

AA

CITY OF OREGON CITY, OREGON

SLOPE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that **Del Mesa Farms, a California corporation**, (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 a Slope Easement on the following described land:

See attached EXHIBIT "A" Legal description.

This Slope Easement is granted for the purpose of design, construction, operation, reconstruction, maintenance, and repair of a slope in support of and to protect and save from damage the adjacent public right-of-way used for a public roadway, sidewalk, and related improvements.

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.

Except as otherwise provided, upon completion of construction by CITY, the CITY shall restore the disturbed surface of the property to the condition reasonably similar to the previous state, and shall indemnify and hold the GRANTOR harmless against all loss, costs, or damage arising out of the exercise of the rights granted. Nothing contained in this easement shall be construed as requiring the CITY, its successors in interest or assigns to maintain landscaping, walkways, parking, or other surface or subsurface improvement made or constructed by or on behalf of the GRANTOR, its heirs, successors in interest or assigns.

The true and actual consideration paid for this transfer consists of \$860.00 or includes other property or 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, free from 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.

Clackamas County Official Records
Sherry Hall, County Clerk

2005-124125

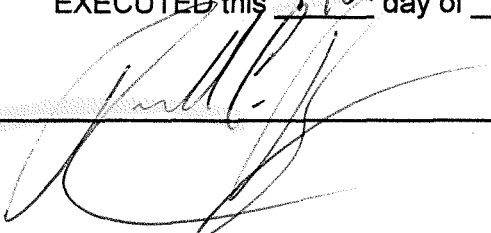


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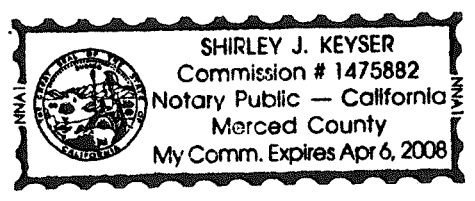
EXECUTED this 19th day of September, 2005.



STATE OF ~~OREGON~~ California)

County of Merced)

I certify that I know or have satisfactory evidence that Randall C. Boyer is the person who appeared before me and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Vice President, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument, and further states that as of the date herein said trust has not been revoked.



Before me: Shirley J. Keyser
Notary Public for Oregon California

My commission expires: April 6, 2008

CITY OF OREGON CITY, OREGON

By Alice Hornis
Mayor

ATTEST:

By Nancy Wade
City Recorder

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EXHIBIT A

Sheet 1 of 2

PROJECT: **BEAVERCREEK ROAD**

LOCATION: **TAX LOT 1300, 3 2E 5D**

DOCUMENT: **94-054275**

PROPERTY OWNER:
Del Mesa Farms
1000 Davis Street
Livingston, California 95334

PREPARED BY:
Compass Engineering
6564 S.E. Lake
MILWAUKIE, OREGON 97222
(503) 653-9093

DEDICATION:

A 5.25 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, AND BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO DEL MESA FARMS BY DEED RECORDED AS DOCUMENT NUMBER 94-054275, CLACKAMAS COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF PARCEL 2, PARTITION PLAT NO. 2000-091, CLACKAMAS COUNTY PARTITION PLAT RECORDS; THENCE ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND GRANTED TO THE CITY OF OREGON CITY BY DEED OF DEDICATION RECORDED AS DOCUMENT NUMBER 98-028480, CLACKAMAS COUNTY DEED RECORDS, SOUTH 77°14'01" EAST 171.78 FEET; THENCE LEAVING THE SOUTHERLY LINE OF SAID CITY OF OREGON CITY TRACT SOUTH 12°45'59" WEST 5.25 FEET; THENCE PARALLEL WITH SAID SOUTHERLY LINE NORTH 77°14'01" WEST 172.27 FEET TO THE EASTERLY LINE OF THE AFOREMENTIONED PARCEL 2, PARTITION PLAT NO. 2000-091; THENCE ALONG SAID EASTERLY LINE NORTH 18°04'19" EAST 5.27 FEET TO THE POINT OF BEGINNING.

CONTAINS 903 SQUARE FEET, MORE OR LESS.

SLOPE EASEMENT:

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, AND BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO DEL MESA FARMS BY DEED RECORDED AS DOCUMENT NUMBER 94-054275, CLACKAMAS COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF PARCEL 2, PARTITION PLAT NO. 2000-091, CLACKAMAS COUNTY PARTITION PLAT RECORDS; THENCE ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND GRANTED TO THE CITY OF OREGON CITY BY DEED OF DEDICATION RECORDED AS DOCUMENT NUMBER 98-028480, CLACKAMAS COUNTY DEED RECORDS, SOUTH 77°14'01" EAST 171.78 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE CONTINUING ALONG SAID SOUTHERLY LINE SOUTH 77°14'01" EAST 202.69 FEET; THENCE LEAVING THE SOUTHERLY LINE OF SAID CITY OF OREGON CITY TRACT SOUTH 12°45'59" WEST 7.50 FEET; THENCE PARALLEL WITH SAID SOUTHERLY LINE NORTH 77°14'01" WEST 375.16 FEET TO THE EASTERLY LINE OF THE AFOREMENTIONED PARCEL 2, PARTITION PLAT NO. 2000-091; THENCE ALONG SAID EASTERLY LINE NORTH 18°04'19" EAST 2.26 FEET TO A POINT WHICH IS LOCATED SOUTH 18°04'19" WEST 5.27 FEET FROM THE AFOREMENTIONED MOST EASTERLY CORNER OF PARCEL 2, PARTITION PLAT NO. 2000-091; THENCE PARALLEL WITH AND 5.25 FEET FROM THE AFOREMENTIONED SOUTHERLY LINE OF THAT TRACT OF LAND GRANTED TO THE CITY OF OREGON CITY BY DEED OF DEDICATION RECORDED AS DOCUMENT NUMBER 98-028480, CLACKAMAS COUNTY DEED RECORDS, SOUTH 77°14'01" EAST 172.27 FEET; THENCE LEAVING SAID PARALLEL LINE NORTH 12°45'59" EAST 5.25 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 1908 SQUARE FEET, MORE OR LESS.

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CITY OF OREGON CITY, OREGON

SLOPE EASEMENT

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See attached EXHIBIT "A" Legal description and attached EXHIBIT "B" Sketch for Legal Description

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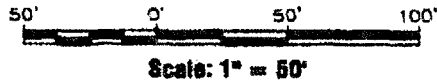
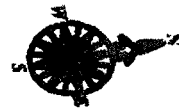
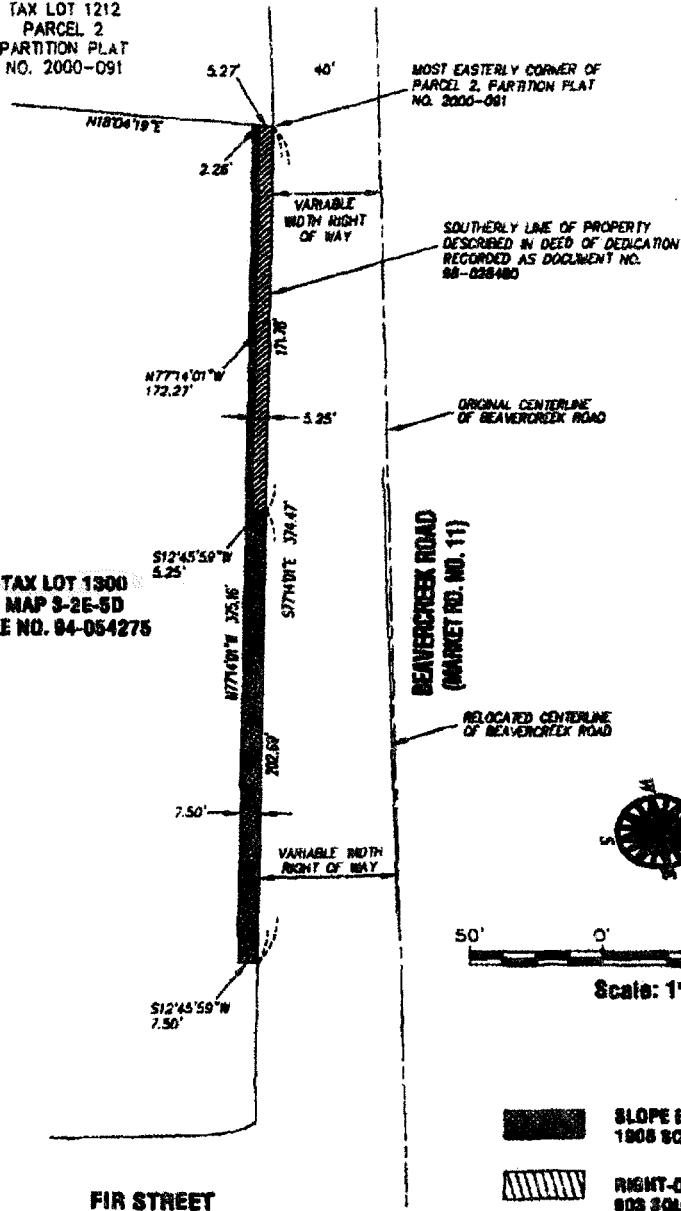
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TAX LOT 1212
PARCEL 2
PARTITION PLAT
NO. 2000-091

TAX LOT 1300
MAP 3-26-5D
FEE NO. 84-054275



-  SLOPE EASEMENT
1906 SQUARE FEET
-  RIGHT-OF-WAY DEDICATION
803 SQUARE FEET

EXHIBIT "B"



COMPASS ENGINEERING
ENGINEERING SURVEYING PLANNING
884 S.E. LAKE ROAD (953) 633-8881 PHONE
MILWAUKEE, OREGON 97221 WWW.COMPASS-ENGINEERING.COM

DEL MESA FARMS
1000 DAVIS STREET
LIVINGSTON, CALIFORNIA 95334