

58
AFTER RECORDING RETURN TO:

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

Map No.: 2-2E-29CC

Tax Lots.: 8000

Grantor: Abernethy Center LLC

SEC WASHINGTON & 15TH
(606 15TH)

Clackamas County Official Records
Sherry Hall, County Clerk

2007-107291



\$51.00

01174606200701072910050057

12/27/2007 11:49:40 AM

D-E Cnt=1 Stn=5 LESLIE
\$25.00 \$16.00 \$10.00

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

KNOW ALL BY THESE PRESENTS, THAT Abernethy Center 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 Sidewalk 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 \$3.00, 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 a loan number 1262 from Town Center Bank of which the bank has no objection to this easement, 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 24 day of September, 2007; 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

Abernethy Center LLC

Signer's Name

Signer's Name, Title

Mark E. Foley member/manager

(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 _____) 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 Morris

City Recorder

Nancy Able

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Corporate Acknowledgment

STATE OF OREGON)

County of Clackamas) ss.

Personally appeared Mark E. Foley 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 Abernethy Center 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

Alisa L. Finnegan

Notary's signature

My Commission Expires: 03-23-11

Stamp seal below



**EXHIBIT A
SIDEWALK EASEMENT**

Being a portion of Lot 8, Block 71 of the Plat of "Oregon City" as described in that Warranty Deed recorded as document number 99-016313, Clackamas County Deed Records located in the Southwest One-Quarter of Section 29, Township 2 South, Range 2 East of the Willamette Meridian, in the city of Oregon City, Clackamas County, Oregon being more particularly described as follows:

Beginning at the intersection of the southerly right of way line of 15th Street and the easterly right of way line of Washington Street being the most northerly corner of Lot 8, Block 71 of the Plat of Oregon City;

Thence S 54°27'41" E, along the southerly right of way line of said 15th Street, 9.00 feet to the beginning of a 13.34 foot radius non-tangent curve to the left having a central angle of 66°02'19", the radius point of which bears S 08°48'21" W, 13.34 feet;

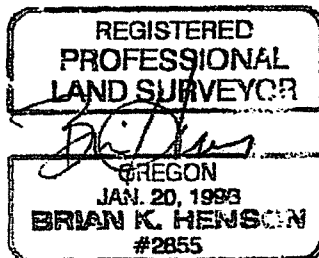
Thence along the arc of said non-tangent curve to the left (the long chord of which bears S 65°47'11" W, 14.54') 15.38 feet to a point;

Thence N 54°29'54" W, 1.67 feet to a point on the easterly right of way line of said Washington Street;

Thence N 35°30'35" E, along the easterly right of way line of said Washington Street, 12.56 feet to the Point of beginning.

Containing 46 square feet more or less.

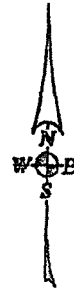
This legal description along with the basis of bearings thereof was established based on that Record of Survey recorded as survey number 2006-406. Clackamas County Survey Records.



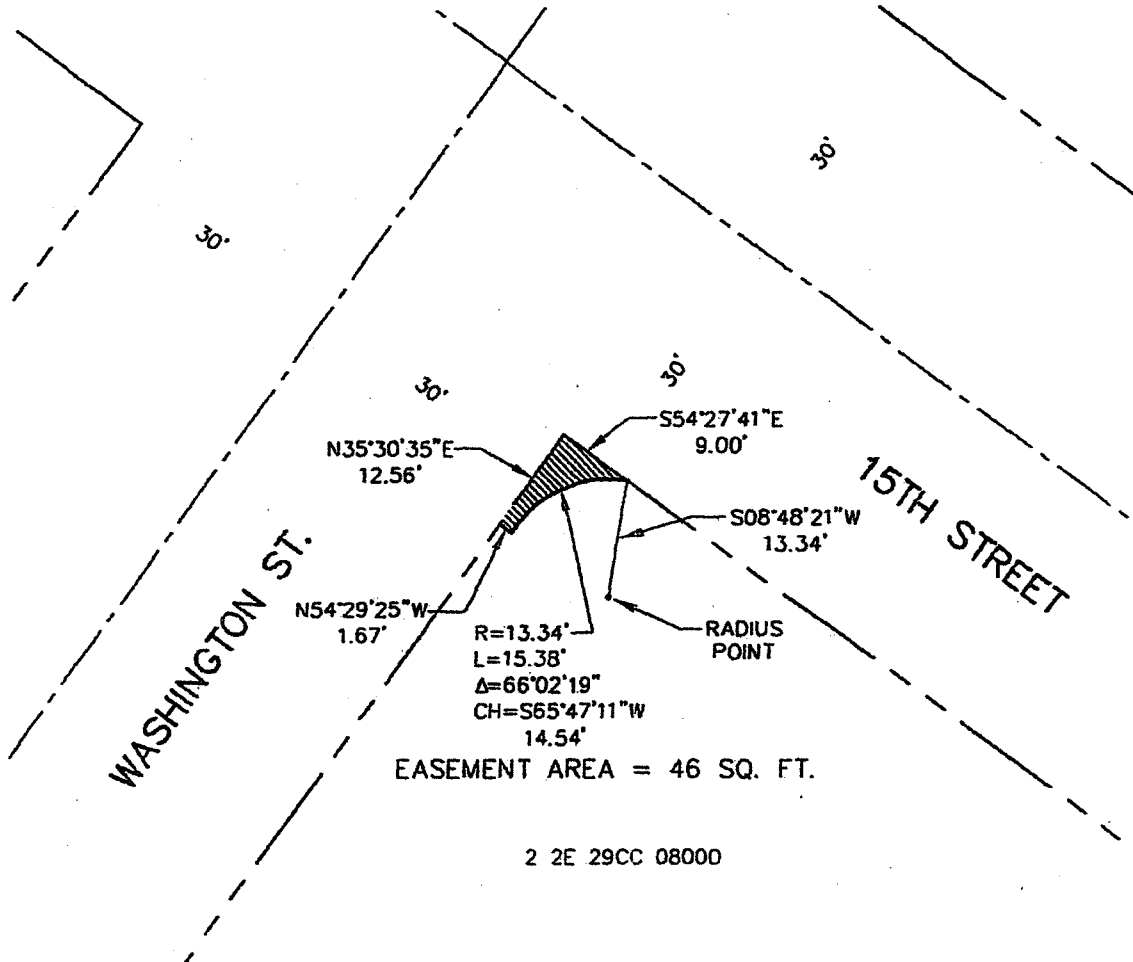
EXP 6-30-07

EXHIBIT B

LOCATED IN THE
SW 1/4 OF THE SW 1/4,
SEC. 29, T2S, R2E, WM
CLACKAMAS COUNTY, OR



SCALE: 1" = 20'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Brian K. Henson

OREGON
JANUARY 20, 1998
BRIAN K. HENSON
2855

EXP. 6-30-07

LEGEND:



- SIDEWALK
EASEMENT



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS • SURVEYORS

5200 SW MACADAM AVENUE, SUITE 580, PORTLAND, OR 97239

TEL 503.221.1131 www.hhpr.com FAX 503.221.1171

MARCH 7, 2007

JOB NO. ORE-04

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