

8/8
AFTER RECORDING RETURN TO:

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



\$66.00

01222298200800421480080087

06/10/2008 12:38:30 PM

D-E Cnt=1 Stn=2 TINAJAR
\$40.00 \$16.00 \$10.00

Map No.: 31E01DA
32E06BC
Tax Lot No.: 3-1E-01DA-01200
3-2E-06BC-03900
Planning No.: N/A

Grantor: Oregon City School District No. 62

**CITY OF OREGON CITY, OREGON
PUBLIC UTILITY(S) EASEMENT
(Temporary and Permanent)**

KNOW ALL BY THESE PRESENTS, THAT Oregon City School District No. 62 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 potable water main and appurtenant items 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.

The GRANTORS bargain, sell, convey, transfer, and deliver unto CITY a temporary easement and right-of-way upon, across, and under so much of the aforesaid land as described as:

See attached Exhibit "C" Legal Description and attached Exhibit "D" Sketch for Legal Description.

It being understood that said temporary easement is only for the original excavation and construction of said utility and upon the completion of the construction thereof shall utterly cease and desist, save and except for that portion hereinbefore described as being a permanent easement.

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 instrument this 9th day of May, 2008; 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

Alfred T. Thonstad

Signer's Name

ALFRED T. THONSTAD

Corporation/limited partnership

Corporation/Partnership Name

Signer's Name

OREGON CITY SCHOOL DISTRICT #62

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

Alfred T. Thonstad

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

Before me: Kelli D. Darus

NOTARY PUBLIC FOR OREGON

WITNESS my hand and official seal.

Kelli D. Darus

Notary's signature

My Commission Expires: 11-07-11

Stamp seal below



(Grantor's Name and Address)

City of Oregon City

320 Warner Milne Road

P.O. Box 3040

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 Ude

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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

WITNESS my hand and official seal.

Notary's signature

My Commission Expires: _____

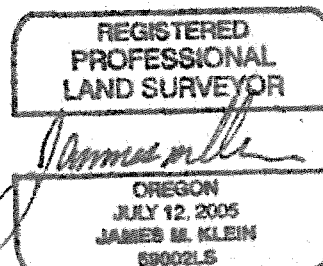
Stamp seal below

EXHIBIT A
UTILITY EASEMENT
APRIL 29, 2008

A STRIP OF LAND LOCATED IN PORTIONS OF LOTS 2, 25 AND 26 OF LAWTON HEIGHTS, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN AND THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF OREGON CITY, COUNTY OF CLACKAMAS, STATE OF OREGON, ALSO BEING A PORTION OF THOSE CERTAIN TRACTS CONVEYED TO SCHOOL DISTRICT NO. 62 RECORDED IN BOOK 545, PAGE 204, BOOK 545, PAGE 205 AND BOOK 481, PAGE 109, CLACKAMAS COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 9 OF ELMAR SUBDIVISION, A SUBDIVISION ON FILE WITH CLACKAMAS COUNTY; THENCE NORTH 00°59'01" WEST, 155.42 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN TRACT CONVEYED TO SCHOOL DISTRICT NO. 62 RECORDED IN BOOK 545, PAGE 204, ALSO BEING ON THE NORTH RIGHT-OF-WAY OF KING STREET; THENCE NORTH 89°02'31" WEST, 25.00 FEET ALONG THE NORTH LINE OF SAID TRACT CONVEYED IN BOOK 545, PAGE 204; THENCE SOUTH 00°58'32" EAST, 280.75 FEET ALONG A LINE WHICH IS PARALLEL TO AND 25.00 FEET WEST OF THE WEST LINE OF SAID ELMAR SUBDIVISION; THENCE NORTH 89°02'31" WEST, 352.68 FEET ALONG A LINE WHICH IS PARALLEL TO AND 25.00 FEET NORTH OF THE SOUTH LINE OF THAT CERTAIN TRACT CONVEYED TO SCHOOL DISTRICT NO. 62 RECORDED IN BOOK 545, PAGE 205; THENCE SOUTH 00°54'45" WEST, 22.86 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF OF THAT CERTAIN TRACT CONVEYED TO SCHOOL DISTRICT NO. 62 RECORDED IN BOOK 481, PAGE 109; THENCE SOUTH 89°05'40" EAST, 203.27 FEET, MORE OR LESS, ALONG THE SOUTH LINE OF SAID TRACT CONVEYED IN BOOK 481, PAGE 109, ALSO BEING THE NORTH LINES OF THOSE TRACTS DESCRIBED IN BOOK 381, PAGE 166 AND BOOK 432, PAGE 444 TO A IRON PIPE AT THE SOUTHEAST CORNER OF SAID TRACT CONVEYED BY BOOK 481, PAGE 109; THENCE SOUTH 00°59'31" EAST, 2.33 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE NORTH 150.00 FEET OF THE WEST 1/2 OF LOT 26; THENCE SOUTH 89°02'31" EAST, 175.19 FEET ALONG THE SOUTH LINE OF THE NORTH 150.00 FEET OF THE WEST 1/2 OF LOT 26 TO A POINT ON THE WEST LINE OF LOT 9 OF ELMAR SUBDIVISION; THENCE NORTH 0°59'01" WEST, 150.35 FEET ALONG THE WEST LINE OF SAID LOT 9 OF ELMAR SUBDIVISION BACK TO THE POINT OF BEGINNING.

CONTAINING 16,017 SQ.FT.±, 0.37 ACRES ±.

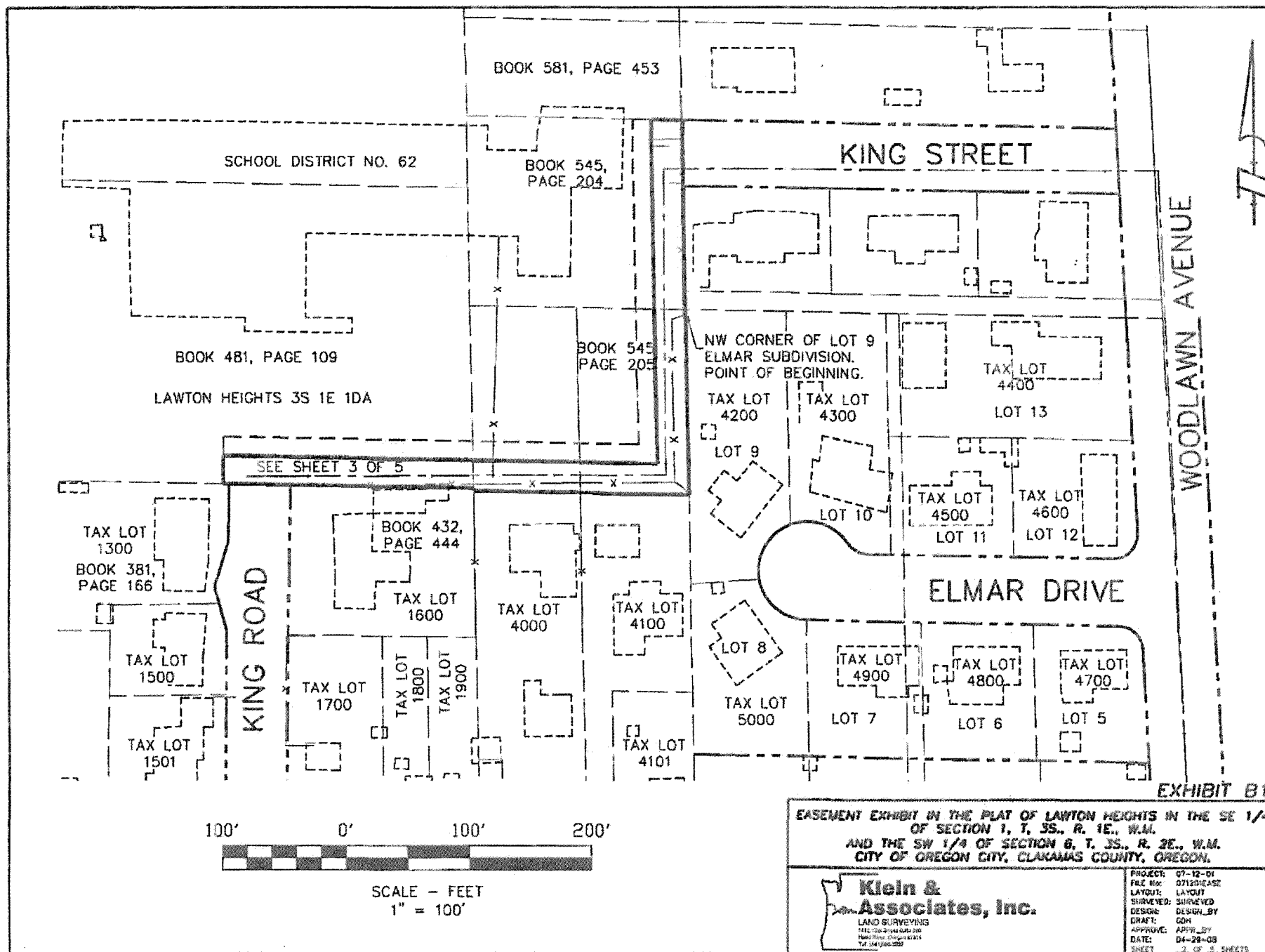


EXPIRES 6-25-09

EASEMENT EXHIBIT IN THE PLAT OF LAWTON HEIGHTS, LOCATED IN THE SE 1/4 OF SECTION 1, T. 3S., R. 1E., W.M. AND THE SW 1/4 OF SECTION 6, T. 3S., R. 2E., W.M. CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON.

Klein & Associates, Inc.
LAND SURVEYING
1011 E. 10th Street, Suite 101
Portland, Oregon 97214
Tel: 503.288.2222

PROJECT: 07-12-01
FILE NO: 071201EASE
LAYOUT: LAYOUT
SURVEYED: SURVEYED
DESIGN: DESIGN_BY
DRAFT: DGN
APPROVED: APRR_BY
DATE: 04-29-08
SHEET: 1 OF 1 SHEETS



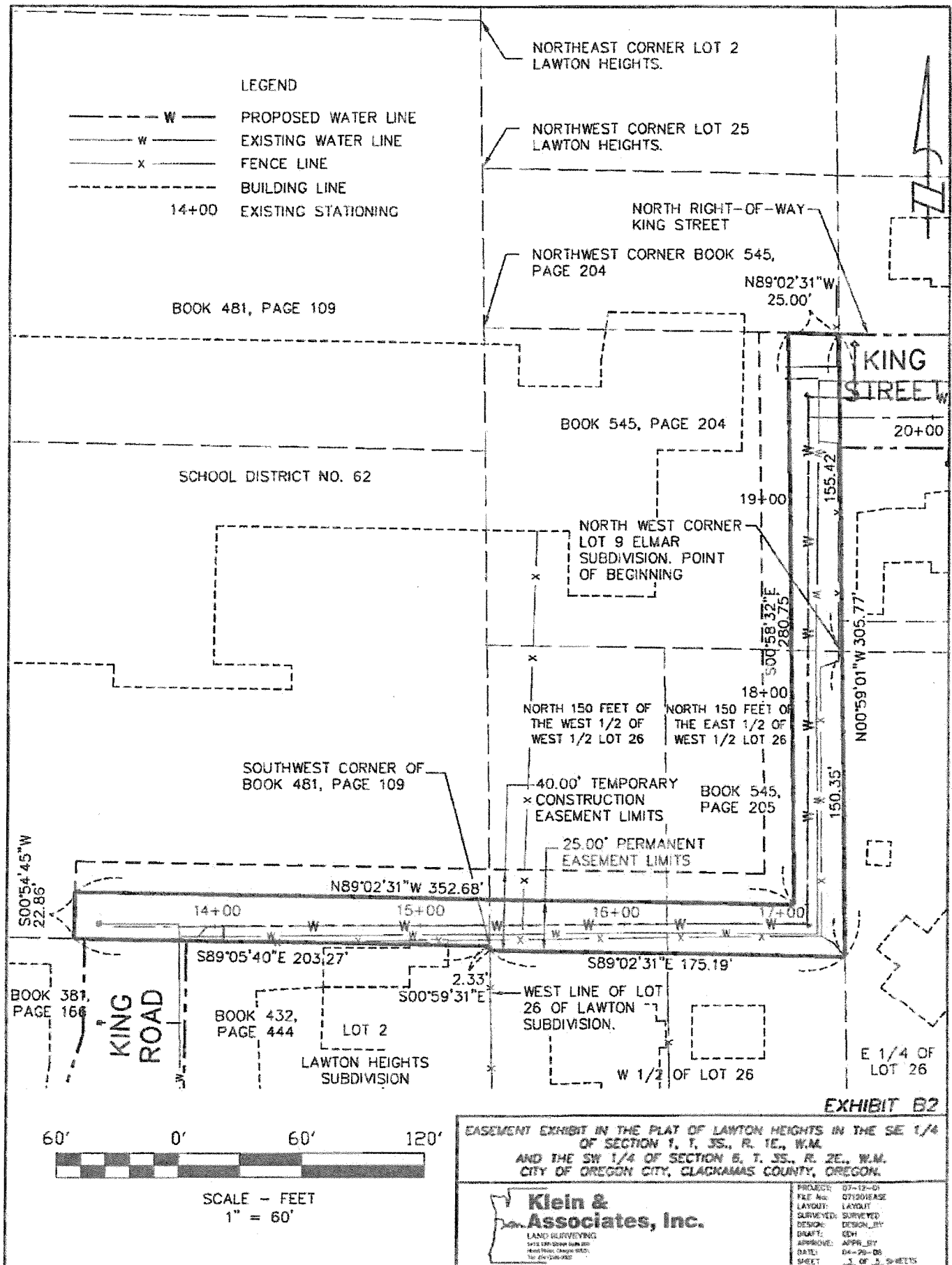
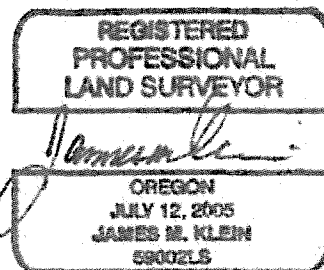


EXHIBIT C
TEMPORARY UTILITY EASEMENT
APRIL 29, 2008

A STRIP OF LAND LOCATED IN PORTIONS OF LOTS 2, 25 AND 26 OF LAWTON HEIGHTS, LOCATED IN THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN AND THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF OREGON CITY, COUNTY OF CLACKAMAS, STATE OF OREGON, ALSO BEING A PORTION OF THOSE CERTAIN TRACT CONVEYED TO SCHOOL DISTRICT NO. 62 RECORDED IN BOOK 545, PAGE 204, BOOK 545, PAGE 205 AND BOOK 481, PAGE 109, CLACKAMAS DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING 25,289 SQ.FT.±, 0.58 ACRES ±.



EXPIRES 6-25-09

EASEMENT EXHIBIT IN THE PLAT OF LAWTON HEIGHTS, LOCATED IN THE SE 1/4 OF SECTION 1, T. 3S., R. 1E., W.M. AND THE SW 1/4 OF SECTION 6, T. 3S., R. 2E., W.M. CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON.



Klein & Associates, Inc.

LAND SURVEYING
1415 TWO-WINDS DRIVE
PORTLAND, OREGON 97208
503-288-0000

PROJECT:	07-12-01
FILE NO:	071201EASE
LAYOUT:	LAYOUT
SURVEYED:	SURVEYED
DESIGN:	DESIGN_BY
DRAFT:	CDM
APPROVE:	APPROV_BY
DATE:	04-29-08
SHEET:	1 OF 2 SHEETS

