

CITY OF OREGON CITY, OREGON

PERMANENT SLOPE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT Faith & Life Free Methodist Church, an Oregon Corporation 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<sup>th</sup> 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

Faith & Life Free Methodist Church  
Corporation/Partnership Name

Mack D. Todd  
Chairman of Trustees  
\_\_\_\_\_  
Signer's Name, Title

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

(if executed by a corporation  
affix corporate seal)

\_\_\_\_\_  
Signer's Name, Title

\_\_\_\_\_  
Signer's Name, Title

**Personal Acknowledgment**

STATE OF OREGON )  
 ) ss.  
County of \_\_\_\_\_ )

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)

Faith & Life Free Methodist Church  
6035 Barclay  
Gladstone, Oregon 97027

(Grantor's Name and Address)

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

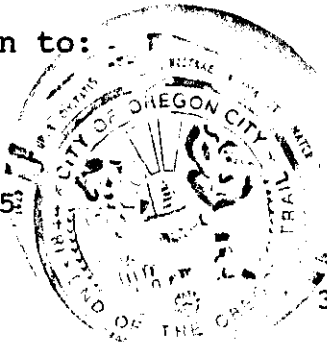
(Grantee's Name and Address)

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. Fowler  
Mayer  
John 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 )  
 ) ss.  
County of Clackamas )

Personally appeared Mack  
Todd who being duly sworn,  
did say that the former is the  
Chairman of Trustees of Faith & Life  
Free Methodist Church 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. Linnigum  
NOTARY PUBLIC FOR OREGON

My Commission Expires: 3-09-92

(OFFICIAL SEAL)

Space reserved for County  
Recorder's Office



**W&H PACIFIC**

1099 S.W. Columbia Street  
Portland, Oregon 97201

July 23, 1991

**Legal Description - Slope Easement, Tax Lot 1200  
File No. 4-647-0101**

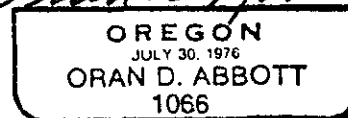
A slope easement over, across, in and through that tract of land conveyed by contract to Clarence C. Perry, Jr., and Wilma Perry, his wife, and described in Fee Document No. 69-20296, Records of Clackamas County, Oregon, situated in the Robert Caufield D.L.C. No. 53, in the southeast one-quarter of Section 8, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, being more particularly described as follows:

Commencing at the southeast or most southerly corner of the Samuel N. Vance D.L.C. No. 51 in said Township and Range; thence North 75°41'26" East 2,032.72 feet; thence South 14°18'34" East 323.10 feet to the **TRUE POINT OF BEGINNING**; thence North 75°41'26" East 65.00 feet; thence South 14°18'34" East 120.00 feet; thence South 75°41'26" West 100.00 feet to a point on the west line of aforesaid Perry tract; thence North 14°18'34" West, along said west line, 25.00 feet; thence North 75°41'26" East 75.00 feet; thence North 14°18'34" West 75.00 feet; thence South 75°41'26" West 40.00 feet; thence North 14°18'34" West 20.00 feet to the **TRUE POINT OF BEGINNING**.

Contains 5,675 square feet more or less.



*Oran D. Abbott*



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EXHIBIT 'A'



1099 S.W. Columbia Street  
Portland, Oregon 97201  
(503) 227-0455  
Fax (503) 274-4607

**W&H PACIFIC**

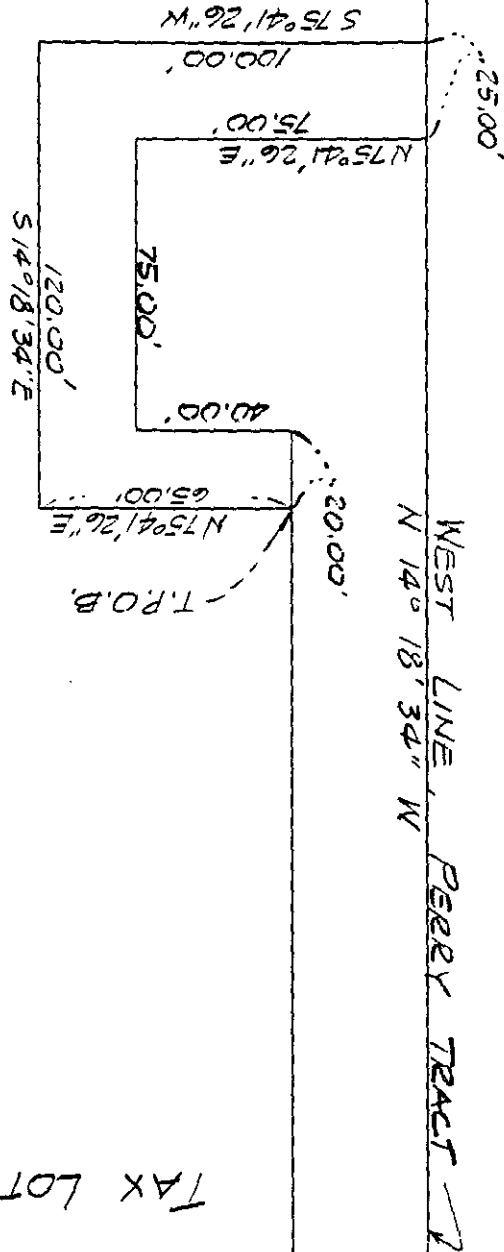


EXHIBIT  
SLOPE EASEMENT  
TAX LOT 1200

Scale: 1"=50'



EXHIBIT 'B'

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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	
<del>3-2E-8C</del>	<del>102</del>	<del>Berger</del> <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

(8)

Meyers Road Extension  
3-2E-9C, TL 1200

Faith & Life Free Methodist Church 1991

3-2E-9C 1200



pg 1815

Item #9

Chickamas County

Doc. # 91-49916

END #18