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2009-031551

AFTER RECORDING RETURN TO:

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

Map No.: 3 2E 5CA  
Tax Lot: 3400  
Planning No.: N/A

Clackamas County Official Records  
Sherry Hall, County Clerk

2009-031551



\$71.00

01305177200900315510050052

05/07/2009 11:44:07 AM

D-E Cnt=1 Stn=9 DIANNAW  
\$25.00 \$16.00 \$10.00 \$20.00

Grantor: CJK2, LLC

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

KNOW ALL BY THESE PRESENTS, THAT CJK2, LLC, and 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 traffic signal pole and concrete pad base, 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.

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 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 25<sup>th</sup> day of April, 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

Limited Liability Company

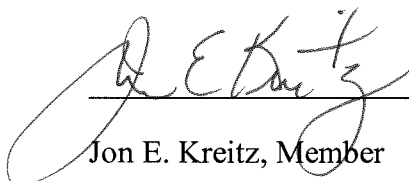
\_\_\_\_\_

CJK2, LLC

Signer's Name

\_\_\_\_\_

Signer's Name

  
\_\_\_\_\_

Jon E. Kreitz, Member

\_\_\_\_\_

(if executed by a corporation  
affix corporate seal below)

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

Personal Acknowledgment

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

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

Corporate Acknowledgment

STATE OF OREGON )  
 ) ss.  
County of Clackamas )

This instrument was acknowledged before me on 25<sup>th</sup> day of April, 2009 by Jon E. Kreitz member of CJK2, LLC.

Before me:

NOTARY PUBLIC FOR OREGON

Seth Hemelstrand

Notary's signature

My Commission Expires: Feb 3, 2011

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

Allen Horns

City Recorder

Nancy Noble

Page 3

## EXHIBIT A

PROJECT: Warner Milne Road

LOCATION: TAX LOT 3400 3 2E 5CA

PROPERTY OWNER:  
CJK2, LLC  
17514 Brookhurst Drive  
Lake Oswego, Oregon 97034

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

### PUBLIC UTILITY EASEMENT:

A TRACT OF LAND SITUATED IN THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON AND BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO CJK2, LLC BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 2008-069587, CLACKAMAS COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH RED PLASTIC CAP STAMPED "CENTERLINE CONCEPTS INC." AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF MOLALLA AVENUE (FORMERLY KNOWN AS STATE HIGHWAY NO. 213, SAID WEST RIGHT OF WAY LINE BEING 46.00 FEET FROM CENTERLINE) WITH THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 2006-050633, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID NORTH LINE SOUTH 89°22'33" EAST 6.75 FEET TO A POINT WHICH IS 40.00 FEET WESTERLY OF (WHEN MEASURED IN A DIRECTION PERPENDICULAR THERETO) THE CENTERLINE OF SAID MOLALLA AVENUE; THENCE PARALLEL WITH AND 40.00 FEET FROM SAID CENTERLINE SOUTH 26°42'40" EAST 9.02 FEET; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID CJK2, LLC TRACT 18.57 FEET ALONG THE ARC OF A 42.00 FOOT RADIUS CURVE CONCAVE TO THE WEST THROUGH A CENTRAL ANGLE OF 25°20'04" (LONG CHORD BEARS SOUTH 04°18'54" WEST 18.42 FEET) TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE 5.00 FEET ALONG THE ARC OF A 42.00 FOOT RADIUS CURVE CONCAVE TO THE WEST THROUGH A CENTRAL ANGLE OF 06°49'38" (LONG CHORD BEARS SOUTH 20°23'45" WEST 5.00 FEET); THENCE LEAVING SAID SOUTHEASTERLY LINE NORTH 69°36'11" WEST 5.01 FEET; THENCE 5.00 FEET ALONG THE ARC OF A 37.00 FOOT RADIUS CURVE CONCAVE TO THE WEST THROUGH A CENTRAL ANGLE OF 07°44'55" (LONG CHORD BEARS NORTH 20°23'49" EAST 5.00 FEET); THENCE SOUTH 69°36'11" EAST 5.01 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 25 SQUARE FEET, MORE OR LESS.

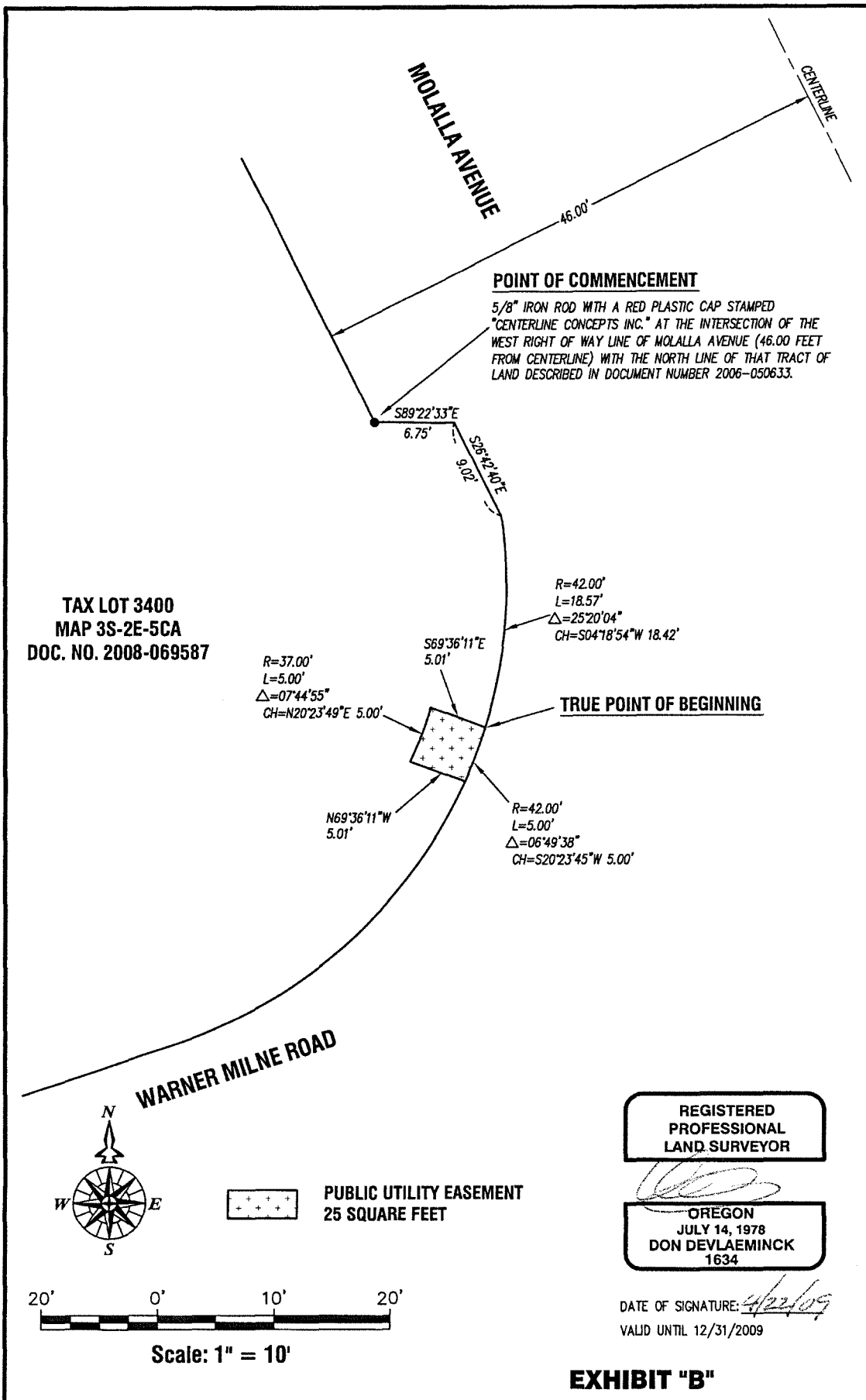
BASIS OF BEARINGS: SN 25313

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 14, 1978  
DON DEVLAE MINCK  
1634

DATE OF SIGNATURE: 4/22/09

VALID UNTIL 12/31/2009



REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JULY 14, 1978  
 DON DEVLAEINCK  
 1634

DATE OF SIGNATURE: 4/22/09  
 VALID UNTIL 12/31/2009

**EXHIBIT "B"**

**COMPASS ENGINEERING**

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

**CJK2, LLC**  
 17514 BROOKHURST DRIVE  
 LAKE OSWEGO, OREGON 97034