

CITY OF OREGON CITY, OREGON

PERMANENT SLOPE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Meyer's Road Investments, Inc., a Oregon Corporation hereinafter called the GRANTOR being lawfully seized in fee simple of the following described premises, does 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, and does 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 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 it or 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 Grantor does covenant that it is 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 5th day of AUGUST, 1991; 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

Corporation
limited partnership

Signer's Name

Meyer's Road Investments, Inc.
Corporation/Partnership Name

Signer's Name

by: Scott G. Klausmann V.P.
Signer's Name, Title

(if executed by a corporation
affix corporate seal)

Personal Acknowledgment

STATE OF OREGON

County of _____

) ss.

Personally appeared the above
named _____

_____ and
acknowledged the foregoing
instrument to be _____
voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

(OFFICIAL SEAL)

Meyer's Road Investments, Inc.

9840 S.E. 17th

Milwaukie, Oregon 97222

(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.

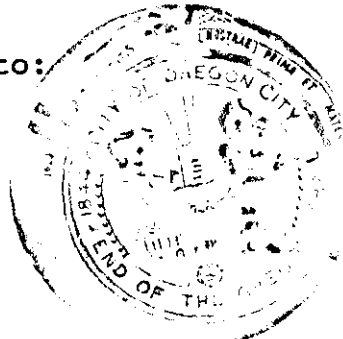
Daniel W. Fawcett

Mayor

Alan K. Elliott
City Recorder

After Recording Return to:

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



Corporate Acknowledgment

STATE OF OREGON

County of Clackamas

) ss.

Personally appeared Scott G. Klusmann who being duly sworn,
did say that the former is the vice
president of Meyer's Road
Investments, Inc. a corporation, and
that the seal affixed to the
foregoing instrument was signed and
sealed in behalf of said corporation
by authority of its board of
directors; and above acknowledged
said instrument to be its voluntary
act and deed.

Before me:

William B. Lunnigan
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92

(OFFICIAL SEAL)

Space reserved for County
Recorder's Office

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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:

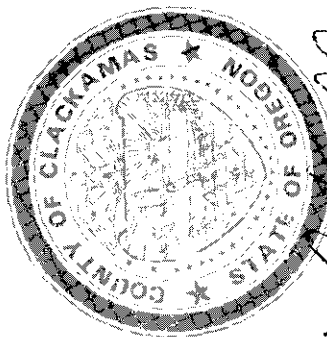
Begin	16+65	to	21+50	40 feet right	
	21+50	to	30+00	45 feet right	
	30+00	to	31+50	35 feet right	
	31+50	to	37+00	40 feet right	
	37+00	to	47+50	35 feet right	
	47+50	to	50+00	55 feet right	
	50+00	to	54+65	45 feet right	End

STATE OF OREGON }
County of Clackamas }

ss.

I, John Kauffman, County Clerk, for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

91 OCT -1 PM 1:22



Witness my hand and seal affixed

John Kauffman
JOHN KAUFFMAN
County Clerk

Recording Certificate
CCP-R4 (Rev. 6/91)

91 49922

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Oran D. Abbott

OREGON
JULY 30, 1976
ORAN D. ABBOTT
1066

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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

Phone

Gerber	631-3358
Berger	Unlisted
Meyers Rd. Investments c/o Dan Fowler	655-1455
Columbia Knit c/o Karen Jones	774-7387
Watson	655-2387
Nevin, Louise	636-1145
Harper, Scott	655-6925, 657-0891 (work)
Brenner, Art	659-8777
Prince of Life Lutheran Church	657-3100
Felbick c/o Richard & Joan Grant	362-1878
Faith & Free Life Methodist Church c/o Mack Todd	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-8D, TL 500, 600
Meyers Road Investment, Inc.

(4)

1991

3-2E-8D 500,600

DOC# 91-49922

(purple)

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