

Red Soils Project, Phase I  
Tax Lot 200, 203, 204, 300,  
Map 3-2-E-5C

CITY OF OREGON CITY, OREGON  
TEMPORARY CONSTRUCTION EASEMENT  
(RED SOILS PROJECT, PHASE I AND  
STORM DRAIN FACILITY)

KNOW ALL MEN BY THESE PRESENTS, THAT GILMAN T. DANIELSON and VIRGINIA W. DANIELSON, hereinafter called the GRANTOR, do hereby convey unto the CITY OF OREGON CITY, hereinafter called the CITY, a temporary easement and right of way in accordance with the provisions of a Storm Drain Agreement of the same date as this easement ("the Agreement") for the purpose of constructing the Red Soils Project, Phase I and a storm drainage facility, on the following described land:

See attached Exhibit "C-1" and "D-1" Legal Description and attached Exhibit "C-2" and "D-2."

Upon completion of the construction, the CITY shall restore the surface of the property in accordance with the terms of the Agreement. The City shall indemnify and hold the GRANTOR, their tenants, heirs, successors and assigns harmless against any and all loss, liability, cost or damage arising out of the exercise of the rights granted herein.

This easement is temporary. It shall expire on November 5, 1991 except as to that portion which is shown outlined in red on the attached Exhibits, which shall expire on June 30, 1992.

The true consideration for this conveyance is certain covenants by the CITY to GRANTOR.

In construing this conveyance 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 2nd day of July, 1991.

GRANTOR:

Gilman T. Danielson  
Gilman T. Danielson  
Virginia W. Danielson  
Virginia W. Danielson


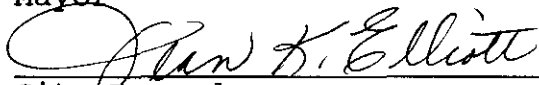
GILMAN T. and VIRGINIA W. DANIELSON  
P. O. Box 5490  
Oregon City, Oregon 97045

(Grantor's Name and Address)

CITY OF OREGON CITY  
320 Warner Milne Road  
Oregon City, Oregon 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.

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
City Recorder

**NOT TO BE RECORDED**

# EXHIBIT "C-1"

June 28, 1991

Project No. 1170.22

Re: Oregon City Urban Renewal Agency  
Red Soils Project - Phase 1

## BOUNDARY DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT, DANIELSON TO CITY  
3 2E 5C TL 200, 203 and 204

A portion of that tract of land in the Samuel N. Vance D.L.C. No. 51 in the South 1/2 of Section 5, T3S, R2E, W.M., City of Oregon City, Clackamas County, Oregon, conveyed to Gilman T. Danielson and Virginia W. Danielson as described and recorded in Fee No. 87-24028, deed records of Clackamas County, Oregon, more particularly described as follows:

### PARCEL A

Beginning at the "X" on the stone monument at the southwesterly corner of said Danielson tract; thence N 13°14'59" W along the westerly line of said Danielson tract 51.26 feet to a point on the line which is parallel with and 50.00 feet northerly from, when measured at right angles, the most southerly line of said Danielson tract; thence N 89°30'06" E along said parallel line 592.89 feet; thence S 0°29'54" E 50.00 feet to a point on the most southerly line of said Danielson tract; thence S 89°30'06" W along said most southerly line 581.57 feet to the point of beginning.

### PARCEL B

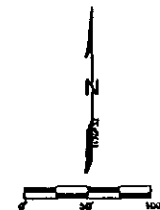
Commencing at the "X" on the stone monument at the southwesterly corner of said Danielson tract; thence N 89°30'06" E along the most southerly line of said Danielson tract 886.62 feet to the TRUE POINT OF BEGINNING; thence N 0°29'54" W 50.00 feet; thence N 89°30'06" E 110.11 feet; thence S 0°29'54" E 50.00 feet to a point on the most southerly line of said Danielson tract; thence S 89°30'06" W along said most southerly line 110.11 feet to the TRUE POINT OF BEGINNING.

# EXHIBIT "C-2"

WARNER MILNE ROAD

3 2E 5C  
TAX LOT 100

GILMAN T. DANIELSON AND VIRGINIA W. DANIELSON  
FEE NO. 87-24028  
3 2E 5C  
TAX LOT 200



BEAVERCREEK ROAD  
MOLALLA AVENUE

EDGE OF DRAINAGE EASEMENT

EDGE OF TEMPORARY  
CONSTRUCTION EASEMENT

1" ON STONE MONUMENT  
SW CORNER FEE NO. 87-24028 AND  
NW CORNER FEE NO. 84-11183  
N 32°22' 41"  
E 58°26' 44"

NOTE: THE COORDINATE SYSTEM AND BASIS OF BEARINGS  
CONFORM WITH THE SURVEY FILED AT THE CLATSOP  
COUNTY SURVEYOR'S OFFICE AS LP-042.

ROBERT D. RANDALL  
FEE NO. 84-11183  
3 2E 5C  
TAX LOT 401

5/8" I.R. AT THE  
NW CORNER FEE NO. 88-54570  
N 32°30' 40"  
E 97°30' 18"

G.T. DANIELSON AND  
VIRGINIA DANIELSON  
FEE NO. 89-54570  
3 2E 5C  
TAX LOT 300

DATE	NO.	REVISION	BY	APP. P. M.O.	DATE	PROJECT	SHEET NO.	PROJECT NAME	ENGINEER
					1170.32	OREGON CITY URBAN RENEWAL AGENCY RED SOILS PROJECT	1	DRAINAGE EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT	LEE ENGINEERING, INC. CONSULTING ENGINEERS OREGON CITY, OREGON

1170.32  
1

# EXHIBIT "D-1"

May 30, 1991

Project No. 1170.22

Re: Oregon City Urban Renewal Agency  
Red Soils Project - Phase 1

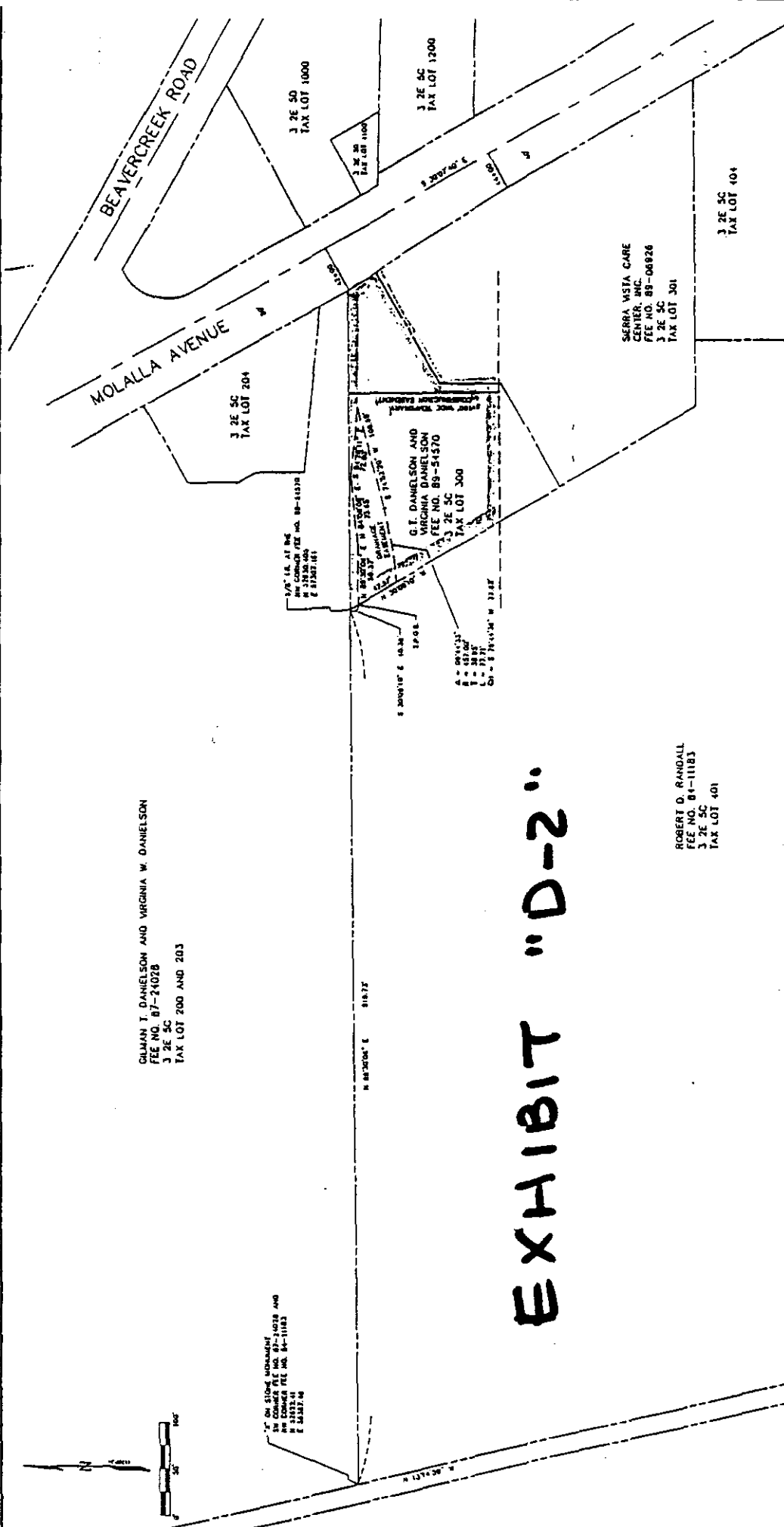
BOUNDARY DESCRIPTION:  
TEMPORARY CONSTRUCTION EASEMENT  
3 2E 5C TL 300

A portion of that tract of land in the Samuel N. Vance D.L.C. No. 51 in the South 1/2 of Section 5, T3S, R2E, W.M., City of Oregon City, Clackamas County, Oregon, conveyed to G. T. Danielson and Virginia Danielson as described and recorded in Fee No. 89-54570, deed records of Clackamas County, Oregon, more particularly described as follows:

All of said Danielson tract lying northerly from the line which is parallel with and 160.00 feet southerly from, when measured at right angles, the northerly line of said Danielson tract.

Containing 37,628 square feet, more or less.

The basis of bearings for this description is the survey filed at the Clackamas County Surveyor's Office as LP-042.



GILMAN I. DANIELSON AND VIRGINIA W. DANIELSON  
FEE NO. 87-24028  
J 2E SC  
TAX LOT 200 AND 203

2" ON SLONG MOMENT  
SW CORNER REC NO. 67-2478 AND  
NW CORNER REC NO. 64-10183  
SW 32632.41  
E 34327.64

3/8" (A. AT 8045  
NEW CONCRETE FLEX WOL 88-11570  
M 37830.403  
E 27307.161

J 2E SC  
TAX LOT 204

0001 107 XVA  
05 32 E

U 2E 5C  
MAX LOF 1200

G.T. DANIELSON AND  
VIRGINIA DANIELSON  
FEE NO. 89-54570  
J 2E 5C  
TAX LOT 300

SERRA VISTA CARE  
CENTER, INC.  
FEE NO. 89-06926  
3 2E 5C  
TAX LOT 301

3 2E 5C  
TAX LOT 104

ROBERT D. RANDALL  
FEE NO. 04-11183  
J 2E 5C  
TAX LOT 401

THE FOLLOWING INFORMATION WAS OBTAINED FROM THE RECORDS OF THE NEW YORK STATE DEPARTMENT OF CORRECTIONS:

[illegible]



# CITY OF OREGON CITY

INCORPORATED 1844

## COMMISSION REPORT

17  
FOR AGENDA

DATED

February 5, 1992

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Storm Drainage Easement Acceptance  
Danielson Hilltop Mall

Report No. 92-17

On the February 5, 1992 City Commission agenda are storm drainage easements for City Commission acceptance. The easements were a requirement of a storm drainage agreement between the City and Danielson Hilltop Mall relating to the Red Soils Access Road project.

It is recommended that the City Commission adopt a motion accepting the easements and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON  
City Manager

JGB/im

attach.

cc - Development Services Director  
- John Hawthorne, Civil Engineer



# CITY OF OREGON CITY

Incorporated 1844

January 24, 1992

**DEVELOPMENTAL SERVICES  
DEPARTMENT**  
Planning, Building,  
Engineering  
320 Warner Milne Road  
Oregon City, OR 97045  
(503) 657-0895  
FAX (503) 657-3339

Carol Suzuki  
Danielson Hilltop Mall  
P.O. Box 5490  
Oregon City, Oregon 97045

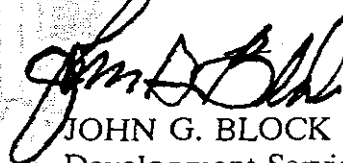
Subject: Storm Drain Agreement

Dear Carol:

Since I have not received the storm drain easement documents, and we have not reached each other by telephone, I wanted to let you know in writing of my need to close out this project. I have placed the acceptance of the easements on the February 5, 1992 City Commission agenda. I had hoped to receive the easement documents by today, but since I am leaving town, have told Irmgard to expect the easements by Wednesday, January 29th at the latest. If for some reason the easement documents cannot be delivered by that time, please advise in writing as to the reasons for the delay. I will be back in the office February 3.

In addition, the City has not yet received the \$40,000 owing for drainage improvements. Since the property exchange with Randall is now completed, the City is needing payment as per our agreement. Please advise on the status of the payment. Thank you.

Sincerely,



JOHN G. BLOCK

Development Services Director

JGB/im

cc - Charles Leeson, City Manager