

6/6



\$51.00

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03/28/2007 01:23:03 PM

*AFTER RECORDING RETURN TO:*

City of Oregon City Recorder (Nancy Ide)  
P.O. Box 3040  
Oregon City, Oregon 97045-0304  
**Map No.:** S5D T3S R2E WM  
**Tax Lots:** 1211  
**Street:** Beavercreek Rd  
**Planning No.:** N/A

D-E Cnt=1 Stn=2 TIFFANYCLA  
\$30.00 \$11.00 \$10.00

**CITY OF OREGON CITY, OREGON**

**SIGNAL DETECTION EQUIPMENT EASEMENT**

KNOW ALL BY THESE PRESENTS, that **Wiesberg Family Properties, L.L.C.**, (the "GRANTOR"), grants to the City of Oregon City (the "CITY"), its successors in interest and assigns, the permanent right to construct, reconstruct, operate and maintain an underground Easement on the following described land:

See attached EXHIBIT "A" (Legal Description) and attached

This easement is granted for the purpose of the construction, operation, maintenance, and installation and repair or reconstruction of underground improvements related to the signal detection equipment. City shall be responsible to put the surface of the area affected by the area affected by the easement in substantially the same condition that existed prior to any work being performed by City, at its cost and expense.

TO HAVE AND TO HOLD, the described easement unto the CITY, its successors in interest and assigns forever.

Uses by the GRANTOR shall not be inconsistent or interfere with the use of the easement area by the CITY. No structure or utility shall be placed upon, under, or within the property subject to the easement during its term without the written permission of the CITY with exception of existing underground facilities. Notwithstanding the foregoing, Grantor shall have the right to pave the area subject to the easement granted to City herein.

The true and actual consideration paid for this transfer consists of other value given or promised, the receipt of which is acknowledge by the GRANTOR.

The GRANTOR covenants to the CITY, and CITY'S successors in interest and assigns that GRANTOR is lawfully seized in fee simple of the granted premises, subject to all encumbrances, except encumbrances, easements, restrictions and rights-of-way of record and those common and apparent on the land, and that GRANTOR, GRANTOR'S heirs, and personal representatives shall warrant and forever defend the premises 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.

EXECUTED this 19 day of January, 2007.

Wiesberg Family Properties, L.L.C.,  
an Oregon limited liability company

By: Judith Wiesberg  
Judith Wiesberg  
Its: Manager  
Authorized Representative

By: \_\_\_\_\_  
Arlene Watson  
Its: \_\_\_\_\_  
Authorized Representative

STATE OF CALIFORNIA )

County of SAN DIEGO )

On this 19 day of JANUARY, 2007, before me the undersigned, a Notary Public, personally appeared Judith Wiesberg, and acknowledged the foregoing instrument to be her voluntary act and deed.



Before me:  
Michelle D. Klusman  
Notary Public for California  
My commission expires: 4-11-08

STATE OF CALIFORNIA )

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2007, before me the undersigned, a Notary Public, personally appeared Arlene Watson, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

\_\_\_\_\_  
Notary Public for California  
My commission expires: \_\_\_\_\_

EXECUTED this 18<sup>th</sup> day of January, 2007.

Wiesberg Family Properties, L.L.C.,  
an Oregon limited liability company

By: \_\_\_\_\_  
Judith Wiesberg

Its: \_\_\_\_\_  
Authorized Representative

By: *Arlene Watson*  
Arlene Watson

Its: \_\_\_\_\_  
Authorized Representative

STATE OF CALIFORNIA )

County of \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2007, before me the undersigned, a Notary Public, personally appeared Judith Wiesberg, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

\_\_\_\_\_  
Notary Public for California  
My commission expires: \_\_\_\_\_

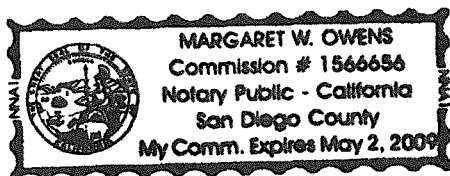
STATE OF CALIFORNIA )

County of San Diego )

On this 18 day of January, 2007, before me the undersigned, a Notary Public, personally appeared Arlene Watson, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

*Margaret W. Owens*  
Notary Public for California  
My commission expires: May 2, 2009



CITY OF OREGON CITY, OREGON

By Oliver P. Morris  
Mayor

ATTEST:

By Nancy Ude  
City Recorder

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**EXHIBIT A**

PROJECT:            **BEAVERCREEK ROAD**

LOCATION:           **TAX LOT 1211, 3 2E 5D**

DOCUMENT:        **94-70272**

PROPERTY OWNER:  
**Wiesberg Properties, L.L.C.**  
**4800 SW Macadam Avenue, No.120**  
**Portland, Oregon 97239**

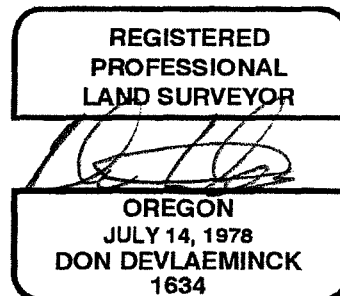
PREPARED BY:  
**Compass Engineering**  
**6564 S.E. Lake Road**  
**Milwaukie, Oregon 97222**  
**(503) 653-9093**

**SIGNAL DETECTION EQUIPMENT EASEMENT:**

A TRACT OF LAND SITUATED 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 THE INTERSECTION OF THE SOUTHEASTERLY LINE OF PARCEL II AS DESCRIBED IN WARRANTY DEED TO MALTZMAN PROPERTIES L.L.C., RECORDED AS DOCUMENT NUMBER 94-070273, CLACKAMAS COUNTY DEED RECORDS, WITH A LINE PARALLEL WITH AND 40.00 FEET FROM THE CENTERLINE OF BEAVERCREEK ROAD (MARKET ROAD NO. 11); THENCE ALONG SAID PARALLEL LINE SOUTH 59°27'14" EAST 215.99 FEET TO A POINT OF CURVE; THENCE CONTINUING ALONG SAID PARALLEL LINE 142.52 FEET ALONG THE ARC OF A 994.93 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST THROUGH A CENTRAL ANGLE OF 08°12'27" (LONG CHORD BEARS SOUTH 63°33'27" EAST 142.40 FEET); THENCE LEAVING SAID PARALLEL LINE SOUTH 76°50'39" WEST 36.71 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE SOUTH 24°01'24" WEST 57.00 FEET; THENCE NORTH 67°25'28" WEST 36.00 FEET; THENCE NORTH 24°01'24" EAST 57.00 FEET; THENCE SOUTH 67°25'28" EAST 36.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 2051 SQUARE FEET, MORE OR LESS.



DATE OF SIGNATURE: 12/14/06

VALID UNTIL 12/31/2007