

*AFTER RECORDING RETURN TO:*

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



**\$46.00**

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02/23/2006 01:38:55 PM

D-E Cnt=1 Sin=2 TINAJAR  
\$25 00 \$11 00 \$10.00

**Map No.: 3-2E-7DD**

**Tax Lots.: 1915**

**Planning No.:** TP04-01 (Newberry subdivision, Lot 15)

**Grantor:** Cooper, Richard & Keeley

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

**KNOW ALL BY THESE PRESENTS, THAT** **Richard & Keeley Cooper**  
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 Access & Public Utility(s)** 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 20<sup>th</sup> day of January, 2006; 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 Keeley Cooper

\_\_\_\_\_  
Corporation/Partnership Name

Keeley R. Cooper

\_\_\_\_\_  
Signer's Name Richard Cooper

\_\_\_\_\_  
Signer's Name, Title

[Signature]

(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 Multnomah ) ss.

Personally appeared the above named

Keeley and Richard  
Cooper

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

Before me:

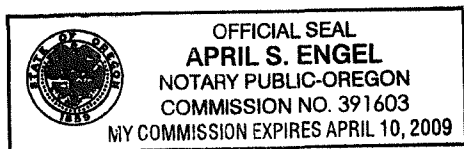
NOTARY PUBLIC FOR OREGON

April S. Engel

Notary's signature

My Commission Expires: April 10, 2009

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

Allie Morris

City Recorder

Nancy Uble

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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

Notary's signature

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

Stamp seal below



**GAYLORD**  
LAND SURVEYING, INC.

- Surveying Oregon Since 1970 -

2910 S.E. Oak Grove Blvd. • Milwaukie, OR 97267

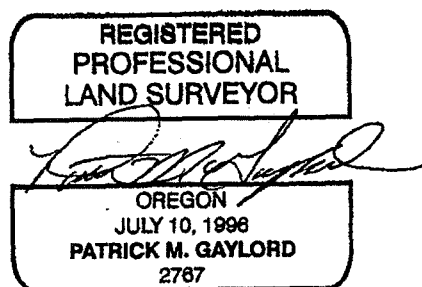
Phone 503-654-1492 • Fax 503-654-7878

E-mail: pat@gaylordlandsurveying.com

# LEGAL DESCRIPTION FOR PUBLIC ACCESS AND UTILITY EASEMENT

LEGAL DESCRIPTION FOR A PUBLIC ACCESS AND UTILITY EASEMENT OVER A PORTION OF LOT 15, NEWBERRY, A DULY RECORDED PLAT IN CLACKAMAS COUNTY, LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 7, T3S, R2E, W.M., CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON. THE SAID EASEMENT BEING DEPICTED ON THE PLAT OF NEWBERRY 11.00 FEET IN WIDTH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC", AT THE NORTHEAST CORNER OF TRACT "A", NEWBERRY; THENCE ALONG THE NORTH LINE OF TRACT "A", S42°55'21" W 6.52 FEET TO AN IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC" AT THE MOST WESTERLY CORNER OF LOT 15, NEWBERRY; THENCE ALONG THE WEST LINE OF LOT 15, N11°31'59"W 56.55 FEET TO AN IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC" IN THE SOUTHERLY RIGHT OF WAY LINE OF JOYS DRIVE AT A NON-TANGENT POINT OF CURVE LEFT; THENCE AROUND THE NON-TANGENT CURVE LEFT (CENTRAL ANGLE = 13°07'30", RADIUS = 50.00 FEET, LONG CHORD BEARS N62°43'34"E 11.43 FEET) 11.45 FEET TO A POINT; THENCE LEAVING THE SOUTHERLY RIGHT OF WAY LINE S11°31'59"E 64.13 FEET TO A POINT IN THE EAST LINE OF TRACT "A"; THENCE N46°05'18"W 10.05 FEET TO THE POINT OF BEGINNING.



**PUBLIC ACCESS AND UTILITY EASEMENT EXHIBIT  
IN THE SE 1/4 OF SECTION 7, T3S, R2E, W.M.  
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON**

SUBJECT TO OREGON CITY PLANNING DEPARTMENT FILE NO. TP 04-01 (NEWBERRY)

SCALE 1" = 30' DECEMBER 22, 2005

GAYLORD LAND SURVEYING, INC.  
2910 S.E. OAK GROVE BLVD.  
MILWAUKIE, OREGON 97267  
(503)654-1492

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Patrick M. Gaylord*

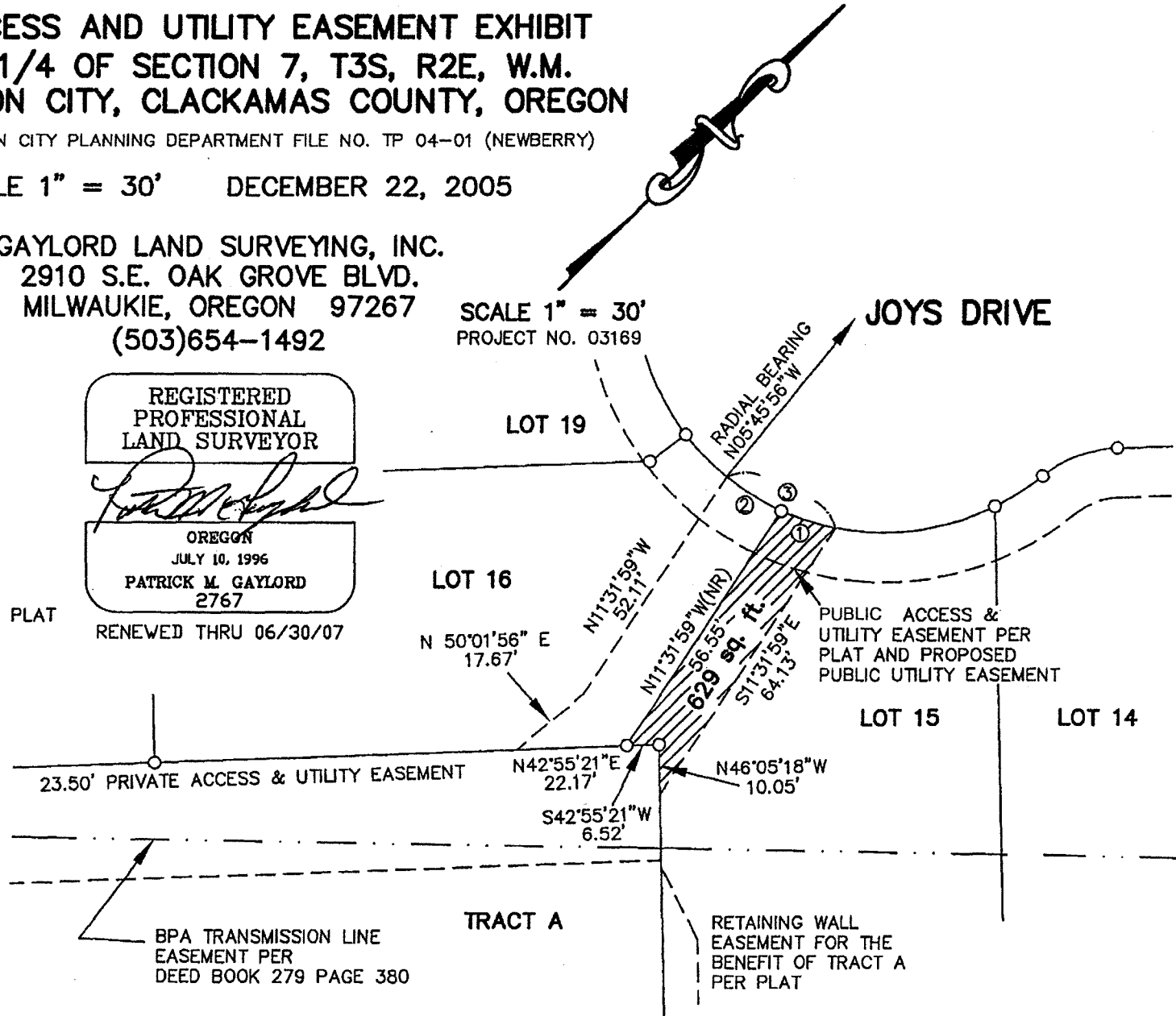
OREGON  
JULY 10, 1996  
PATRICK M. GAYLORD  
2767

RENEWED THRU 06/30/07

○ = SURVEY MONUMENT PER PLAT  
OF NEWBERRY

**CURVE DATA:**

- ① Δ = 13°07'30"  
R = 50.00  
L = 11.45  
LC = N62°43'34"E  
11.43
- ② Δ = 14°56'45"  
R = 50.00  
L = 13.05  
LC = N76°45'41"E  
13.02
- ③ Δ = 28°04'15"  
R = 50.00  
L = 24.50  
LC = N70°11'56"E  
24.25



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