

EASEMENT

TRI-CITY SERVICE DISTRICT, a County Service District (District) as Grantor, hereby grants and conveys to the City of Oregon City, a Municipal corporation (City) as Grantee, a non-exclusive pathway easement over a strip of land twenty (20) feet wide, the center line of which is located as follows across the property of District:

See Exhibit "A", attached hereto and incorporated by reference.

The purpose for this easement is to grant the City access along the Clackamas River in furtherance of its objectives to provide parks and park related facilities within its boundaries.

The true consideration for this easement consists of the covenants and agreements set forth below .

City shall if it elects to improve the easement incur all costs to construct, operate and maintain the pathway easement and shall have the obligation to maintain and repair the easement area except for repairs resulting from the actions of District and its agents, employees, guests, invitees, permittees or licensees. District shall have no maintenance costs or other obligation with respect to this easement except for repairs resulting from the actions of District and its agents, employees, guests, invitees, permittees or licensees. However, nothing herein shall prevent District from repairing damage or making such maintenance and repairs as it deems necessary to prevent hazardous or dangerous conditions from occurring or continuing over the easement area and in such case the City shall fully indemnify and reimburse District for such repairs.

City hereby agrees to the full extent permitted by law to indemnify and hold harmless the District from any and all claims, actions, suits or demands arising out of City's use, operation or maintenance of the easement.

This easement shall be perpetual; however, in the event that it is not used by City or its agents, employees, guests, invitees, permittees or licensees for a period of three (3) years , this easement shall automatically expire and City shall upon request execute a recordable document evidencing such expiration. Further, this easement is subject to the District's right to modify the location of or terminate the easement if it becomes necessary as a result of expansion or other operation of its sewage treatment plant facilities provided that termination shall only be permitted if there is not other suitable location upon District's property for such easement.

This easement is granted subject to all prior easements or encumbrances of record which District will defend, indemnify and hold City harmless therefrom.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed the 10th day of July, 1992.

TRI-CITY SERVICE DISTRICT

By Bruce W. Erickson
Bruce Erickson
Acting Director

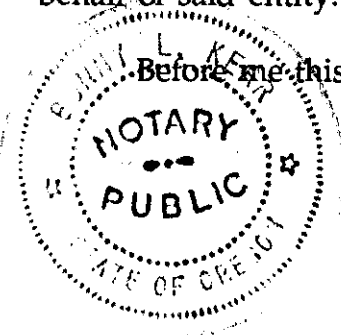
CITY OF OREGON CITY,
a Municipal corporation

By Daniel W. Fowler
Mayor

By Alan K. Elliott
City Recorder

STATE OF OREGON)
) ss.
County of Clackamas)

Personally appeared before me Bruce W. Erickson, Acting Director of Tri-City Service District, who stated the foregoing was his voluntary act and deed on behalf of said entity.



Before me this 18 day of June, 1992.

Bonnie L. Kerr
Notary Public for Oregon
My Commission expires: 5/25/93

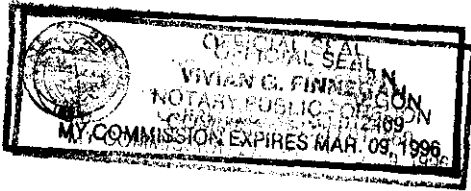
STATE OF OREGON)

) ss.

County of Clackamas)

Personally appeared before me Daniel W. Fowler, the Mayor of City of Oregon City, who stated the foregoing was a voluntary act and deed on behalf of said entity.

Before me this 1st day of July, 1992.



Vivian G. Finnegan
Notary Public for Oregon
My Commission expires: 3-09-96

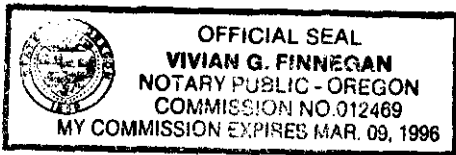
STATE OF OREGON)

) ss.

County of Clackamas)

Personally appeared before me Jan H. Elliott, the City Recorder of City of Oregon City, who stated the foregoing was a voluntary act and deed on behalf of said entity.

Before me this 1st day of July, 1992.



Vivian G. Finnegan
Notary Public for Oregon
My Commission expires: 3-09-96

EXHIBIT "A"

LEGAL DESCRIPTION 20 FOOT PATHWAY EASEMENT

A 20 foot wide strip of land for a pathway easement situated in the Hiram Straight D.L.C. No. 42, in the SW 1/4 and SE 1/4 of Section 20, T. 2 S., R. 2 E., W.M., City of Oregon City, Clackamas County, Oregon. The center line of said 20 foot easement being described by metes and bounds as follows:

Commencing at a 5/8-inch iron rod with yellow plastic cap inscribed "Blair LS 1981" in the westerly line of that certain property as described in Deed Book 99, Page 259 Clackamas County Deed Records, being 41.22 feet from the northeast corner of that certain tract of land as depicted and described on record of survey PS 19334, Clackamas County Survey Records for the Tri-Cities Service District; Thence S. 06°06'17" W., along the easterly line of said PS 19334 a distance of 10.70 feet to the True Point of Beginning of said 20 foot Pathway Easement; Thence departing said easterly line S. 75°17'38" W., a distance of 152.32 feet; Thence S. 83°11'08" W. a distance of 58.39 feet; Thence S. 83°58'39" W. a distance of 40.31 feet; Thence S. 73°23'54" W. a distance of 79.72 feet; Thence S. 84°44'06" W. a distance of 91.53 feet; Thence S. 62°01'28" W. a distance of 52.70 feet; Thence S. 85°32'26" W. a distance of 150.00 feet; Thence S. 89°15'48" W. a distance of 62.21 feet; Thence S. 78°48'52" W. a distance of 63.36 feet; Thence N. 88°11'36" W. a distance of 37.10 feet; Thence S. 70°31'01" W. a distance of 93.01 feet; Thence N. 72°01'01" W. a distance of 53.05 feet; Thence S. 67°21'33" W. a distance of 38.89 feet; Thence S. 71°38'48" W. a distance of 35.20 feet; Thence S. 49°33'41" W. a distance of 24.74 feet to a point Designated as Point "A"; Thence S. 25°01'02" W. a distance of 34.46 feet; Thence S. 80°49'22" W. a distance of 30.90 feet; Thence N. 74°14'55" W. a distance of 39.44 feet; Thence S. 73°23'17" W. a distance of 36.38 feet; Thence N. 88°06'04" W. a distance of 32.04 feet; Thence S. 66°53'21" W. a distance of 20.53 feet; Thence S. 39°53'42" W. a distance of 14.57 feet; Thence S. 54°50'51" W. a distance of 26.93 feet to a point in the westerly right-of-way line of the Portland Traction Railroad (abandoned) said point being S. 25°12'58" E. a distance of 40.58 feet (chord bearing and distance) from a 5/8-inch iron rod with yellow plastic cap inscribed "Blair LS 1981", as shown on said PS 19334, and the terminus of the pathway easement.

Together with a 20 foot wide strip of land for a pathway easement, the center line being described as follows:

Beginning at Point "A", as described above; Thence N. 16°34'52" W. a distance of 23.04 feet; Thence N. 32°12'01" W. a distance of 28.22 feet; Thence N. 31°16'15" W. a distance of 24.84 feet a point in a northerly line of said P.S. 19334, being N. 66°35'29" E. a distance of 207.89 feet from the northwesterly corner of said P.S. 19334.

The side lines of said 20 foot pathway easements lying 10 feet on each side of the above described center lines. Said side lines being elongated or shortened to meet at angle points and the easterly, northerly and westerly lines of said PS 19334.

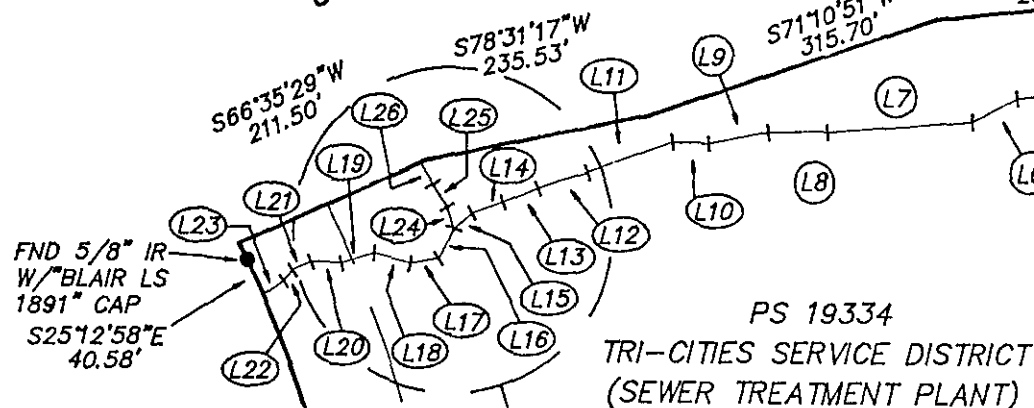
The basis of bearings for the above described center line being P.S. 19334.

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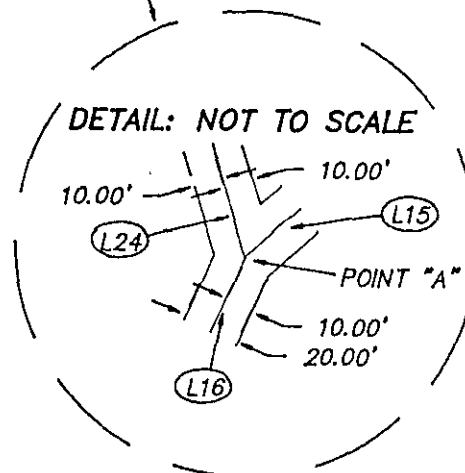
LINE	BEARING	DISTANCE
L1	S 75°17'38" W	152.32'
L2	S 83°11'08" W	58.39'
L3	S 83°58'39" W	40.31'
L4	S 73°23'54" W	79.72'
L5	S 84°44'06" W	91.53'
L6	S 62°01'28" W	52.70'
L7	S 85°32'26" W	150.00'
L8	S 89°15'48" W	62.21'
L9	S 78°48'52" W	63.36'
L10	N 88°11'36" W	37.10'
L11	S 70°31'01" W	93.01'
L12	N 72°01'01" W	53.05'
L13	S 67°21'33" W	38.89'
L14	S 71°38'48" W	35.20'
L15	S 49°33'41" W	24.74'
L16	S 25°01'02" W	34.46'
L17	S 80°49'22" W	30.90'
L18	N 74°14'55" W	39.44'
L19	S 73°23'17" W	36.38'
L20	N 88°06'04" W	32.04'
L21	S 66°53'21" W	20.53'
L22	S 39°53'42" W	14.57'
L23	S 54°50'51" W	26.93'
L24	N 16°34'52" W	23.04'

PORTLAND TRACTION
LINE (ABANDONED)

CLACKAMAS
RIVER



**EASEMENT SKETCH
FOR
20 FOOT WIDE PATHWAY
OVER A PORTION OF P.S.19334
SITUATED IN THE SW 1/4 AND THE SE 1/4
SEC. 20, T. 2 S., R. 2 E., W.M., IN THE
HIRAM STRAIGHT D.L.C. NO. 42,
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON**



NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. BOUNDARY LINE AS SHOWN BASED UPON RECORD OF SURVEY P.S. 19334.
3. SIDE LINES OF 20 FOOT WIDE EASEMENT BEING 10 FEET EACH SIDE OF CENTER LINE.
4. DIMENSIONS SHOWN ARE CENTER LINE.

92077E.DV

PLANNING
CIVIL ENGINEERING
LAND SURVEYING



KAMPE ASSOCIATES
3681 S.W. CARMAN DRIVE
LAKE OSWEGO, OREGON 97035
(503)835-6291 • FAX(503) 635-5480

PROJECT: 92-077
DATE: MAY 7, 1992
OWN BY: REF

SCALE: 1" = 200'
OWN BY: REF



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA

DATED

July 1, 1992

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Tri-City Service District
Easement Acceptance
Phase 1 - River Access Trail Project

Report No. 92-136

On the July 1, 1992 City Commission agenda is an easement across Tri-City Service District property for the Phase 1 River Access Trail project. As the Commission recalls, staff has identified four phases to the River Access Trail project. Maps of the four phases and easement are attached for Commission Review. Plans for the Phase 1 project will be available at the meeting.

Phase 1 is funded by the Oregon City-Metro Enhancement Committee, and constructs a multi-use pedestrian/bicycle trail from the 82nd Drive bridge to the old traction railroad bridge. This phase is to be constructed Summer/Fall 1992.

Phase 2 is proposed for ISTEAFunding and would continue the trail from the railroad bridge to Clackamette Park, bridging over the inlet to the Lagoon. This phase is to be constructed Summer/Fall 1993.

Phase 3 is proposed for Park funding and would continue the trail through Clackamette Park and connect to the existing State bike path near Sportcraft Marina. This phase is also to be constructed Summer/Fall 1993.

Phase 4 is proposed for various funding sources and constructs the linear parkway portion of the Willamette River Waterfront Park project. This phase is to be constructed when funding is available.

It is recommended the City Commission adopt a motion accepting the access easement and authorizing the Mayor and City Recorder to execute respectively.

CHARLES LEESON
City Manager

attach.

- cc
- Oregon City-Metro Enhancement Committee
 - Parks and Recreation Advisory Committee
 - John Block, Development Services Director

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of an Order Granting
an Easement to the City of Oregon
City, Tri-City Service District,
Clackamas County, Oregon

ORDER NO. 92-648


This matter coming before the Board of County Commissioners, acting as the governing body of Tri-City Service District, to convey an easement to the City of Oregon City to provide a pathway for access to the Clackamas River. The purpose for the easement is to allow the City non-exclusive use of the property in furtherance of the City's objectives to provide park and park related facilities within its boundaries. The Board being fully advised

IT IS HEREBY ORDERED that the easement attached hereto as Exhibit "1" and incorporated herein by reference, shall be and hereby is granted to the City of Oregon City, and

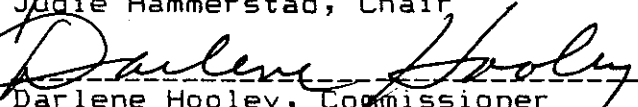
IT IS FURTHER ORDERED that Bruce W. Erickson, Acting Director, is hereby authorized to execute the easement on behalf of the District.

DATED this 25TH day of JUNE, 1992.

BOARD OF COUNTY COMMISSIONERS
acting as the Governing Body of
Tri-City Service District



Judie Hammerstad, Chair

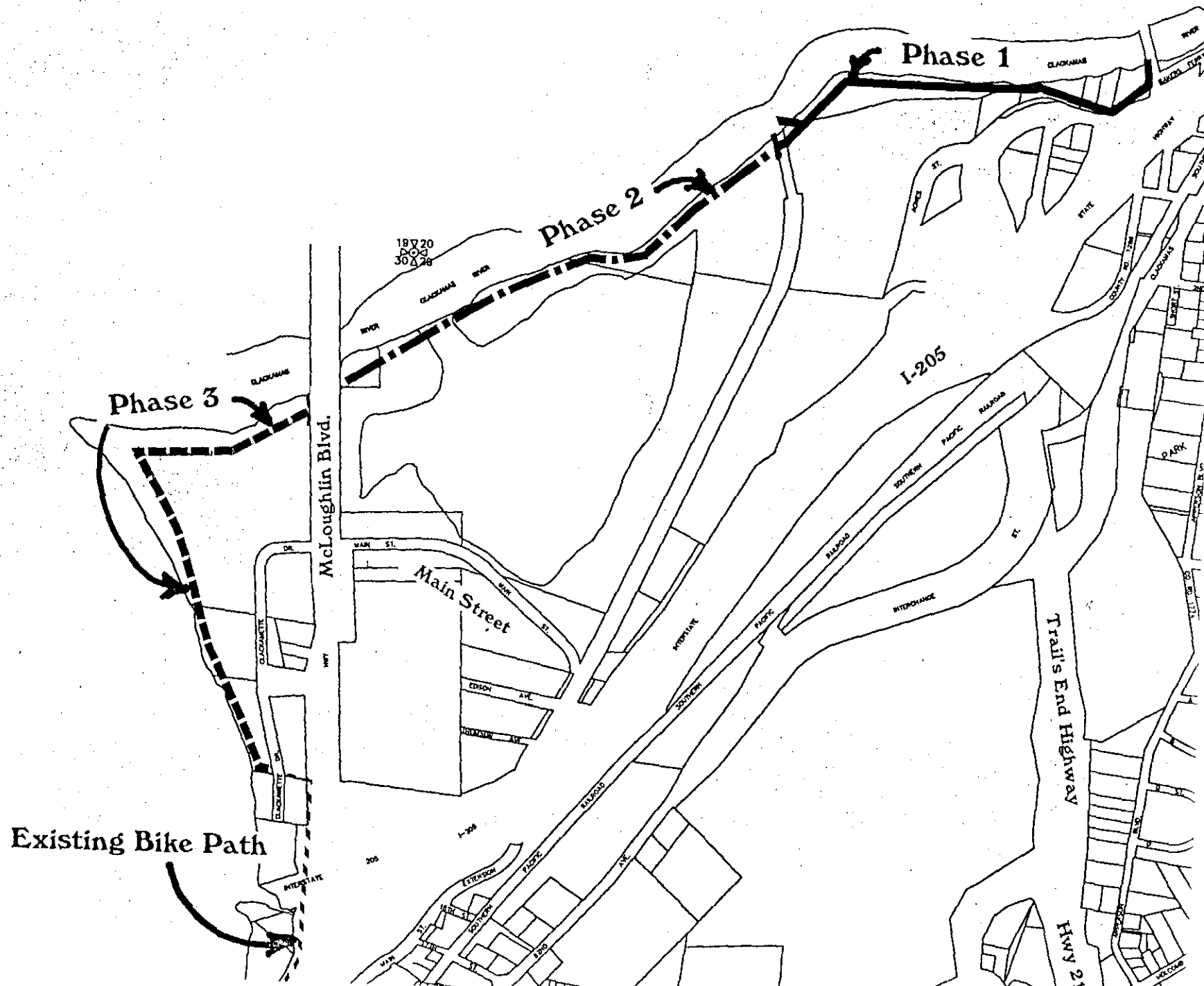


Darlene Hooley, Commissioner

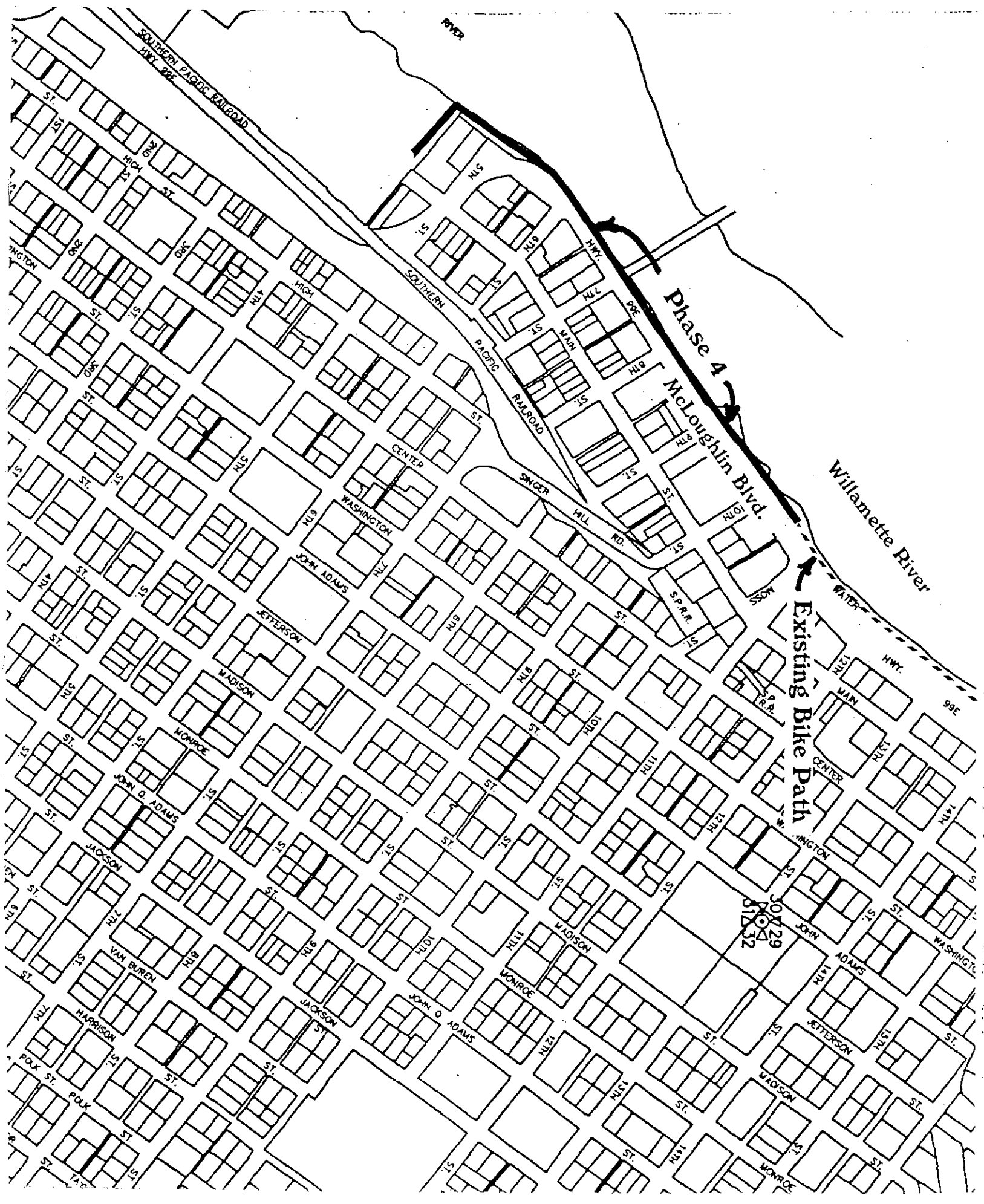
N/A

Ed Lindquist, Commissioner

Riverfront Pedestrian/Bike Path Project



Riverfront Pedestrian/Bike Path Project





CLACKAMAS COUNTY

Department of Utilities

BRUCE W. ERICKSON
ACTING DIRECTOR

June 25, 1992

John G. Block
Development Services Director
City of Oregon City
320 Warner Milne Rd
Oregon City OR 97045


RE: River Access Trail Easement

Dear John:

We have reviewed the preliminary trail design plan sheet you submitted to us and have no questions or comments related to it.

With regards to approving and signing the River Access Trail Easement documents, the Board of County Commissioners is considering this matter today. When we receive the signed documents from them we will send them on to you.

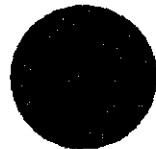
Sincerely,


BRUCE W. ERICKSON
Acting Director

/jk

River Access Trail Project

2-2E-20 = 503



Tri-City Service Dist. 1992

DOC# 92-73641

pg item

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page 5 of 17

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