

**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 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.

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

X Donald Samuiri  
Signer's Name

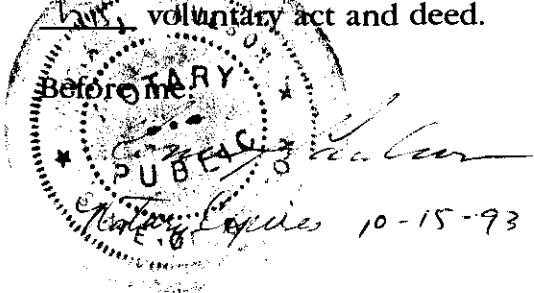
\_\_\_\_\_  
Signer's Name

Personal Acknowledgment

STATE OF OREGON )  
 ) ss.

County of Clackamas )

Personally appeared the above named \_\_\_\_\_  
Vlado Baricovic a n d  
acknowledged the foregoing instrument to be \_  
\_\_\_\_ 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.

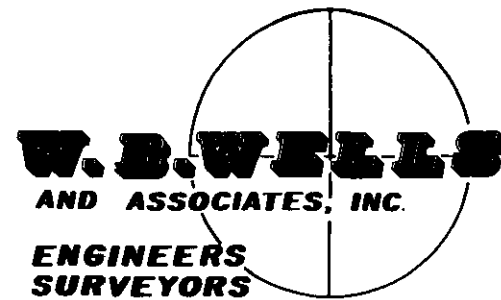
David W. Fowler  
Mayor

Frank E. Elliste  
City Recorder

6-2-93



## EXHIBIT "A"



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

AN EASEMENT FOR WATERLINE 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 DONATION LAND CLAIM 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 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 FEE NO. 91-49925, DEED RECORDED AS 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 DONATION LAND CLAIM NO. 51; THENCE N.74°45'43"E., A DISTANCE OF 748.41 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF MEYERS ROAD AND THE CENTERLINE OF SAID EASEMENT, BEING THE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG SAID CENTERLINE N.15°13'08"W., A DISTANCE OF 135.63 FEET; THENCE N.74°46'52"E., A DISTANCE OF 38.06 FEET; THENCE N.15°13'08"W., A DISTANCE OF 42.68 FEET TO POINT A; THENCE N.15°13'08"W., A DISTANCE OF 462.16 FEET TO POINT B; THENCE N.15°13'08"E., A DISTANCE OF 36.20 FEET TO POINT C; THENCE N.74°46'52"E., A DISTANCE OF 507.96 FEET TO POINT D; THENCE N.74°46'52"E., A DISTANCE OF 9.10 FEET; THENCE S.87°23'30"E., A DISTANCE OF 19.60 FEET; THENCE S.2°36'30"W., A DISTANCE OF 166.82 FEET; THENCE S.74°46'52"W., A DISTANCE OF 203.10 FEET TO THE BEGINNING OF AN OFFSET CENTERLINE, BEING 5.00 FEET TO THE WEST (RIGHT) AND 10.00 FEET TO THE EAST (LEFT); THENCE ALONG SAID CENTERLINE S.1°24'33"E., A DISTANCE OF 250.00 FEET TO POINT E; THENCE S.1°24'33"E., A DISTANCE OF 142.05 FEET TO POINT F; THENCE S.1°24'33"E., A DISTANCE OF 134.96 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID MEYERS ROAD. TOGETHER WITH THE FOLLOWING 15 FOOT WIDE EASEMENTS BEING 7.50 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

3

PAGE 2 OF 2 - WATERLINE EASEMENT

LINE A: BEGINNING AT HEREINABOVE DESCRIBED POINT A: THENCE  
N.74°46'52"E., A DISTANCE OF 18.00 FEET.

LINE B: BEGINNING AT HEREINABOVE DESCRIBED POINT B: THENCE  
N.74°46'52"E., A DISTANCE OF 18.00 FEET.

LINE C: BEGINNING AT HEREINABOVE DESCRIBED POINT C: THENCE  
S.74°46'52"W., A DISTANCE OF 47.00 FEET.

LINE D: BEGINNING AT HEREINABOVE DESCRIBED POINT D: THENCE  
N.15°14'35"W., A DISTANCE OF 15.00 FEET.

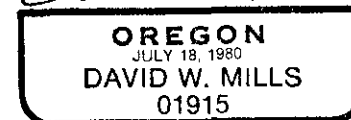
LINE E: BEGINNING AT HEREINABOVE DESCRIBED POINT E: THENCE  
N.88°25'04"E., A DISTANCE OF 25.00 FEET.

LINE F: BEGINNING AT HEREINABOVE DESCRIBED POINT F: THENCE  
S.88°35'27"W., A DISTANCE OF 13.00 FEET.

THE SIDE LINES OF SAID 15 FOOT EASEMENT TO BE EXTENDED OR  
SHORTENED TO MEET AT ANGLE POINTS AND TO TERMINATE AT SAID  
NORTHERLY RIGHT-OF-WAY LINE OF MEYERS ROAD.

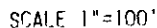


*David W. Mills*



*3/12/93*

4



971.63'

FEE NO. 92-50937

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

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 18 1960  
DAVID W. MILLS  
01915

3/12/93

**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

## WATER EASEMENTS

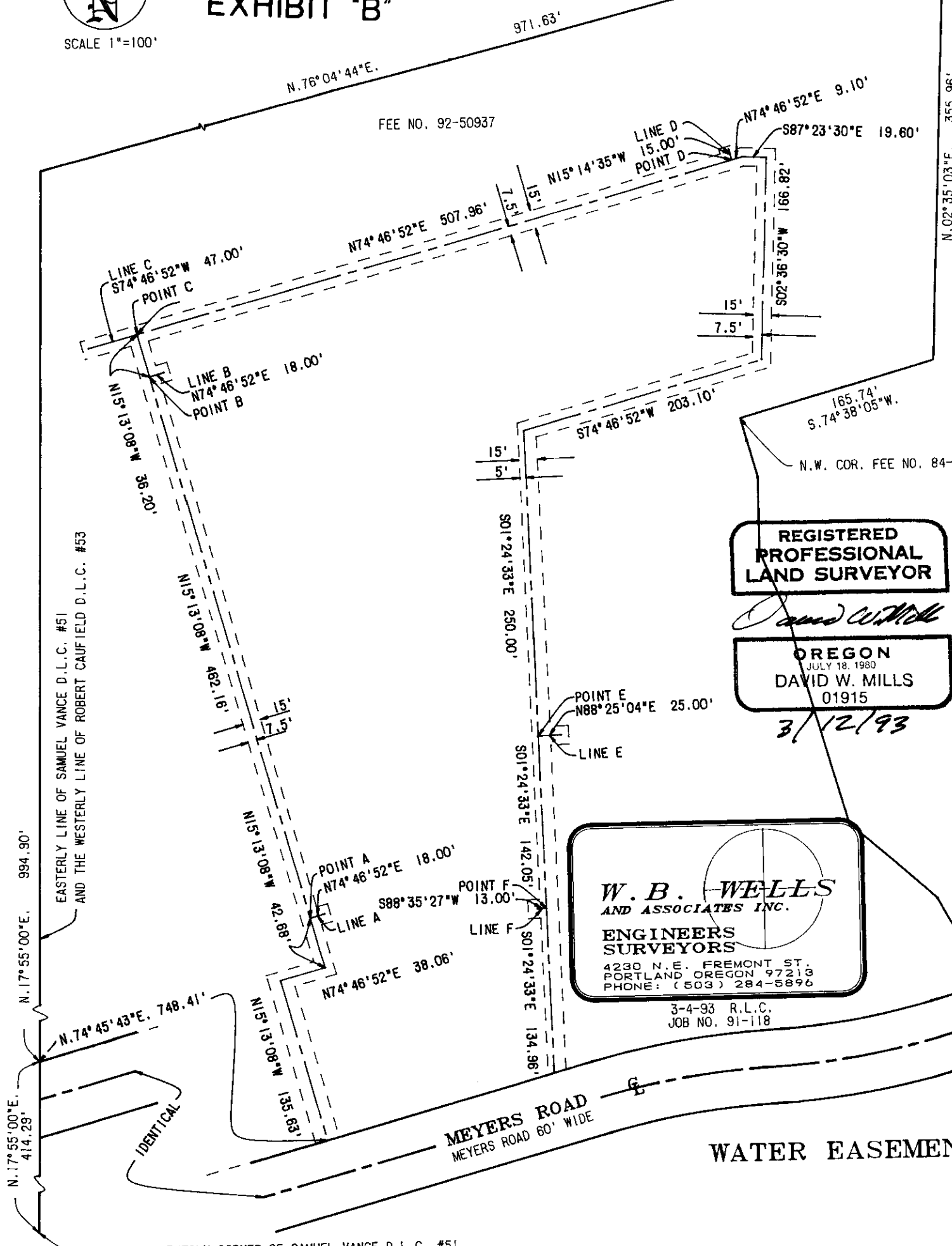
MOST SOUTHERLY CORNER OF SAMUEL VANCE D.L.C. #51



SCALE 1"=100'

# EXHIBIT "B"

FEE NO. 92-50937



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David W. Mills*  
OREGON  
JULY 18, 1980  
DAVID W. MILLS  
01915

3/12/93

**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

WATER EASEMEN



# 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.

Public Utility Easement  
Acceptance-Water Line  
IMPROVEMENT; Storm  
Drain Facilities -  
Meyers Road Apartments

3-2E-8D 302



idrp

P.B.B.H development 1993  
clo Franklin Piacentini

Envelope 1 of 2

1715 # 2 C. Co. # 9344317

1715 # 3 C. Co. # 9344319

Env#

507