

AFTER RECORDING RETURN TO:

City Recorder Nancy Ide  
P.O. Box 3040  
Oregon City, Oregon 97045-0304



01348895200900708060050053

\$67.00

10/08/2009 11:57:13 AM

D-E Cnt=1 Stn=9 DIANNAW  
\$25.00 \$16.00 \$16.00 \$10.00

Map No.: 3-2E-09B  
Tax Lot: 1500 & 1502  
Planning No.: MD07-04(SPOG-19)

Grantor: LIZER PROPERTIES I LLC

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

KNOW ALL BY THESE PRESENTS, THAT LIZER PROPERTIES I LLC  
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  
PUBLIC UTILITIES on the following described land:

See attached Exhibit "A" Legal Description 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 land for walkways, plantings,  
parking, and related uses. Such uses undertaken by the GRANTOR shall not be inconsistent or  
interfere with the use of the subject easement area by the CITY. No building 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 \$1.00, 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 (no exceptions) and that GRANTOR and their  
heirs and personal representatives 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 deed 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 30<sup>TH</sup> day of July, 2009; 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

\_\_\_\_\_

Signer's printed Name, Title & Address (below)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signer's printed Name, Title & Address (below)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(if executed by a corporation  
affix corporate seal below)

Corporation/limited partnership

Lizer Properties #1 LLC

Corporation/Partnership Name

\_\_\_\_\_

Signer's Name, Title

George M Lizer Manager

Signer's Name, Title

Dolores M. Lizer Manager

Signer's Name, Title

\_\_\_\_\_

Corporation/Partnership Address (below)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Personal Acknowledgment  
STATE OF OREGON )

County of \_\_\_\_\_ ) ss.

Personally appeared the above named \_\_\_\_\_

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

Before me:

NOTARY PUBLIC FOR OREGON

\_\_\_\_\_  
Notary's signature

My Commission Expires: \_\_\_\_\_

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 Harris

City Recorder

Nancy S. Sade

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Corporate Acknowledgment  
STATE OF OREGON )

County of Clackamas ) ss.

Personally appeared George M. Lizer and Dolores M. Lizer who being duly sworn, each for himself and not one for the other did say that the former is the Manager president and that the latter is the Manager secretary of Lizer Properties LLC, 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

Christina M. Hammack

Notary's signature

My Commission Expires: 10/19/12

Stamp seal below



## EXHIBIT A

LOCATION: TAX LOT 1500 AND 1502 3 2E 9B

PROPERTY OWNER:  
LIZER PROPERTIES I L.L.C.

PREPARED BY:  
Compass Engineering  
4105 SE International Way, Suite 501  
Milwaukie, Oregon 97222  
(503) 653-9093

### PUBLIC UTILITY EASEMENT:

A VARIABLE WIDTH STRIP OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, BEING A PORTION OF THOSE TRACTS OF LAND DESCRIBED IN DEEDS TO GEORGE M. AND DOLORES M. LIZER, RECORDED AS DOCUMENT NUMBERS 2006-058524 AND 96-21817, CLACKAMAS COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THAT TRACT LAND DESCRIBED IN DOCUMENT NUMBER 96-21817, CLACKAMAS COUNTY DEED RECORDS, (30.00 FEET FROM THE CENTERLINE OF MOLALLA AVENUE); THENCE ALONG THE SOUTH LINE OF SAID DOCUMENT NUMBER 96-2187, NORTH 89°40'43" EAST, 14.95 FEET TO THE TRUE POINT OF BEGINNING; THENCE PARALLEL WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MOLALLA AVENUE, NORTH 29°54'03" WEST 407.62 FEET; THENCE NORTH 31°06'54" EAST, 32.41 FEET; TO A POINT THAT IS 27.00 FEET FROM THE CENTERLINE OF FIR STREET (WHEN MEASURED IN A DIRECTION PERPENDICULAR TO SAID CENTERLINE); THENCE PARALLEL WITH SAID CENTERLINE OF FIR STREET, NORTH 89°30'00" EAST, 11.74 FEET; THENCE SOUTH 31°06'54" WEST, 40.68 FEET; THENCE PARALLEL WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MOLALLA AVENUE, SOUTH 29°54'03" EAST, 172.35 FEET TO THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 96-21817, CLACKAMAS COUNTY DEED RECORDS, THENCE ALONG SAID NORTH LINE, NORTH 89°30'00" EAST, 8.03 FEET; THENCE PARALLEL WITH THE AFOREMENTIONED NORTHEASTERLY RIGHT-OF-WAY LINE, SOUTH 29°54'03" EAST, 227.23 FEET TO THE SOUTH LINE OF SAID TRACT DESCRIBED IN DOCUMENT NUMBER 96-21817; THENCE ALONG SAID SOUTH LINE, SOUTH 89°40'43" WEST, 11.50 FEET TO THE TRUE POINT OF BEGINNING

BASIS OF BEARINGS: SURVEY NUMBER 26626

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 14, 1978  
DON DEVLAMINCK  
1634

DATE OF SIGNATURE: *7/21/09*

VALID UNTIL 12/31/2009

FIR STREET

20'

27.00'

N89°30'00"E  
11.74'

N31°06'54"E  
32.41'

S31°06'54"W  
40.68'

TAX LOT 1502  
DOCUMENT NO. 2009-029714

S29°54'03"E

172.35'

13'

30'

3' PUBLIC UTILITY EASEMENT

N89°30'00"E  
8.03'

MOLALLA AVENUE

TAX LOT 1500  
DOCUMENT NO. 2009-029714

S29°54'03"E

227.23'

N29°54'03"W

407.62'

3'

10' PUBLIC UTILITY EASEMENT

S89°40'43"W  
11.50'

POINT OF COMMENCEMENT

N89°40'43"E  
14.95'

TRUE POINT  
OF BEGINNING

DATE OF SIGNATURE: *[Signature]*  
EXPIRES 12/31/2009



Scale: 1" = 50'

**EXHIBIT "B"**  
**PUBLIC UTILITY EASEMENT**

**COMPASS ENGINEERING**

ENGINEERING SURVEYING PLANNING

4105 S.E. INTERNATIONAL WAY, SUITE 501  
MILWAUKIE, OREGON 503.653.9093

LOCATED IN THE NE 1/4 OF  
SECTION 8, T.3S., R.2E., W.M.,  
CLACKAMAS COUNTY, OREGON

(5)



6235 Exh7.dwg