

6208
AFTER RECORDING RETURN TO:

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



01128093200700650880060060

\$51.00

07/26/2007 11:17:55 AM

D-E Cnt=1 Stn=9 DIANNAW
\$30.00 \$11.00 \$10.00

Map No.: 3-2E-09C
Tax Lot: 1200
Planning No.: TP 06-07

Grantor: Oregon City Vineyards LLC

CITY OF OREGON CITY, OREGON SANITARY SEWER EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Oregon City Vineyards LLC, having an address in care of Aspen Square Management, Inc., at 380 Union Street, Suite 300, West Springfield, Massachusetts 01089, hereinafter called the GRANTOR, do(es) hereby grant unto the City of Oregon City, having an address in care of the City of Oregon City at 320 Warner Milne Road, Oregon City, Oregon 97045, hereinafter called the CITY, its successors in interest and assigns, a permanent, non-exclusive easement and right-of-way to construct, reconstruct, operate, and maintain a public sanitary sewer on the following described land (the "Easement Area"):

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 Easement Area for walkways, plantings, parking, and any other use; provided, however, that such use does not materially interfere with or is inconsistent with the rights granted to the CITY hereunder. No building shall be placed upon, under, or within the Easement Area during the term thereof, however, without the written permission of the CITY, which decision shall not be unreasonably withheld, delayed or conditioned.

The CITY shall (a) diligently perform to completion any construction, reconstruction, operation and maintenance ("Work") over, under, upon and across the Easement Area in a good and workmanlike manner and in accordance with all applicable laws, ordinances, codes, rules and regulations of all applicable governmental agencies and authorities, (b) perform Work in a manner intended to minimize disturbance to GRANTOR'S tenants and GRANTOR'S operation of an apartment complex, (c) pay all costs and expenses related to or connected with the Work and use of the public sanitary sewer over, under, upon and across the Easement Area, (d) restore the Easement Area to its original condition, and (e) 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 \$10,000.00, the receipt of which is hereby acknowledged by 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 29th day of June, 2007; if a corporate grantor, it has caused its name to be signed 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

Oregon City Vineyards LLC

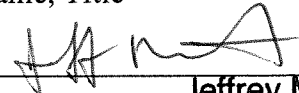
By Vineyards Bushnell LP, Its Manager

By H-Conn, Inc., Its General Partner

Corporation/Partnership Name

Signer's Name, Title

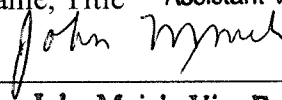
By



Jeffrey M Strole

Signer's Name, Title **Assistant Vice President**

By



John Mnich, Vice President

Signer's Name, Title

Corporation/Partnership Address (below)

380 Union Street, Suite 300

West Springfield, MA 01089

COMMONWEALTH OF MASSACHUSETTS)

)

ss. West Springfield

COUNTY OF HAMPDEN)

)

On this 29th day of June, 2007, before me personally appeared Jeff Strole and John Minch, to me personally known, who, being by me duly sworn, did say that they are Jeff Strole and John Minch, respectively, of H-Conn, Inc., a Massachusetts corporation, the general partner of Vineyards Bushnell Limited Partnership, a Massachusetts limited partnership, the manager of Oregon City Vineyards LLC, a Delaware limited liability company, and that they signed the foregoing instrument on behalf of said corporation on behalf of said limited partnership, on behalf of said limited liability company, and they acknowledged said instrument to be their free act and deed, the free act and deed of said corporation, the free act and deed of said limited partnership and the free act and deed of said limited liability company.



Nicholas William Ferron

Name: Nicholas William Ferron

Notary Public for Commonwealth of

Massachusetts

My Commission Expires: 3-30-2012

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

Personal Acknowledgment

STATE OF _____)
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 P. Morris

City Recorder

Nancy Cole

Corporate Acknowledgment

STATE OF _____)
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

Notary's signature

My Commission Expires: _____

Stamp seal below

EXHIBIT A

Legal Description of Sanitary Sewer Easement

A tract of land located in the Southeast quarter of Section 8 and the Southwest quarter of Section 9, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon and being more particularly described as follows:

Commencing at the southwest corner of partition plat number 2002-037, being a 5/8 inch iron rod with a yellow plastic cap inscribed "SUMMERS PLS 1042"; thence along the westerly boundary of said partition North 15°16'41" West 139.71 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "MULTI/TECH ENG" and the True Point of Beginning; thence continuing along the westerly boundary of said partition plat North 15°16'41" West 82.42 feet to a point on the southerly line of a public utility easement described in document number 91-49917; thence along said southerly line North 74°46'57" East 27.01 feet to a point; thence leaving said southerly line South 02°16'40" East 53.38 feet to a point; thence South 15°16'41" East 16.61 feet to a point; thence South 32°09'51" West 20.36 feet to the True Point of Beginning.

The above described tract of land contains 1,445 square feet, more or less. The Basis of Bearings is per Survey Number 2006-433 Clackamas County Survey Records.

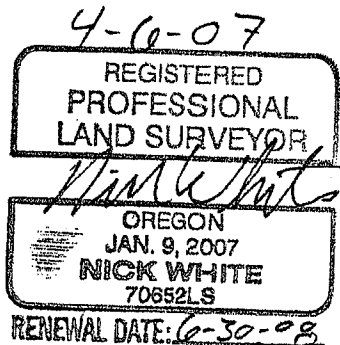


EXHIBIT B

MAP OF SANITARY SEWER EASEMENT

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 8 AND SOUTHWEST 1/4 OF SECTION 9,
TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY,
CLACKAMAS COUNTY, OREGON

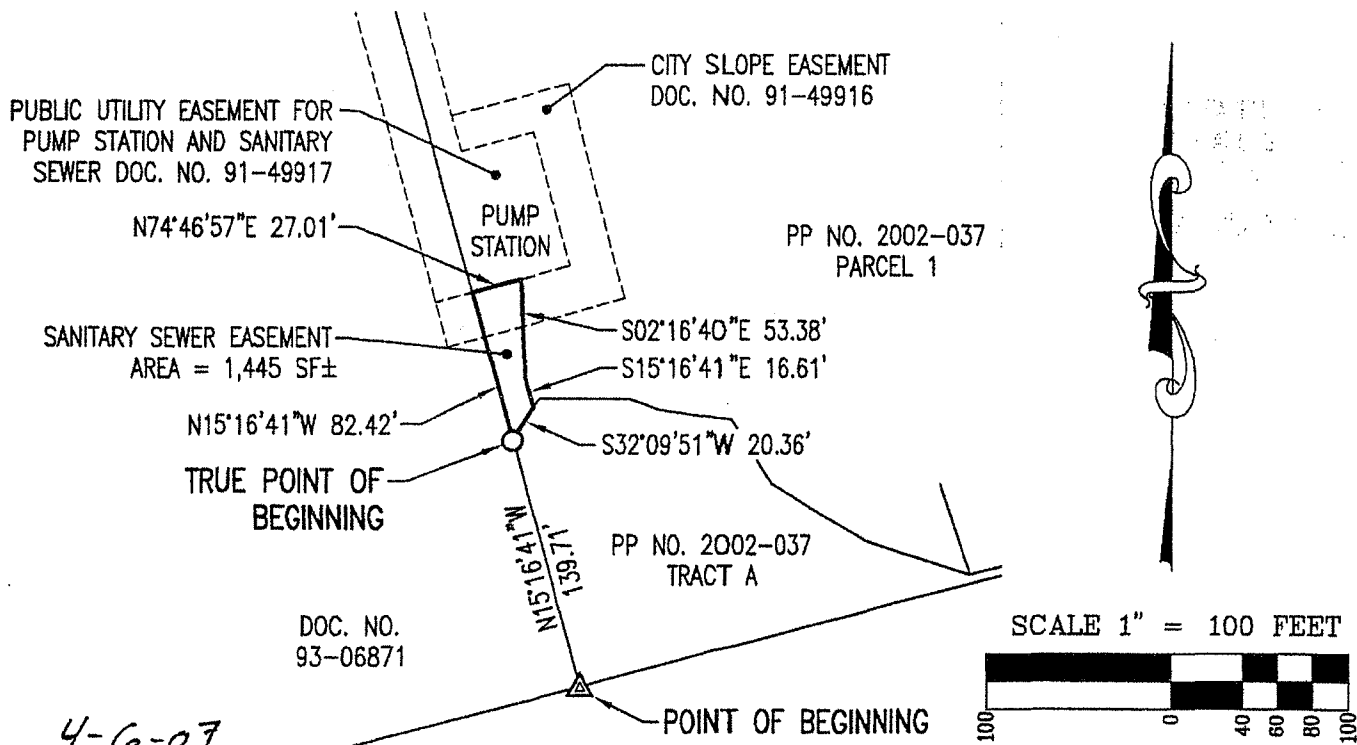
PREPARED FOR

BRUCE AMENT
15239 S. LAKERIDGE WAY
OREGON CITY, OR 97045

BASIS OF BEARINGS IS PER SN 2006-433

LEGEND

- △ FOUND 5/8" IR W/YPC INSCRIBED
"SUMMERS PLS 1042"
- FOUND 5/8" IR W/YPC INSCRIBED
"MULTI/TECH ENG"
- W/YPC WITH A YELLOW PLASTIC CAP
- DOC. NO. DOCUMENT NUMBER PER CLACKAMAS
COUNTY DEED RECORDS
- SN SURVEY NUMBER PER CLACKAMAS COUNTY
SURVEY RECORDS
- PP NO. PARTITION PLAT NUMBER PER CLACKAMAS
COUNTY SURVEY RECORDS
- SF SQUARE FEET



4-6-07

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 8, 2007
NICK WHITE
70652LS

RENEWAL DATE: 6/30/08

JOB NAME: S CAUFIELD RD

JOB NUMBER: 1485

DRAWN BY: WCB

CHECKED BY: NSW

DRAWING NO.: 033007_EXHIBIT B

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
FORESTRY • SURVEYING



LICENSED IN OR & WA

13910 SW GALBREATH
DRIVE, SUITE 100
SHERWOOD, OR 97140
PHONE: (503) 925-8799
FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

(6)