

68
AFTER RECORDING RETURN TO:

City of Oregon ~~City Recorder~~ (Kelly Burgoyne)
P.O. Box 3040
Oregon City, Oregon 97045-0304

Map No.: 3-2E-05D
Tax Lot: 1208 and 1211
Planning No.: FOR SP/3-05 (BLACKROCK COFFEE)

Grantor: Wiesberg Family Properties, L.L.C.,
an Oregon limited liability company

CITY OF OREGON CITY, OREGON PUBLIC UTILITY(S) EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Wiesberg Family Properties, L.L.C., an Oregon limited liability company, hereinafter called the GRANTOR, 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, reconstruct, operate, and maintain a public waterline and appurtenances on the following described land:

See attached Exhibit "A" Legal Description (herein the "Easement Area") and attached Exhibit "B" Sketch for Legal Description

TO HAVE AND TO HOLD, the above described easement unto the CITY, its successors in interest and assigns forever.

GRANTOR reserves the right to use the surface of the Easement Area for walkways, plantings (with the exception of trees), parking, and related uses. Such uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the Easement Area by the CITY for the purpose set forth herein. No building or utility shall be placed upon, under, or within the Easement Area during the term thereof, however, without the written permission of the CITY.

Upon completion of the any work by the City in the Easement Area, the CITY shall restore the surface of the Easement Area to its original condition and shall indemnify and hold the GRANTOR harmless against any and all claims, loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is \$1.00, the receipt of which is hereby acknowledged by GRANTOR.

GRANTOR hereby covenants to and with the CITY, and CITY's successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the Easement Area, free from all encumbrances except for that certain Deed of Trust, Assignment of Leases and Rents and Security Agreement dated as of March 3, 2014, in favor of Ladder Capital Finance LLC, a Delaware limited liability company, recorded March 3, 2014, Official Records of Clackamas County, Oregon as Recorder's No. 2014-009430, and that GRANTOR and its successors in interest and assigns shall defend the Easement Area and every part thereof to the CITY, its successors in interest and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

Clackamas County Official Records
Sherry Hall, County Clerk

2014-039957



01786345201400399570060061

\$78.00

08/11/2014 11:04:02 AM

In construing this Easement 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 17 day of July, 2014; 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.

GRANTOR:

WIESBERG FAMILY PROPERTIES, L.L.C.,
an Oregon limited liability company

By: Southridge Shopping Center, Inc.,
an Oregon corporation
Its: Managing Member

By: Judith Wiesberg
Judith Wiesberg
Its: President

CITY:

CITY OF OREGON CITY
P.O. Box 3040
625 Center Street
Oregon City, OR 97045-0304

Accepted on behalf of the City of Oregon City
on the condition that the easement granted is
free and clear from any taxes, liens, and
encumbrances.

Doug Haley
Mayor
Nancy Cole
City Recorder

STATE OF District of Columbia

County of Washington

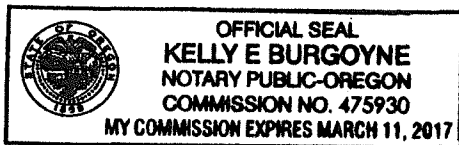
This instrument was acknowledged before me this 17th day of July, 2014, by Judith Wiesberg, President of Southridge Shopping Center, Inc., an Oregon corporation, on behalf of the corporation, as the Managing Member of Wiesberg Family Properties, L.L.C.

[Signature]
NOTARY PUBLIC FOR District of Columbia
My Commission Expires: 3/31/2019

STATE OF OREGON

County of Clackamas

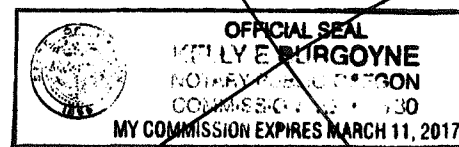
This instrument was acknowledged before me this 11th day of August, 2014, by Doug Neeley and Nancy Ide, Mayor and City Recorder of the City of Oregon City, respectively.



Kelly E. Burgoyne
NOTARY PUBLIC FOR OREGON
My Commission Expires: 03-11-2017

GRANTOR'S NAME AND ADDRESS:

Wiesberg Family Properties, L.L.C.
1515 "O" Street NW, Apt. 406
Washington, DC 20005-5518



GRANTEE'S NAME AND ADDRESS:

City of Oregon City
PO Box 3040
625 Center Street
Oregon City, OR 97045-0304

EXHIBIT A
page 1 of 2

Weisberg Family Properties
Waterline Easement
Project No 0655-009
May 22, 2014

PROPERTY DESCRIPTION

A tract of land in the southeast one-quarter of Section 5, Township 3 South, Range 2 East of the Willamette Meridian, in the City of Oregon City, Clackamas County, Oregon, being a portion of Parcel 1 of that tract of land as conveyed by deed to Weisberg Family Properties LLC, February 14, 2014 in Fee No. 2014-007073, Clackamas County Records and being more particularly described as follows:

A fifteen (15) foot wide strip of land being seven and one-half (7.50) feet on each side of the following described centerline:

Commencing at the most northerly northwest corner of Parcel 1 of Partition Plat 2000-091, a duly recorded plat, recorded in Clackamas County Records, being a point on the southerly line of Market Road No. 11 (Beavercreek Road), said point being 40.00 feet, when measured at right angles, from the centerline of said road;
Thence, along the west line of said Market Road No. 11, North 81°18'37" West, 186.70 feet to the true point of beginning;
Thence South 10°53'38" West, 23.29 feet to Point "A";
Thence continuing South 10°53'38" West, 112.55 feet;
Thence South 44°42'40" West 271.36 feet to Point "B";
Thence continuing South 44°42'40" West 25.78 feet to Point "C";
Thence South 45°00'40" West 176.41 feet to Point "D";
Thence continuing South 45°00'40" West 230.15 feet to Point "E";
Thence continuing South 45°00'40" West, 31.07 feet;
Thence South 12°24'45" West, 68.80 feet;
Thence South 52°48'37" West, 2.23' to a point on the northeasterly line of Market Road No. 22 (Molalla Avenue), and the terminus of said centerline, said point being 40.00 feet, when measured at right angles, from the centerline of said road and being a point which bears North 30°36'04" West, 52.51 feet from the most westerly southwest corner of said Parcel 1 of Partition Plat 2000-091.

Together with a fifteen (15) foot wide strip of land being seven and one-half (7.50) feet on each side of the following described centerline:
Beginning at Point "A" as described above: thence South 79°06'22" East, 24.01 feet.

Together with a fifteen (15) foot wide strip of land being seven and one-half (7.50) feet on each side of the following described centerline:
Beginning at Point "B" as described above: thence South 45°17'20" East, 22.75 feet.

EXHIBIT A
page 2 of 2

Together with a twenty (20) foot wide strip of land being ten (10.00) feet on each side of the following described centerline:

Beginning at Point "C" as described above: thence North 44°59'20" West, 18.61 feet.

Together with a fifteen (15) foot wide strip of land being seven and one-half (7.50) feet on each side of the following described centerline:

Beginning at Point "D" as described above: thence South 44°59'20" East, 23.18 feet.

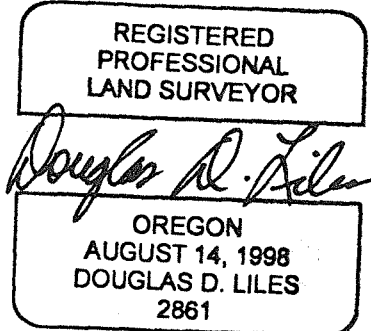
Together with a fifteen (15) foot wide strip of land being seven and one-half (7.50) feet on each side of the following described centerline:

Beginning at Point "E" as described above: thence South 44°59'20" East, 22.79 feet.

Subject to lengthening and / or shortening of sidelines so that they terminate on the proper boundaries.

Containing 15,287 square feet, more or less.

Bearings are based on Survey Number PS-25495, Clackamas Country Records.



RENEWS: 12-31-2014

Drawing Name: J:\0655-009.14\Survey\CAD\DWG\0655-009X2_v2013.dwg May 27, 2014 - 10:05am - ddl



0 100' 200'
SCALE: 1"=200'

PARCEL II
2014-007073

(BEAVERCREEK ROAD)
MARKET ROAD NO. 11

MARKET ROAD NO. 22
(MOLALLA AVENUE)

PARCEL I
2014-007073

PARCEL I
PARTITION PLAT
2000-091

LINE DATA TABLE		
LINE#	BEARING	LENGTH
L1	S10°53'38"W	23.29'
L2	S10°53'38"W	112.55'
L3	S44°42'40"W	271.36'
L4	S44°42'40"W	25.78'
L5	S45°00'40"W	176.41'
L6	S45°00'40"W	230.15'
L7	S45°00'40"W	31.07'
L8	S12°24'45"W	68.80'
L9	S52°48'37"W	2.23'
L10	S79°06'22"E	24.01'
L11	S45°17'20"E	22.75'
L12	N44°59'20"W	18.61'
L13	S44°59'20"E	23.18'
L14	S44°59'20"E	22.79'

N30°36'04"W 52.51'

MOST WESTERLY SW CORNER OF
PARCEL 1 OF PARTITION PLAT 2000-091

TRUE POINT OF BEGINNING

N81°18'37"W 186.70'

POINT OF COMMENCEMENT
MOST NORTHERLY NW
CORNER OF PARCEL 1
OF PARTITION PLAT 2000-091

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Douglas D. Liles

OREGON
AUGUST 14, 1998
DOUGLAS D. LILES
2861

RENEWAL: 12-31-2014

EXHIBIT B

LOCATED IN THE SE 1/4 OF SECTION 5
TOWNSHIP 3 SOUTH, RANGE 2 EAST, W.M.
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

DATE	2014-05-22
DRAWN BY	DDL
CHECKED BY	TGB
REVISION	1
JOB NO.	0655-009



WESTLAKE
CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652
TIGARD, OREGON 97224 FAX (503) 624-0157