

55
CITY OF OREGON CITY, OREGON

PERMANENT SLOPE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Edwin Jr. & Jennie M. Gerber, Errol & Vera Hollowell, Bill Radosevich, & Clarann Ballard hereinafter called the GRANTOR being lawfully seized in fee simple of the following described premises, 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, maintain and repair, with necessary access thereto, of a slope cut or fill, occasioned by the construction, operation and maintenance of a public road and appurtenances, over and within that certain real property described as follows, to wit:

See attached Exhibit "A" Legal Description and attached Exhibit "B" Sketch for Legal Description

IT IS EXPRESSLY UNDERSTOOD that this easement does not convey any right, title or interest to the surface soil, nor any other rights except those expressly stated in this easement, not prevent Grantors from the full use and dominion thereover, provided, however, that such use shall not be permitted to damage or destroy lateral support to the highway, and provided further that nothing herein contained shall grant to said public and thereafter to any future agency created for the above stated purposes the right to excavate beneath existing buildings or deposit fill materials against existing buildings or deposit fill materials against existing buildings above the top of the foundations thereof, but is understood and agreed that the City of Oregon City shall never be required to remove the dirt or other materials placed by it upon said property nor shall said City be subject to any damages to the grantors, their heirs and assigns, by reason thereof, or by reason of the slopes constructed thereon, or by reason of change of grade at the street or highway abutting on said property.

IN CONSIDERATION of the premises, City of Oregon City agrees that if its successors or assigns should cause said road to be vacated, the rights of the public in the above described easement will be forfeited and shall immediately revert to the Grantors, their successors and assigns in the case of any such event.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises and have the right to grant the above described permanent slope easement.

The true and actual consideration paid for the easement is one dollar. However, the actual consideration consists of other value given which is the whole consideration; i.e., the survey and plans for the improvement of a portion of Meyers Road.

TO HAVE AND TO HOLD, the above described and granted premises for the purposes hereinbefore set forth unto the City forever.

In construing this easement 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 7 day of August, 1971; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Individuals,
General Partnerships

Edwin Gerber Jr
Edwin Gerber Jr.

Jennie M. Gerber
Jennie M. Gerber

Errol Hollowell
Errol Hollowell

Vera Hollowell
Vera Hollowell

Bill Radosevich
Bill Radosevich

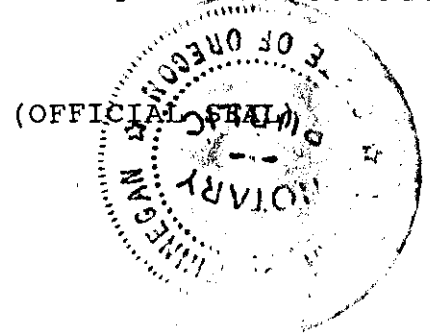
Clarann Ballard (by Jennie M. Gerber P.O.A.)
Clarann Ballard

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

Personally appeared the above named Edwin Jr. & Jennie Gerber and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
William D. Funnegan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



Personal Acknowledgment

STATE OF OREGON

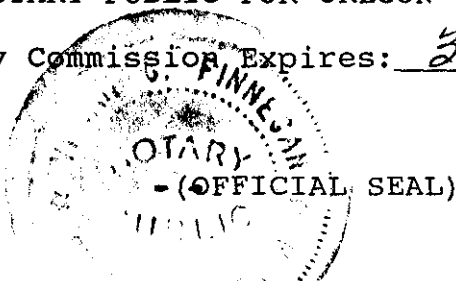
County of Clackamas) ss.

Personally appeared the above named Errol & Vera Hollowell and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

William D. Finnegan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



Personal Acknowledgment

STATE OF OREGON

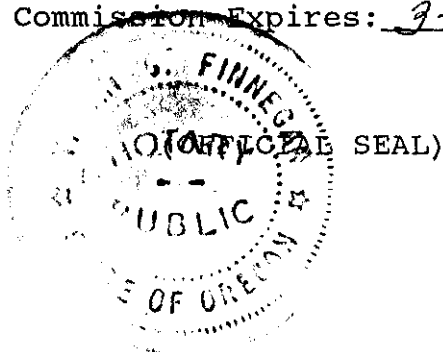
County of Clackamas) ss.

Personally appeared the above named Bill Radosevich and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

William D. Finnegan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



Personal Acknowledgment

STATE OF OREGON

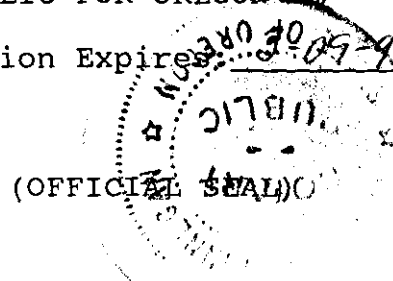
County of Clackamas) ss.

Personally appeared the above named Jennie M. Gerber (for Clarann Ballard) and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

William D. Finnegan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92



Edwin Jr. & Jennie M. Gerber

16310 S. Gerber Road

Oregon City, Oregon 97045

Errol & Vera Hollowell

916 10th Street

Oregon City, Oregon 97045

Bill Radosevich

32229 S. Ona Way

Mollala, Oregon 97038

Clarann Ballard

2012 Eastlake Ave. E, #301

Seattle, Washington 98102

(Grantor's Names and Addresses)

City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045

(Grantee's Name and Address)

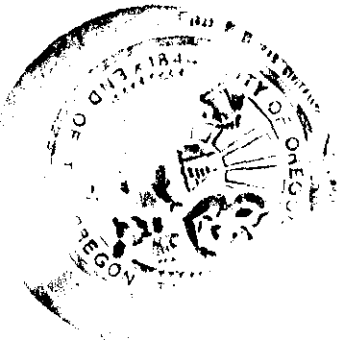
Accepted on behalf of the City of
Oregon City on the condition that
the property dedication is free and
clear from taxes, liens and
encumbrances.

Daniel W. Fowler
Mayor

Paul K. Elliott
City Recorder

After Recording Return to:

City Engineer
City of Oregon City
320 Warner Milne Road
Oregon City, OR 97045




MAY 18, 1990
2012 EASTLAKE AVE.E., #301
SEATTLE, WASHINGTON 98102

LIMITED POWER OF ATTORNEY

I, CLARANN LASIC BALLARD, BY THIS LIMITED POWER OF ATTORNEY,
AUTHORIZE JENNIE M. GERBER TO, IN MY ABSENCE, ACT ON MY BE-
HALF AS MY TRUE AND LAWFUL AGENT IN THE EXECUTION OF ANY DOCU-
MENT(S) SHE DEEMS NECESSARY WHICH MAY BE REQUIRED IN ANY
TRANSACTION(S) PERTAINING TO THE SALE OF THE PROPERTY AT
19746 S. MEYERS ROAD, OREGON CITY, OREGON 97045, WHICH PROP-
ERTY IS JOINTLY OWNED BY US:

JENNIE MARIE GERBER
VERONICA ANN HOLLOWELL
WILLIAM MARK RADOSEVICH
CLARANN LASIC BALLARD


(SIGNATURE) (DATE)
CLARANN LASIC BALLARD


(SIGNATURE WITNESS) (DATE)
KYRA L. TYLER

STATE OF WASHINGTON
COUNTY OF KING

SWORN TO BEFORE ME
THIS EIGHTEENTH DAY OF MAY, 1990


CAROLYN L. ANDERSON
NOTARY PUBLIC

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July 31, 1991

**Legal Description - Slope Easement
Meyers Road
File: 4-647-0102**

Two strips of land located in the south one-half of Section 8, Township 3 South, Range 2 East of the Willamette Meridian in Clackamas County, Oregon, said strip being variable in width and lying on both sides of the following described centerline of the newly proposed Meyer's Road:

Beginning at engineer's centerline station 10+00, said station being on the northeasterly boundary of the John S. Howland D.L.C. No. 45 and bearing North $45^{\circ}15'43''$ West 1,974.28 feet from the southeasterly corner thereof; thence South $45^{\circ}15'43''$ East along said D.L.C. line 1,261.29 feet to engineer's centerline Station 22+61.29 and a point of curvature; thence 773.91 feet along the arc of a 750.00 foot radius curve to the left through a central angle of $59^{\circ}07'20''$ (the long chord of which bears South $74^{\circ}49'23''$ East 740.03 feet) to a point of tangency at engineer's centerline station 30+35.20; thence North $75^{\circ}36'57''$ East 964.21 feet to a point of curvature at engineer's centerline station 39+99.41; thence 133.06 feet along the arc of a 630.00 foot radius curve to the right through a central angle of $12^{\circ}02'34''$ (the long chord of which bears North $81^{\circ}38'14''$ East 132.17 feet) to a point of tangency at engineer's centerline station 41+31.82; thence North $87^{\circ}39'31''$ East 20.47 feet to a point of curvature at engineer's centerline station 41+52.29; thence 132.42 feet along the arc of a 630.00 foot radius curve to the left through a central angle of $12^{\circ}02'34''$ (the long chord of which bears North $81^{\circ}38'14''$ East 132.17 feet) to a point of tangency at engineer's centerline station 42+84.71; thence North $75^{\circ}36'57''$ East 192.32 feet to a point of curvature at engineer's centerline station 44+77.03; thence 272.40 feet along the arc of a 630.00 foot radius curve to the right through a central angle of $24^{\circ}46'25''$ (the long chord of which bears North $88^{\circ}00'10''$ East 270.28 feet) to a point of reverse curvature at engineer's centerline station 47+49.43; thence 272.40 feet along the arc of a 630.00 foot radius curve to the left through a central angle of $24^{\circ}46'25''$ (the long chord of which bears North $88^{\circ}00'10''$ East 270.28 feet) to a point of tangency at engineer's centerline station 50+21.83; thence North $75^{\circ}36'57''$ East 502.67 feet to engineer's centerline station 55+24.49 and the POINT OF TERMINUS of this described centerline, said point bears North $73^{\circ}33'18''$ East 2,749.64 feet from the southeasterly corner of said Howland D.L.C. No. 45.

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EXHIBIT 'A'



PARCEL 1 (Left of centerline)

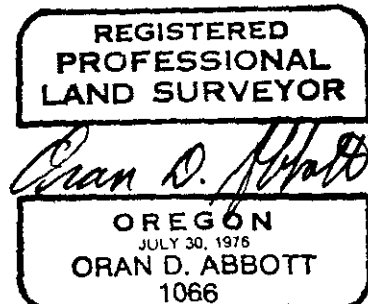
A strip of land lying between a line 30.00 feet left of the above described centerline and a line connecting the following points:

Begin	10+00	to	11+00	40 feet left	
	11+00	to	12+50	45 feet left	
	12+50	to	15+50	50 feet left	
	15+50	to	17+75	38 feet left	
	17+75	to	26+00	45 feet left	
	26+00	to	29+50	50 feet left	
	29+50	to	32+50	55 feet left	
	32+50	to	38+00	40 feet left	
	38+00	to	41+00	50 feet left	
	41+00	to	42+50	35 feet left	
	42+50	to	43+50	40 feet left	
	43+50	to	47+00	50 feet left	
	47+00	to	55+24.50	45 feet left	End

Parcel 2 (Right of Centerline)

A strip of land lying between a line 30.00 feet right of the above described centerline and a line connecting the following points:

Begin	16+65	to	21+50	40 feet right	
	21+50	to	30+00	45 feet right	
	30+00	to	31+50	35 feet right	
	31+50	to	37+00	40 feet right	
	37+00	to	47+50	35 feet right	
	47+50	to	50+00	55 feet right	
	50+00	to	54+65	45 feet right	End



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CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

FOR AGENDA 13

DATED

August 7, 1991

TO THE HONORABLE MAYOR AND COMMISSIONERS

Page 1 of 1

Subject: Right-of-Way Dedication and
Public Utility and Slope Easement
Acceptance - Meyers Road
Extension Project

Report No. 91-142

On the August 7, 1991 City Commission agenda is a series of Right-of-Way Dedications and Public Easements for the Meyers Road project that are ready for Commission acceptance. Attached is a summary list of those that are ready for acceptance along with the documents for Commission review.

Staff is still working to obtain the execution of documents from the other property owners listed and will bring these to the Commission for acceptance when negotiations are completed.

It is recommended that the City Commission adopt a motion accepting the Right-of-Way Dedications and the Public Utility and Slope Easements attached and authorize the Mayor and City Recorder to execute respectively.

CHARLES LEESON
City Manager

JGB/im

attach.

cc - Development Services Director
- Neal Robinson, Project Manager

Meyers Road Extension Project

August 7, 1991

R/W Dedications

3-2E-8C	100	Gerber, Hollowell, Radosevich, Ballard
3-2E-8C	102	Berger <i>yes</i>
3-2E-8D	500, 600	Meyers Road Investments <i>yes</i>
3-2E-8D	605	Columbia Knit
3-2E-8D	900	Watson
3-2E-17	300	Watson, Nevin, Waite, Harper, Brenner
3-2E-17	400	Nevin, Waite

Sanitary Sewer Easements

3-2E-8D	401	Prince of Life Lutheran Church <i>no</i>
3-2E-8D	500	Meyers Road Investments <i>yes</i>
3-2E-8D	605	Columbia Knit (w/INGRESS/EGRESS)
3-2E-8D	790	Felbick (w/INGRESS/EGRESS) <i>no</i>
3-2E-9C	1200	Faith & Free Life Methodist Church (w/INGRESS/EGRESS) <i>yes</i>

Slope Easements

3-2E-8C	100	Gerber, Hollowell, Radosevich, Ballard
3-2E-8C	102	Berger <i>not needed</i>
3-2E-8D	500, 600	Meyers Road Investments <i>yes</i>
3-2E-8D	605	Columbia Knit
3-2E-8D	900	Watson
3-2E-9C	1200	Faith & Free Life Methodist Church <i>yes</i>
3-2E-17	300	Watson, Nevin, Waite, Harper, Brenner
3-2E-17	400	Nevin, Waite

Ingress/Egress

3-2E-8D	900	Watson
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signed documents

Owner

Gerber
Berger
Meyers Rd. Investments c/o Dan Fowler
Columbia Knit c/o Karen Jones
Watson
Nevin, Louise
Harper, Scott
Brenner, Art
Prince of Life Lutheran Church
Felbick c/o Richard & Joan Grant
Faith & Free Life Methodist Church c/o Mack Todd

Phone

631-3358
Unlisted
655-1455
774-7387
655-2387
636-1145
655-6925, 657-0891 (work)
659-8777
657-3100
362-1878
653-0422

Meyers Road Extension Project

July 30, 1991

R/W Dedications

✓ 3-2E-8C	100	Gerber, Hollowell, Radosevich, Ballard
3-2E-8C	102	Berger
3-2E-8D	500, 600	Meyers Road Investments
3-2E-8D	605	Columbia Knit faxed
✓ 3-2E-8D	900	Watson
✓ 3-2E-17	300	Watson, Nevin, Waite, Harper, Brenner
✓ 3-2E-17	400	Nevin, Waite

Sanitary Sewer Easements

3-2E-8D	401	Prince of Life Lutheran Church
3-2E-8D	500	Meyers Road Investments
3-2E-8D	605	Columbia Knit (w/INGRESS/EGRESS) faxed
3-2E-8D	790	Felbick (w/INGRESS/EGRESS)
3-2E-9C	1200	Faith & Free Life Methodist Church (w/INGRESS/EGRESS)

Slope Easements

✓ 3-2E-8C	100	Gerber, Hollowell, Radosevich, Ballard
3-2E-8C	102	Berger
3-2E-8D	500, 600	Meyers Road Investments
3-2E-8D	605	Columbia Knit faxed
✓ 3-2E-8D	900	Watson
3-2E-9C	1200	Faith & Free Life Methodist Church
✓ 3-2E-17	300	Watson, Nevin, Waite, Harper, Brenner
✓ 3-2E-17	400	Nevin, Waite

Ingress/Egress

3-2E-8D	900	Watson
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signed documents

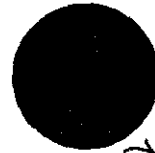
SLOPE EASEMENT

Meyers Road Extension
3-2E-8C, TL 100
Edwin/Jennie GERBER
Errol/Vera HOLLOWELL
Bill RADOSEVICH
Clarann BALLARD

(7)

1991

3-2E-8C 100



(P. R. H. L.)

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DOC# 91-49929

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