

**Map No.:** S5D T3S R2E WM

**Tax Lots:** 503

**Street:** Beavercreek Rd

## TEMPORARY CONSTRUCTION EASEMENT

This TEMPORARY CONSTRUCTION EASEMENT is entered into this 29<sup>th</sup> day of November, 2006, by and between, property owner Theresa A. Graham and Paul G. Graham, husband and wife (hereafter referred to as "Grantor") and the City of Oregon City, a Municipal Corporation of the State of Oregon (hereafter referred to as "Grantee").

### RECITALS

1. Grantor is the owner of certain real property located in the City of Oregon City, Clackamas County, Oregon, legal description on Exhibit 'A', and illustrated on Exhibit 'B' attached hereto (hereafter referred to as "Easement Area").
2. Grantor desires to grant to Grantee, for good and valuable consideration a temporary, non-exclusive easement over, under, and across the Easement Area, together with the right to go upon said Easement Area for the purpose of constructing and reconstruction on site improvements including re-grading of the driveway and parking lot, replacement of curbing, moving and reinstalling Grantors business sign, reestablishing landscaping as necessary for the Beavercreek Road Improvements Project and as identified in the final construction plans. These improvements to be done at the expense of Grantee including the costs of any permits.
3. This TEMPORARY CONSTRUCTION EASEMENT is intended to allow the City of Oregon City, or its assigns to undertake the reconstruction of driveways and other on-site improvements included as part of the Beavercreek Road Improvements Project and all other activities that the Grantee deems necessary and appurtenant to the Beavercreek Road Improvements project.

### AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by each of the parties, it is agreed as follows:

1. **Grant of Easement.** Grantor hereby grants to Grantee a non-exclusive temporary easement over, under, and across the Easement Area, together with the right to go upon said Easement Area for the purpose of reconstructing driveways and other on-site improvements.
2. **Term of Easement.** This TEMPORARY CONSTRUCTION EASEMENT shall be temporary and shall terminate when both the City of Oregon City has approved the

completion of the Beavercreek Road Improvements project or one year from commencement of construction.

The true consideration for this conveyance is \$1462.00.

This TEMPORARY CONSTRUCTION EASEMENT has been executed as of the date and year first written above.

**GRANTOR:**

PAUL G. GRAHAM

By:

Paul G. Graham

Theresa A. Graham

By:

Theresa A. Graham

STATE OF OREGON )

County of

Clatsop )

On this 29 day of November, 2006, before me the undersigned, a Notary Public, personally appeared Paul & Theresa Graham, and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me:

Mary C. Henderson  
Notary Public for Oregon

My commission expires:

9/11/2010

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.

Alvin Morris

Mayor

Nancy Cole

City Recorder

**PROJECT:**            **BEAVERCREEK ROAD**

**LOCATION:**           **TAX LOT 503, 3 2E 5D**

**DOCUMENT:**        **86-31986**

**PROPERTY OWNER:**  
**Paul G. and Theresa Graham**  
**4215 Fruitwood Court**  
**Lake Oswego, Oregon 97034**

**PREPARED BY:**  
**Compass Engineering**  
**6564 S.E. Lake Road**  
**Milwaukie, Oregon 97222**  
**(503) 653-9093**

**DEDICATION:**

AN 8.50 FOOT WIDE STRIP OF LAND IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "KAMPE ASSOC. INC." AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO PAUL G. GRAHAM AND THERESA A. GRAHAM BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 86-31986, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG A LINE PARALLEL WITH AND 40.00 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11) SOUTH 59°27'14" EAST 94.53; THENCE CONTINUING ALONG SAID PARALLEL LINE 19.46 FEET ALONG THE ARC OF A 914.93 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF 01°13'07" (LONG CHORD BEARS SOUTH 60°03'47" EAST 19.46 FEET) TO A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "KAMPE ASSOC. INC." AT THE MOST SOUTHERLY CORNER OF SAID GRAHAM PARCEL; THENCE ALONG THE EASTERLY LINE OF SAID GRAHAM PARCEL NORTH 22°24'17" EAST 8.56 FEET; THENCE ALONG A LINE PARALLEL WITH AND 48.50 FEET FROM THE CENTERLINE OF BEAVERCREEK (MARKET ROAD NO. 11) 18.25 FEET ALONG THE ARC OF A 906.43 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF 01°09'13" (LONG CHORD BEARS NORTH 60°01'50" WEST 18.25 FEET); THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 59°27'14" WEST 96.96 FEET TO THE WESTERLY LINE OF SAID GRAHAM PARCEL; THENCE ALONG SAID WESTERLY LINE SOUTH 14°32'48" WEST 8.84 FEET TO THE POINT OF BEGINNING.

CONTAINS 974 SQUARE FEET, MORE OR LESS.

**TEMPORARY CONSTRUCTION EASEMENT:**

A 25.00 FOOT WIDE STRIP OF LAND IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "KAMPE ASSOC. INC." AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO PAUL G. GRAHAM AND THERESA A. GRAHAM BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 86-31986, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE WESTERLY LINE OF SAID GRAHAM PARCEL NORTH 14°32'48" EAST 8.84 FEET TO THE TRUE POINT OF BEGINNING OF THE STRIP TO BE DESCRIBED; THENCE ALONG A LINE PARALLEL WITH AND

48.50 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11) SOUTH 59°27'14" EAST 96.96 FEET; THENCE CONTINUING ALONG SAID PARALLEL LINE 18.25 FEET ALONG THE ARC OF A 906.43 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF 01°09'13" (LONG CHORD BEARS SOUTH 60°01'50" EAST 18.25 FEET) TO A POINT ON THE EASTERLY LINE OF SAID GRAHAM PARCEL; THENCE ALONG SAID EASTERLY LINE NORTH 22°24'17" EAST 25.19 FEET; THENCE ALONG A LINE PARALLEL WITH AND 73.50 FEET FROM THE CENTERLINE OF BEAVERCREEK (MARKET ROAD NO. 11) 14.68 FEET ALONG THE ARC OF A 881.43 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF 00°57'16" (LONG CHORD BEARS NORTH 59°55'52" WEST 14.68 FEET); THENCE CONTINUING ALONG SAID PARALLEL LINE NORTH 59°27'14" WEST 104.13 FEET TO THE WESTERLY LINE OF SAID GRAHAM PARCEL; THENCE ALONG SAID WESTERLY LINE SOUTH 14°32'48" WEST 26.01 FEET TO THE TRUE POINT OF BEGINNING.

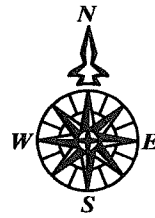
CONTAINS 2925 SQUARE FEET, MORE OR LESS.



TEMPORARY CONSTRUCTION  
EASEMENT, 2925 SQUARE FEET



RIGHT-OF-WAY DEDICATION  
974 SQUARE FEET



Scale: 1" = 30'

TAX LOT 600

TAX LOT 503  
MAP 3-2E-5D  
FEE NO. 86-31986

TAX LOT 500

FOUND 5/8" IRON ROD WITH  
YELLOW PLASTIC CAP STAMPED  
"KAMPE ASSOC. INC." P.S. 21395  
SOUTHWEST CORNER OF GRAHAM  
FEE NO. 86-31986

L=14.68'  
R=881.43'  
 $\Delta=00^{\circ}57'16''$   
CH=N59^{\circ}55'52"W 14.68'

FOUND 5/8" IRON ROD WITH  
YELLOW PLASTIC CAP STAMPED  
"KAMPE ASSOC. INC." P.S. 21395

BEAVERCREEK ROAD  
(MARKET RD. NO. 11)

L=19.46'  
R=914.93'  
 $\Delta=01^{\circ}13'07''$   
CH=S80^{\circ}03'47"E 19.46'

L=18.25'  
R=906.43'  
 $\Delta=01^{\circ}09'13''$   
CH=S80^{\circ}01'50"E 18.25'

**EXHIBIT "B"**



# COMPASS ENGINEERING

ENGINEERING SURVEYING PLANNING  
6564 S.E. LAKE ROAD (503) 653-9093 PHONE  
MILWAUKIE, OREGON 97222 WWW.COMPASS-ENGINEERING.COM

PAUL G. AND THERESA A. GRAHAM  
4215 FRUITWOOD COURT  
LAKE OSWEGO, OREGON 97034