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35- After Recording Return to: Oregon City Recorder, 320 Warner Milne Road, Oregon City, OR 97045 30

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT P.B.B.H Development Company, Limited Partnership 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 storm drainage facilities 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 (except encumbrances of record)

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 5th day of April, 1993.

Individuals,
general partnerships

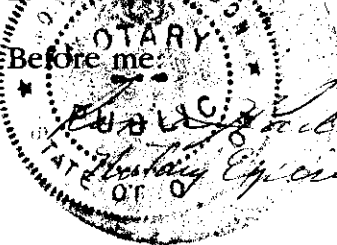
+ Vladimir Baricevic
Signer's Name

Signer's Name

Personal Acknowledgment
STATE OF OREGON)

County of Clackamas) ss.

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



P.B.B.H. Development
c/o Franklin Piacentini
1034 S. W. Myrtle Drive
Portland, Oregon 97201
(Grantor's Name and Address)

City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045
(Grantee's Name and Address)

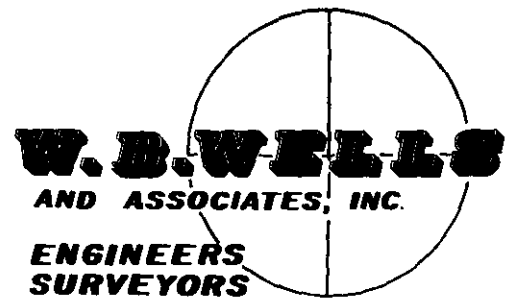
Accepted on behalf of the City of Oregon City on
the condition that the easement granted is free
and clear from taxes, liens and encumbrances.

Daniel W. Fawcett
Mayor
James F. Elliott
City Recorder



EXHIBIT "A"

W.B.WELLS & ASSOC., INC.-J.N.91-118
MEYERS ROAD APARTMENTS
STORM DRAIN EASEMENT
MARCH 12, 1993



AN EASEMENT FOR STORM DRAIN PURPOSES LOCATED IN AND THROUGH THAT TRACT OF LAND DESCRIBED AND CONVEYED TO P.B.B.H. DEVELOPMENT COMPANY LIMITED PARTNERSHIP, AN OREGON LIMITED PARTNERSHIP IN FEE NO. 92-50937, CLACKAMAS COUNTY DEED RECORDS, SITUATED IN THE ROBERT CAUFIELD D.L.C. NO. 53, IN THE SOUTHEAST ONE-QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF OREGON CITY, COUNTY OF CLACKAMAS AND THE STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF THE SAMUEL VANCE DONATION LAND CLAIM NO. 51, WHICH IS ALSO THE WEST LINE OF THE ROBERT CAUFIELD DONATION LAND CLAIM NO. 53, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF MEYERS ROAD AS DEDICATED BY DEED RECORDED IN FEE NO. 91-49925 SAID DEED RECORDS AND BEARS, N.17°55'00"E., A DISTANCE OF 414.29 FEET FROM THE MOST SOUTHERLY CORNER OF SAID SAMUEL VANCE D.L.C. NO. 51; THENCE N.76°09'54"E., A DISTANCE OF 1305.01 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF MEYERS ROAD AND WESTERLY LINE OF SAID P.B.B.H. DEVELOPMENT TRACT AND ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE FOLLOWING COURSES AND DISTANCES:

1. THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S.74°45'25"W., A DISTANCE OF 48.06 FEET; THENCE
2. TO THE BEGINNING OF A 600 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 9°01'06" (CHORD BEARS S.79°15'58"W., A DISTANCE OF 94.34 FEET) AN ARC DISTANCE OF 94.44 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE
3. N.23°34'51"W., A DISTANCE OF 173.52 FEET; THENCE
4. N.19°30'22"W., A DISTANCE OF 149.37 FEET; THENCE
5. N.3°38'02"E., A DISTANCE OF 97.22 FEET; THENCE
6. N.35°07'25"W., A DISTANCE OF 49.78 FEET; THENCE
7. S.88°33'59"W., A DISTANCE OF 28.97 FEET; THENCE
8. N.1°26'00"W., A DISTANCE OF 10.75 FEET; THENCE
9. N.74°45'25"E., A DISTANCE OF 57.24 FEET; THENCE
10. N.15°00'28"W., A DISTANCE OF 103.50 FEET; THENCE
11. S.74°45'25"W., A DISTANCE OF 20.43 FEET; THENCE

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PAGE 2 OF 4 - STORM DRAIN EASEMENT

12. S.62°13'53"W., A DISTANCE OF 23.05; THENCE
13. S.74°45'25"W., A DISTANCE OF 27.25 FEET; THENCE
14. S.68°15'14"W., A DISTANCE OF 47.71 FEET; THENCE
15. S.88°34'01"W., A DISTANCE OF 48.74 FEET; THENCE
16. S.64°30'12"W., A DISTANCE OF 20.95 FEET; THENCE
17. ALONG A 25 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 65°56'12" (CHORD BEARS S.31°32'06"W., A DISTANCE OF 27.21 FEET) AN ARC DISTANCE OF 28.77 FEET; THENCE
18. S.1°26'00"E., A DISTANCE OF 180.08 FEET; THENCE
19. N.15°14'35"W., A DISTANCE OF 182.79 FEET; THENCE
20. ALONG A 25 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 57°59'41" (CHORD BEARS N.44°14'25"W., A DISTANCE OF 24.24 FEET) AN ARC DISTANCE OF 25.30 FEET; THENCE
21. N.73°14'16"W., A DISTANCE OF 27.31 FEET; THENCE
22. S.77°58'27"W., A DISTANCE OF 37.62 FEET; THENCE
23. S.53°28'40"W., A DISTANCE OF 36.19 FEET; THENCE
24. S.61°33'37"W., A DISTANCE OF 65.61 FEET; THENCE
25. N.28°26'23"W., A DISTANCE OF 16.00 FEET; THENCE
26. N.61°33'37"E., A DISTANCE OF 71.59 FEET; THENCE
27. N.53°28'40"E., A DISTANCE OF 31.27 FEET; THENCE
28. N.77°58'27"E., A DISTANCE OF 44.73 FEET; THENCE
29. S.73°14'16"E., A DISTANCE OF 37.55 FEET; THENCE
30. N.74°45'25"E., A DISTANCE OF 162.98 FEET; THENCE
31. N.15°18'27"W., A DISTANCE OF 40.34 FEET; THENCE
32. N.74°41'33"E., A DISTANCE OF 24.34 FEET; THENCE
33. N.23°07'16"W., A DISTANCE OF 94.77 FEET; THENCE
34. N.15°14'35"W., A DISTANCE OF 69.90 FEET; THENCE
35. N.41°15'55"W., A DISTANCE OF 48.33 FEET; THENCE

36. N.76°04'44"E., A DISTANCE OF 16.89 FEET; THENCE
37. S.41°15'55"E., A DISTANCE OF 44.03 FEET; THENCE
38. S.15°14'35"E., A DISTANCE OF 72.33 FEET; THENCE
39. S.23°07'16"E., A DISTANCE OF 95.79 FEET; THENCE
40. N.74°41'33"E., A DISTANCE OF 51.99 FEET; THENCE
41. N.66°32'06"E., A DISTANCE OF 31.86 FEET; THENCE
42. N.74°45'25"E., A DISTANCE OF 53.07 FEET; THENCE
43. N.13°56'14"E., A DISTANCE OF 142.80 FEET; THENCE
44. N.15°14'35"W., A DISTANCE OF 49.80 FEET; THENCE
45. N.56°55'43"E., A DISTANCE OF 42.05 FEET; THENCE
46. N.78°03'20"E., A DISTANCE OF 72.20 FEET; THENCE
47. S.40°48'05"E., A DISTANCE OF 31.18 FEET; THENCE
48. S.16°33'22"E., A DISTANCE OF 19.53 FEET; THENCE
49. N.87°24'57"W., A DISTANCE OF 27.03 FEET; THENCE
50. S.71°46'56"W., A DISTANCE OF 37.86 FEET; THENCE
51. S.2°35'03"W., A DISTANCE OF 20.51 FEET; THENCE
52. S.13°08'17"W., A DISTANCE OF 62.31 FEET; THENCE
53. N.87°24'57"W., A DISTANCE OF 36.80 FEET; THENCE
54. S.13°56'14"W., A DISTANCE OF 97.53 FEET; THENCE
55. S.3°11'31"E., A DISTANCE OF 27.96 FEET; THENCE
56. S.2°35'03"W., A DISTANCE OF 20.15 FEET; THENCE
57. S.2°38'35"E., A DISTANCE OF 32.59 FEET; THENCE
58. ALONG A 9.50 FOOT RADIUS CURVE, THROUGH A CENTRAL
ANGLE OF 77°17'42" (CHORD BEARS S.41°07'54"W., A DISTANCE
OF 11.85 FEET) AN ARC DISTANCE OF 12.82 FEET; THENCE
NON-TANGENT
59. N.15°14'35"W., A DISTANCE OF 16.89 FEET; THENCE
60. N.87°34'24"W., A DISTANCE OF 39.78 FEET; THENCE

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PAGE 4 OF 4 - STORM DRAIN EASEMENT

61. S.74°45'25"W., A DISTANCE OF 17.02 FEET; THENCE

62. S.15°00'28"E., A DISTANCE OF 103.50 FEET; THENCE

63. N.74°45'25"E., A DISTANCE OF 46.45 FEET TO THE
EASTERLY LINE OF SAID P.B.B.H. DEVELOPMENT TRACT; THENCE
ALONG SAID EASTERLY LINE THE FOLLOWING COURSES AND
DISTANCES

64. S.15°24'35"E., A DISTANCE OF 31.71 FEET; THENCE

65. S.0°13'00"W., A DISTANCE OF 59.91 FEET; THENCE

66. S.22°37'36"E., A DISTANCE OF 60.81 FEET; THENCE

67. S.12°19'18"E., A DISTANCE OF 38.38 FEET; THENCE

68. S.15°59'52"E., A DISTANCE OF 137.47 FEET; THENCE

69. S.48°36'11"E., A DISTANCE OF 94.22 FEET; THENCE

70. S.29°21'38"E., A DISTANCE OF 82.47 FEET TO THE POINT
OF BEGINNING.

CONTAINING 2.049 ACRES MORE OR LESS.



David W. Mills

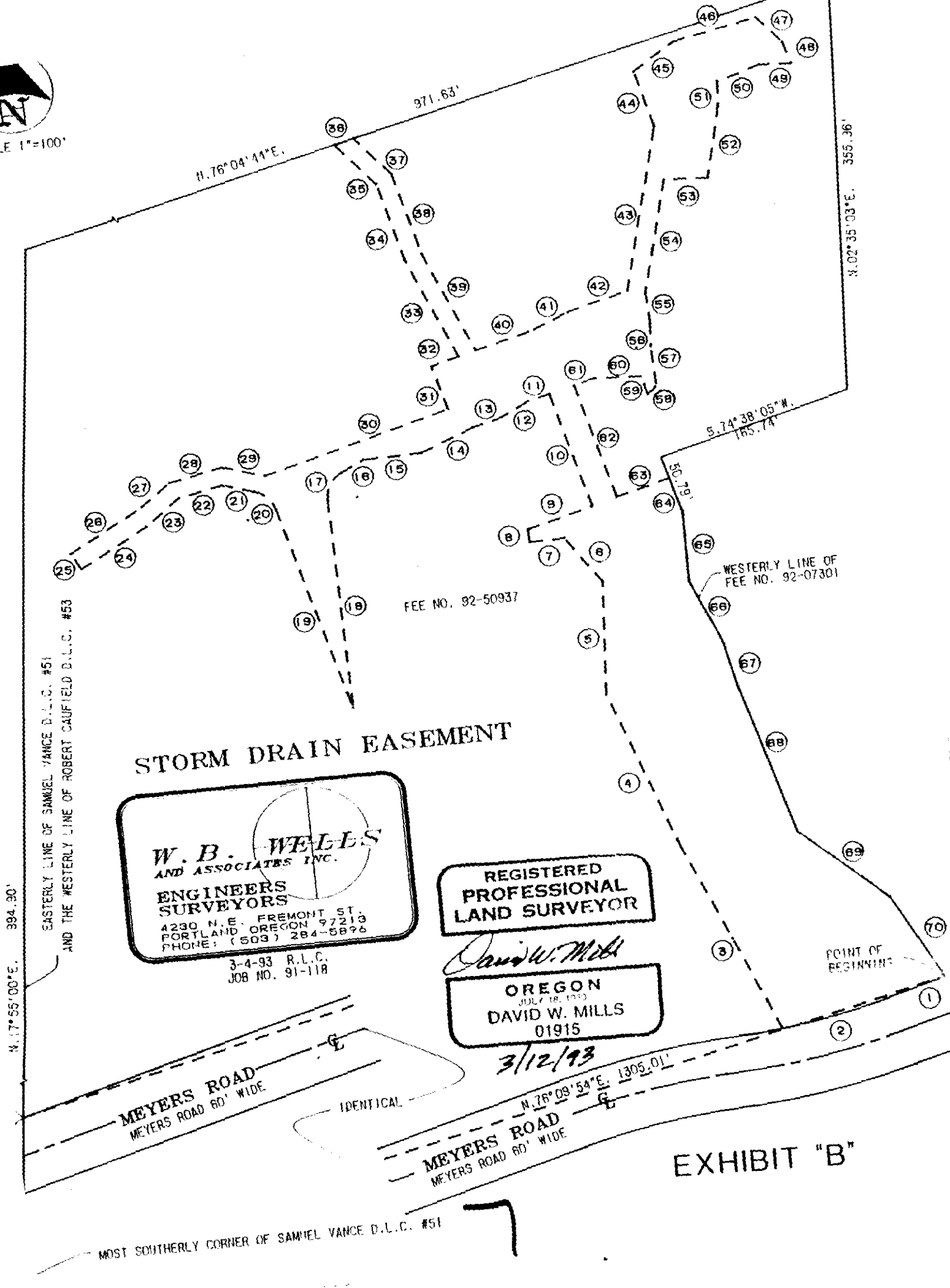


3/12/93

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SCALE 1"=100'



STORM DRAIN EASEMENT

W. B. WELLS
AND ASSOCIATES INC.
ENGINEERS
SURVEYORS
4230 N.E. FREMONT ST.
PORTLAND, OREGON 97213
PHONE: (503) 284-5896
3-4-93 R.L.C.
JOB NO. 91-118

REGISTERED
PROFESSIONAL
LAND SURVEYOR

David W. Mills

OREGON
JULY 18, 1993
DAVID W. MILLS
01915

3/12/93

MEYERS ROAD
MEYERS ROAD 60' WIDE

IDENTICAL

MEYERS ROAD
MEYERS ROAD 60' WIDE

EXHIBIT "B"

MOST SOUTHERLY CORNER OF SAMUEL VANCE D.L.C. #51

SCALE 1"=100'

EXHIBIT "B"

N. 76° 04' 44" E.

971.83'

15' WIDE SEWER EASEMENT

7.5'

7.5'

N. 0° 18' 52" E. 197.76'

POINT OF BEGINNING

58.00'

165.74'
S. 74° 38' 05" W.

N.W. COR. FEE NO. 84-25181

FEE NO. 92-50937

N. 53° 57' 41" E. 1327.31'

SANITARY SEWER EASEMENT

EASTERLY LINE OF SAMUEL VANCE D.L.C. #51
AND THE WESTERLY LINE OF ROBERT CAUFIELD D.L.C. #53

W.B. WELLS
AND ASSOCIATES INC.
ENGINEERS
SURVEYORS
4290 N.E. FREMONT ST.
PORTLAND, OREGON 97213
PHONE: (503) 284-5896
3-4-93 R.L.C.
JOB NO. 91-118

REGISTERED
PROFESSIONAL
LAND SURVEYOR

David W. Mills
OREGON
JULY 16, 1960
DAVID W. MILLS
01915
3/12/93

IDENTICAL

MEYERS ROAD
MEYERS ROAD 60' WIDE

MEYERS ROAD
MEYERS ROAD 60' WIDE

SOUTHERLY CORNER OF SAMUEL VANCE D.L.C. #51



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

June 2, 1993

Page

1 of 1

Subject: Public Utility Easement Acceptance
Water Line Improvement; Storm Drainage Facilities;
Public Utilities, and Sanitary Sewer
SP92-09, Meyers Road Apartments

Report No. 93-117

On the June 2, 1993 City Commission agenda are 4 Public Utility Easements for water line improvement; storm drainage facilities, public utilities and sanitary sewer for Commission acceptance. These easements were required by the City for development of the Meyers Road Apartment Project by the P.B.B.H. Development Company. The easement documents are attached for Commission review.

It is recommended that the City Commission adopt a motion to accept the easement documents, and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON
City Manager

attach.

cc - John Hawthorne, Civil Engineer
- Vlado D. Baricevic, West Portland Construction, Inc.