

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

**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 public utilities 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 5<sup>th</sup> day of April, 1993.

Individuals.

general partnerships

+ Vlad Baricevic

\_\_\_\_\_  
Signer's Name

\_\_\_\_\_  
Signer's Name

Personal Acknowledgment

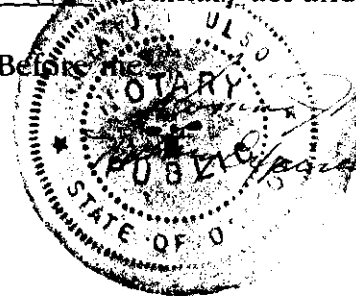
STATE OF OREGON )

County of Clackamas )

) ss.

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

Before me



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

Frank E. Elliott

City Recorder

6-2-93



## EXHIBIT "A"

W.B.WELLS & ASSOC., INC. - J.N. 91-118  
MEYERS ROAD APARTMENTS  
UTILITY EASEMENT  
MARCH 22, 1993



AN 10 FOOT WIDE EASEMENT FOR UTILITY PURPOSES LOCATED IN SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF OREGON CITY, COUNTY OF CLACKAMAS, STATE OF OREGON, THE SOUTHERLY LINE IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE SAMUEL VANCE DONATION LAND CLAIM NO. 51, WHICH IS ALSO THE WEST LINE OF ROBERT CAUFIELD DONATION LAND CLAIM NO. 53, LOCATED IN THE SOUTHEAST QUARTER OF SAID SECTION 8, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF MEYERS ROAD AS DEDICATED BY INSTRUMENT RECORDED AS FEE NO. 91-49925, N.17°55'00"E., A DISTANCE OF 414.29 FEET FROM THE MOST SOUTHERLY CORNER OF SAID DONATION LAND CLAIM NO.51, SAID RIGHT-OF-WAY LINE BEING ON A 720.00 FOOT RADIUS CURVE CONCAVE NORTHERLY THROUGH A CENTRAL ANGLE OF 0°45'04" (CHORD BEARS N.75°07'57"E., A DISTANCE OF 9.44 FEET) AN ARC DISTANCE OF 9.44 FEET TO A POINT OF TANGENT; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N.74°45'25"E., A DISTANCE OF 964.21 FEET TO THE BEGINNING OF A 660.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°02'34" (CHORD BEARS N.80°46'42"E., A DISTANCE OF 138.47 FEET) AN ARC DISTANCE OF 138.72 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY N.86°47'59"E., A DISTANCE OF 20.47 FEET TO THE BEGINNING OF A 600.00 FOOT RADIUS CURVE CONCAVE NORTHERLY; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°02'34" (CHORD BEARS N.80°46'42"E., A DISTANCE OF 125.88 FEET) AN ARC DISTANCE OF 126.11 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, N.74°45'25"E., A DISTANCE OF 48.06 FEET TO THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO PRINCE OF LIFE LUTHERAN CHURCH OF OREGON CITY BY DEED RECORDED FEBRUARY 10, 1992 AS FEE NO. 92-07301 ALSO BEING THE TERMINUS OF SAID 10' EASEMENT.

THE NORTHERLY LINE IS TO BE EXTENDED OR SHORTENED TO MEET THE EASTERLY LINE OF D.L.C. NO.51 AND THE WESTERLY LINE OF FEE NO.92-07301.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David W. Mills*

OREGON  
JULY 18, 1963  
DAVID W. MILLS  
01915

3/22/93



SCALE 1"=100'

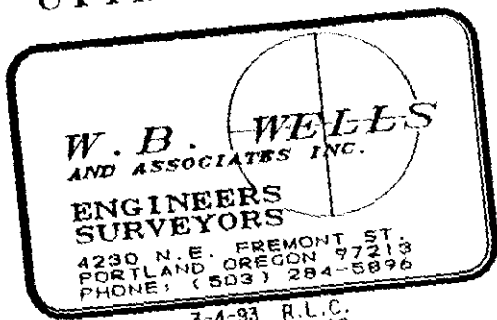
# EXHIBIT "B"

971.63'

N. 76° 04' 44" E.

N. 02° 36' 03" E. 355.96'

## UTILITY EASEMENT



FEE NO. 92-50937

S. 74° 38' 05" W. 165.74'

50.18'

WESTERLY LINE OF FEE NO. 92-07301

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David W. Mills*

OREGON  
JULY 18, 1909  
DAVID W. MILLS  
01915

3/22/93

①  $\Delta=0^{\circ} 45' 04''$   
R=720.00  
L=9.44'

②  $\Delta=12^{\circ} 02' 34''$   
R=660.00'  
L=138.72'

③  $\Delta=12^{\circ} 02' 34''$   
R=600.00  
L=128.11'

N. 74° 45' 25" E. 48.06'

N. 86° 47' 59" E. 20.47'

POINT OF BEGINNING

MEYERS ROAD  
MEYERS ROAD 60' WIDE

IDENTICAL

MEYERS ROAD  
MEYERS ROAD 60' WIDE

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

4



SCALE 1"=100'

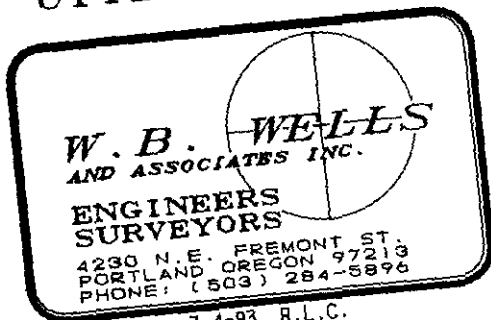
# EXHIBIT "B"

N.78°04'44"E.

971.63'

N.02°35'03"E. 355.96'

## UTILITY EASEMENT



FEE NO. 92-50937

3-4-93 R.L.C.  
JOB NO. 91-118

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David W. Mills*

OREGON  
JULY 18, 1980  
DAVID W. MILLS  
01915

3/22/93

①  $\Delta=0^{\circ}45'04''$   
R=720.00  
L=9.44'

②  $\Delta=12^{\circ}02'34''$   
R=660.00  
L=138.72'

③  $\Delta=12^{\circ}02'34''$   
R=600.00  
L=126.11'

S.74°38'05"W.  
165.74'

50.19'

WESTERLY LINE OF  
FEE NO. 92-07301

N.17°55'00"E. 394.90'

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

POINT OF  
BEGINNING

MEYERS ROAD  
MEYERS ROAD 60' WIDE

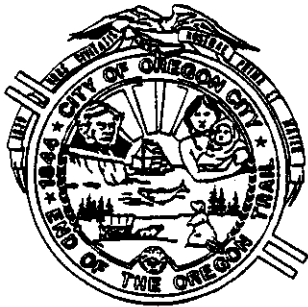
IDENTICAL

MEYERS ROAD  
MEYERS ROAD 60' WIDE

N.74°45'25"E.  
48.06'

N.86°47'59"E.  
20.47'

MOST 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

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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.

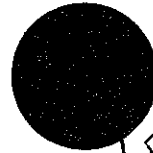
**CHARLES LEESON**  
City Manager

attach.

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

Public Utility Easement  
Acceptance-Water Line  
Improvement; Storm  
Drain facilities-  
Meyers Road Apartments

3-2E-80 302



(PURPLE)

P.B.B.H Development  
c/o Franklin Piacentini

1993

Envelope 2 of 2

DOCH# 93-44318

93-44320

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1715	3

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