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

CITY OF OREGON CITY, OREGON

PUBLIC UTILITY(S) EASEMENT

10-
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 a sanitary sewer 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.

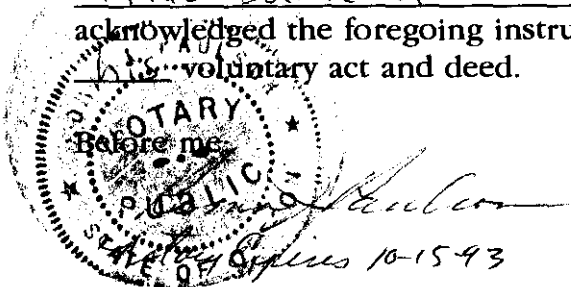
Individuals,
general partnerships

X Vlado Baricevic
Signer's Name

Signer's Name

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

Personally appeared the above named _____
Vlado Baricevic a n d
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)

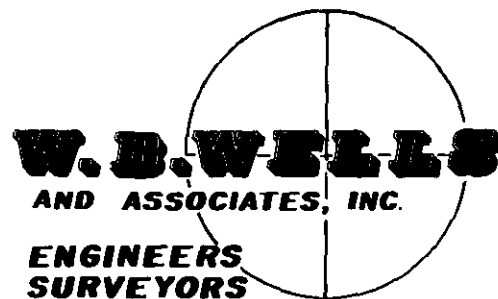
City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045
(Grantee's Name and Address)

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. Fowle
Mayor
Alan K. Elliott
City Recorder
6-2-93



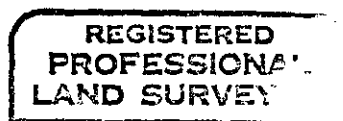
EXHIBIT "A"



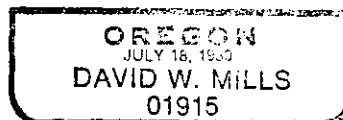
W.B.WELLS & ASSOC., INC.-J.N.91-118
MEYERS ROAD APARTMENTS
SEWER EASEMENT
MARCH 12, 1993

A SEWER EASEMENT, 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, SAID EASEMENT BEING FIFTEEN (15) FEET IN WIDTH AND LOCATED 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED AND CONVEYED TO PRINCE OF LIFE LUTHERAN CHURCH OF OREGON CITY, AN OREGON CORPORATION IN FEE NO. 84-25181, RECORDS OF CLACKAMAS COUNTY; SAID POINT BEARS N.53°57'41"E., A DISTANCE OF 1327.31 FEET FROM A POINT ON THE EAST LINE OF THE SAMUEL VANCE DONATION LAND CLAIM NO. 51, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF MEYERS ROAD AS DEDICATED BY DEED RECORDED IN FEE NO. 91-49925; THENCE ALONG SAID NORTHERLY LINE N.74°38'05"E., A DISTANCE OF 58.00 FEET TO THE POINT OF BEGINNING OF THE SAID CENTERLINE; THENCE ALONG SAID CENTERLINE N.0°18'52"E., A DISTANCE OF 197.76 FEET; THENCE N.05°45'20"E., A DISTANCE OF 161.77 FEET TO THE NORTHERLY LINE OF SAID TRACT, SAID POINT LIES S.76°04'44"W., A DISTANCE OF 105.74 FEET FROM THE NORTHEAST CORNER OF SAID TRACT, SAID POINT ALSO BEING THE TERMINUS OF THIS EASEMENT, THE SIDE LINES OF SAID 15 FOOT WIDE EASEMENT ARE TO BE EXTENDED OR SHORTENED TO TERMINATE AT THE SOUTHERLY AND NORTHERLY LINES OF SAID TRACT.



David W. Mills



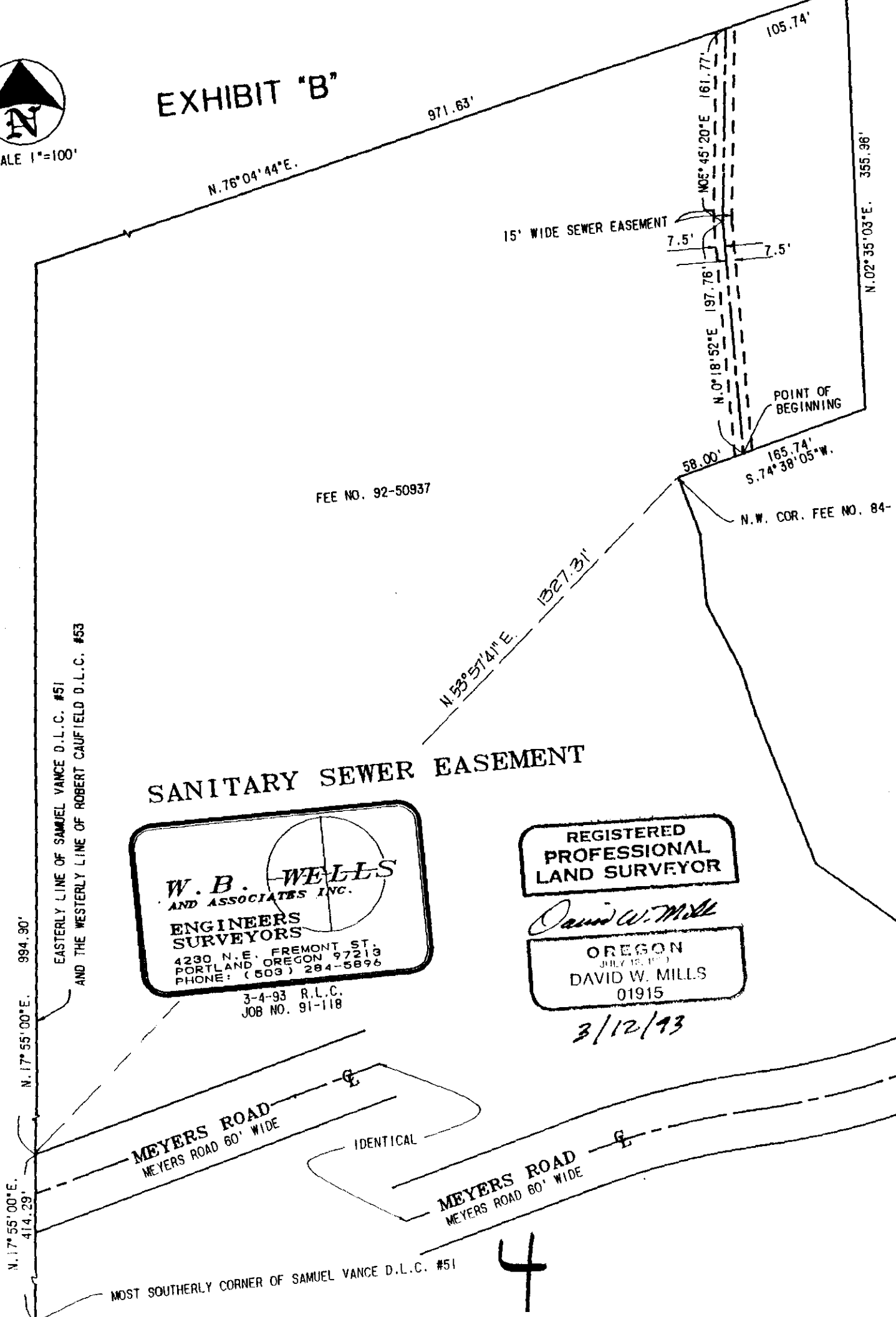
3/12/93

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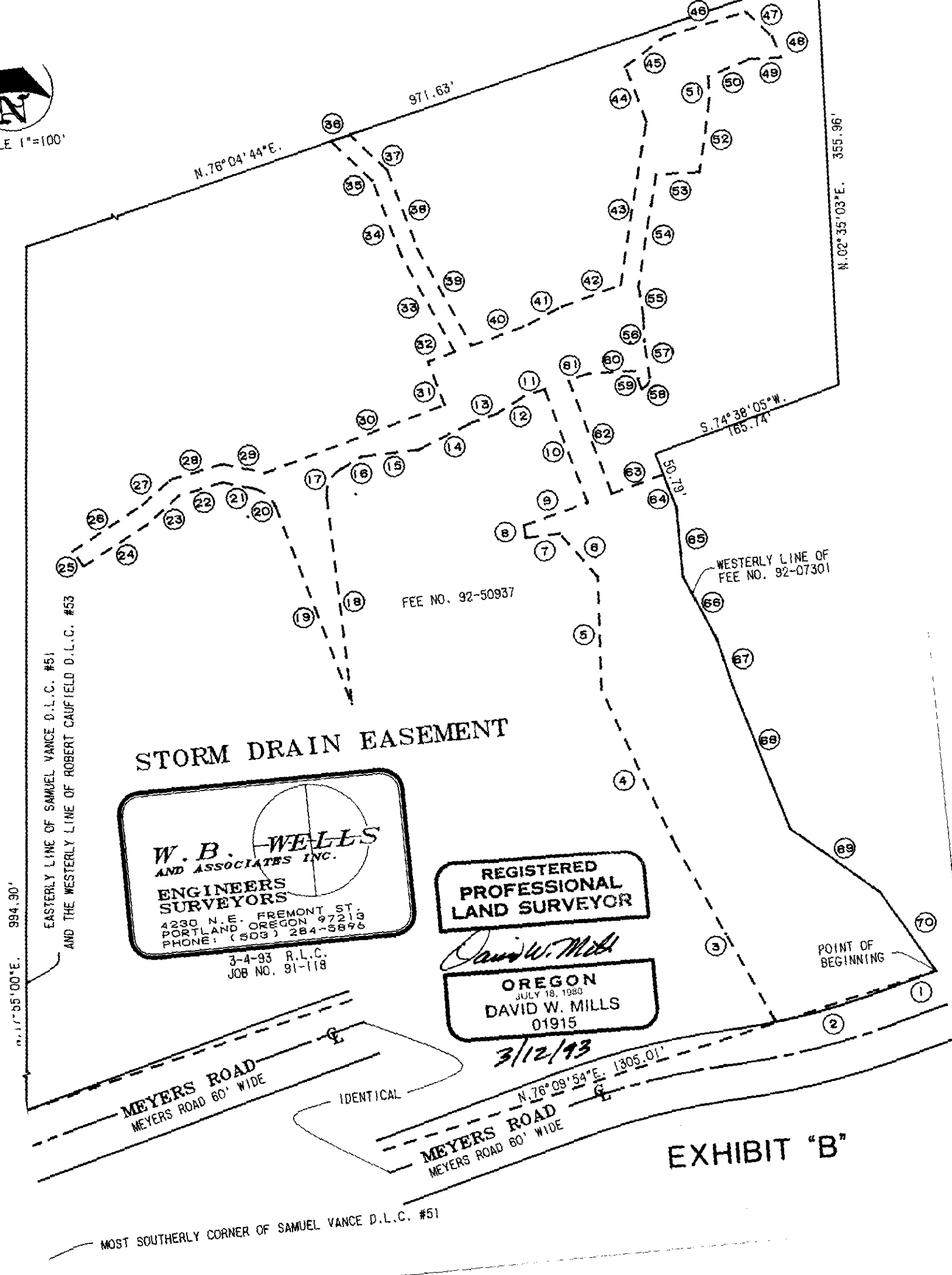
SCALE 1"=100'

EXHIBIT "B"





SCALE 1"=100'





CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED

June 2, 1993

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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.