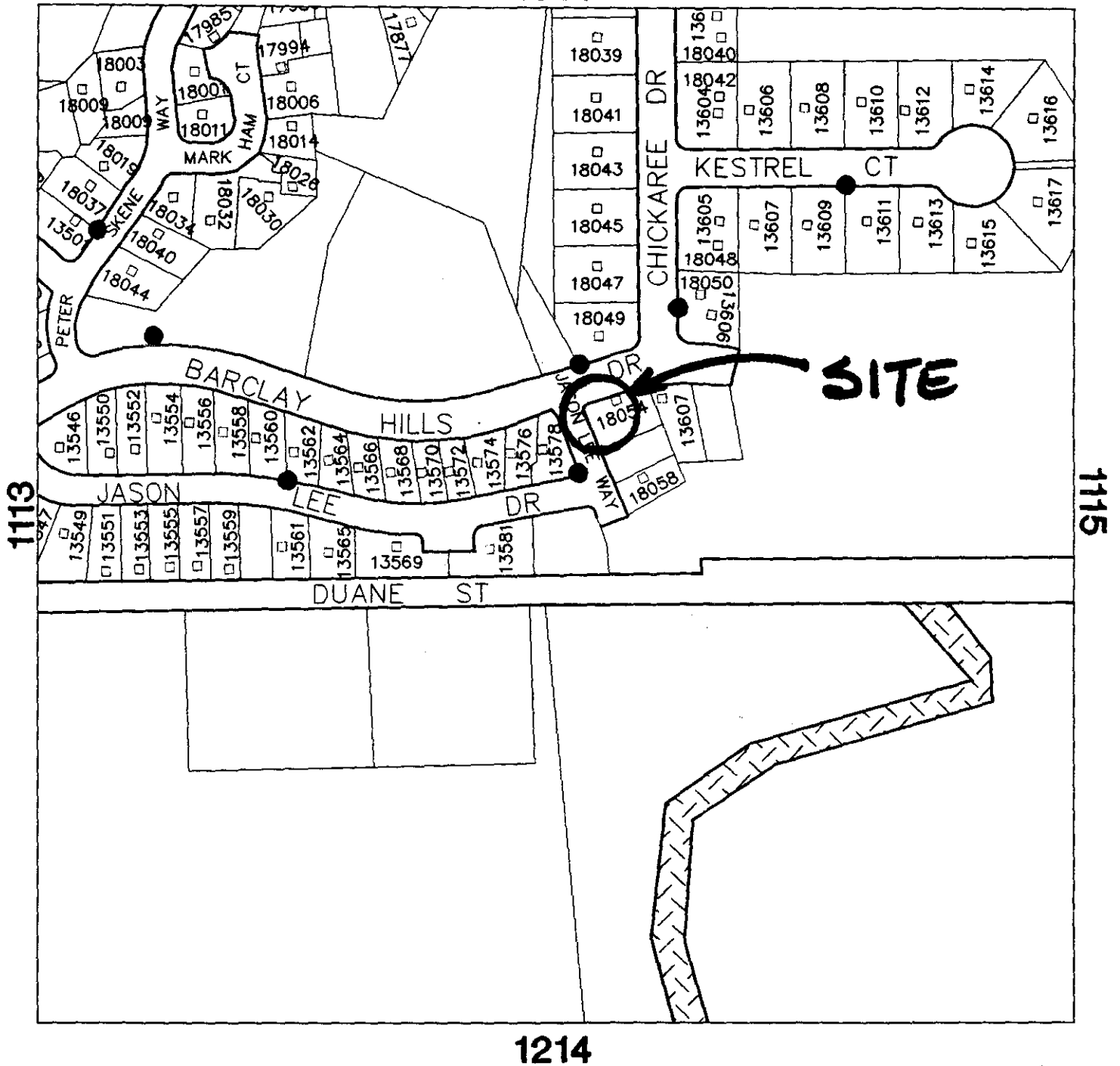
STATE OF OREGON 95-009999
 CLACKAMAS COUNTY
 Received and placed in the public
 records of Clackamas County
 RECEIPT# AND FEE: 15480 \$20.00
 DATE AND TIME: 02/22/95 10:40 AM
 JOHN KAUFFMAN, COUNTY CLERK

COMPASS CORPORATION
 6564 S.E. LAKE ROAD
 MILWAUKIE, OREGON 97222
 PHONE: 653-9093
 JOB NO. 92-3080
 (SDWK-EAE.DWG)

4

1114

1014



NOTES: Last update: November 22, 1994

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MAP 'D'



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED
February 1, 1995

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Page

Subject: Miscellaneous Easement Acceptance

Report No. 95-~~5~~
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On the February 1, 1995 Commission agenda are several easements for construction of public works improvements required for the completion of various private development projects. They are as follows:

STORM DRAIN:

- A. Castleberry Park/Gerber Woods offsite, TP92-08.
 - Townsend 3-2E-8DC Taxlot 100
 - Wiser 3-2E-8DC Taxlot 200
- B. Fairway Downs, TP92-09
 - Ratigan 3-2E-16A Taxlot 101

SIDEWALK:

- C. Brendon Estates, TP91-05
 - Wallachy 3-2E-17A Taxlot 510
- D. Newell Crest, TP92-01
 - Driver 3-2E-5AB Taxlot 3500

Vicinity maps A - D and the easement documents are attached for Commission review.

It is recommended the City Commission adopt a motion accepting the easements and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON
City Manager

NR/

cc: Rich Carson, Community Development Director
Neal Robinson, Senior Engineer

[B:\WPBAKUP\SDSW-EAS.RPT]

SIDEWALK EASEMENT 1995

3-2E-SAB TL 3500

NEWELL CREST

DOC# 95-009999

(purple)

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Env. 113