

5/5
AFTER RECORDING RETURN TO:
City Recorder
City of Oregon
P.O. Box 3040
Oregon City, Oregon 97045-0304

Map No.: 3 2E 5C
Tax Lot: 301
Planning No.: N/A
Street: Beaver Creek Road

Grantor: Sierra Vista Properties Partnership

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

KNOW ALL BY THESE PRESENTS, that Sierra Vista Properties Partnership, 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 utility Easement on the following described land:

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

This Easement is granted for the purpose of design, construction, operation, and installation and repair or reconstruction of improvements related to the above ground and below ground traffic signal and power service equipment.

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

Uses undertaken by the GRANTOR shall not be inconsistent or interfere with the use of the subject Easement area by the CITY. No structure or utility shall be placed upon, under, or within the property subject to the foregoing Easement during the term thereof, however, without the written permission of the CITY.

Upon completion of the construction, the CITY shall restore the surface of the property to its original condition and shall indemnify and hold the GRANTOR harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is **ONE THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$1,700.00)**, the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR above named 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 above granted premises, free from all encumbrances, except encumbrances, easements, restrictions and rights-of-way of record and those common and apparent on the land, and that GRANTOR shall warrant and forever defend the said premises 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.

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.

Clackamas County Official Records
Sherry Hall, County Clerk

2010-030575



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\$67.00

05/21/2010 12:37:16 PM

IN WITNESS WHEREOF, the GRANTOR has executed this 24th day of MARCH, 2010; 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.

NOTICE: No stamp or corporate seal is allowed over any typed information.

Individuals, general partnerships

Corporation/limited partnership

Signer's Name

Corporation/Partnership Name

Phillip G. Fogg Jr.

Signer's Name

Signer's Name, Title

(if executed by a corporation
affix corporate seal below)

Signer's Name, Title

Signer's Name, Title

NOTICE TO NOTARIES: No notary stamp or corporate seal is allowed over any typed information.

Personal Acknowledgment

STATE OF OREGON)
County of Clackamas) ss.

Personally appeared the above named
Phillip Fogg Jr.

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

Before me: Christie Huston

NOTARY PUBLIC FOR OREGON

Christie Huston

Notary's signature

My Commission Expires: 2/5/12

Stamp seal below



(Grantor's Name and Address)

City of Oregon City

P.O. Box 3040

320 Warner Milne Road

Oregon City, OR 97045-0304

(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 any taxes, liens, and encumbrances.

Mayor Alvin Morris

City Recorder Nancy Hale

Corporate Acknowledgment

STATE OF OREGON)
County of _____) ss.

Personally appeared _____

_____ and _____
_____ who being duly sworn,
each for himself and not one for the other did say
that the former is the _____ president and that
the latter is the _____ secretary of _____

_____ 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 each of them acknowledged said
instrument to be its voluntary act and deed.

Before me:

NOTARY PUBLIC FOR OREGON

Notary's signature

My Commission Expires: _____

Stamp seal below

EXHIBIT A




Sheet 2 of 3

PUBLIC UTILITY EASEMENT:

A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO SIERRA VISTA PROPERTY PARTNERSHIP RECORDED AS DOCUMENT NUMBER 94-97970, CLACKAMAS COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHERLY CORNER OF PARCEL 4, PARTITION PLAT NO. 1999-116, CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF BEAVERCREEK ROAD (43.00 FEET FROM CENTERLINE) NORTH $76^{\circ}18'58''$ EAST 106.94 FEET TO A BRASS SCREW WITH A WASHER STAMPED "ZTEC LS 1944" AT AN ANGLE POINT IN SAID RIGHT OF WAY LINE; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE SOUTH $65^{\circ}45'13''$ EAST 22.09 FEET TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "ZTEC LS 1944" ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF MOLALLA AVENUE (46.01 FEET FROM CENTERLINE); THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE SOUTH $31^{\circ}32'48''$ EAST 12.91 FEET; THENCE LEAVING SAID SOUTHWESTERLY RIGHT OF WAY LINE NORTH $73^{\circ}24'31''$ WEST 38.22 FEET; THENCE SOUTH $76^{\circ}16'58''$ WEST 11.02 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH $13^{\circ}41'02''$ EAST 6.50 FEET; THENCE SOUTH $76^{\circ}18'58''$ WEST 13.55 FEET; THENCE NORTH $13^{\circ}41'02''$ WEST 6.50 FEET; THENCE NORTH $76^{\circ}18'58''$ EAST 13.55 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 88 SQUARE FEET, MORE OR LESS.

-  TEMPORARY CONSTRUCTION EASEMENT, 559 SQUARE FEET
-  RIGHT-OF-WAY DEDICATION 1,047 SQUARE FEET
-  PUBLIC UTILITY EASEMENT 88 SQUARE FEET



Scale: 1" = 30'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
DON DEVLAEMINCK
1634

DATE OF SIGNATURE: *2/19/09*
EXPIRES 12/31/2009

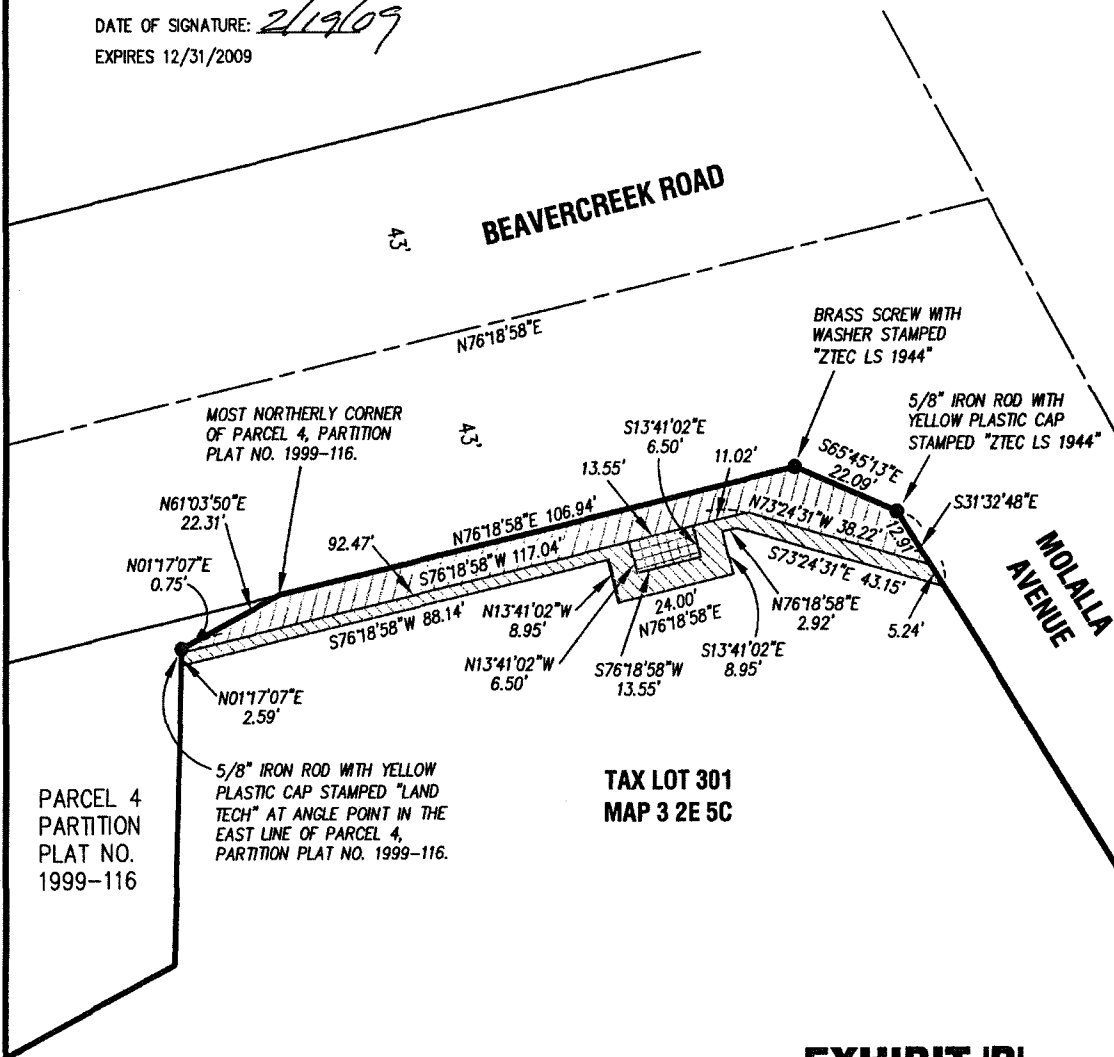


EXHIBIT 'B'



COMPASS ENGINEERING

ENGINEERING SURVEYING PLANNING
4105 S.E. INTERNATIONAL WAY, SUITE 501 (503) 653-9093 PHONE
MILWAUKIE, OREGON 97222 WWW.COMPASS-ENGINEERING.COM

SIERRA VISTA PROPERTY PARTNERSHIP
1680 MOLALLA AVENUE
OREGON CITY, OREGON 97045