

515
AFTER RECORDING RETURN TO:

City Recorder, Leilani Bronson-Crelly
P.O. Box 3040
Oregon City, Oregon 97045-0304

Map No.: 3-2E-5BC

Tax Lots.: 7001

Planning No.: MD02-05 & WR02-05

Building Permit No.: 01-754

RECORDED IN CLACKAMAS COUNTY
JOHN KAUFFMAN, COUNTY CLERK

2002-057861



\$46.00

00311654200200578610050052

06/21/2002 08:28:59 AM

D-E Cnt=1 Stn=1 DIANNAW

\$25.00 \$11.00 \$10.00

Grantor: Acton, Betty J.
(Acton Lands Oregon, LTD)

CITY OF OREGON CITY, OREGON WATER RESOURCE AREA VEGETATED CORRIDOR EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Betty J. Acton 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, including the permanent right to access and to maintain a Water Resources Area Vegetated Corridor Easement, hereinafter called EASEMENT, 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 hereby agrees that said EASEMENT shall remain undisturbed, except for the removal of nuisance vegetation and planting of native plantings approved by the City of Oregon City. The EASEMENT shall be protected and maintained per City of Oregon City Municipal Code (Section 17.49) to ensure that the Water Resource Area and Vegetated Corridor shall not be adversely impacted.

The CITY is hereby given permission to maintain said easement at no cost to the CITY in the event that any respective property owner fails to maintain said easement to the satisfaction of the CITY, its successors in interest and assigns.

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 21 day of MAY, 2002; 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

Signer's Name

Signer's Name

(if executed by a corporation
affix corporate seal below)

Corporation/limited partnership

Acton Lands Oregon Ltd.

Corporation/Partnership Name

Signer's Name, Title

Billy J. Acton, Gen Partner

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 _____) 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

John F. Williams, Jr.

City Recorder

Leilani Bronson-Crelly

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Corporate Acknowledgment
STATE OF OREGON)

County of Clackamas) ss.

Personally appeared Acton Lands Oregon LTD and Betty G Acton 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 Acton Lands Oregon LTD, 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

Kristie Tuttle

Notary's signature

My Commission Expires: May 15, 2005

Stamp seal below



LEGAL DESCRIPTION

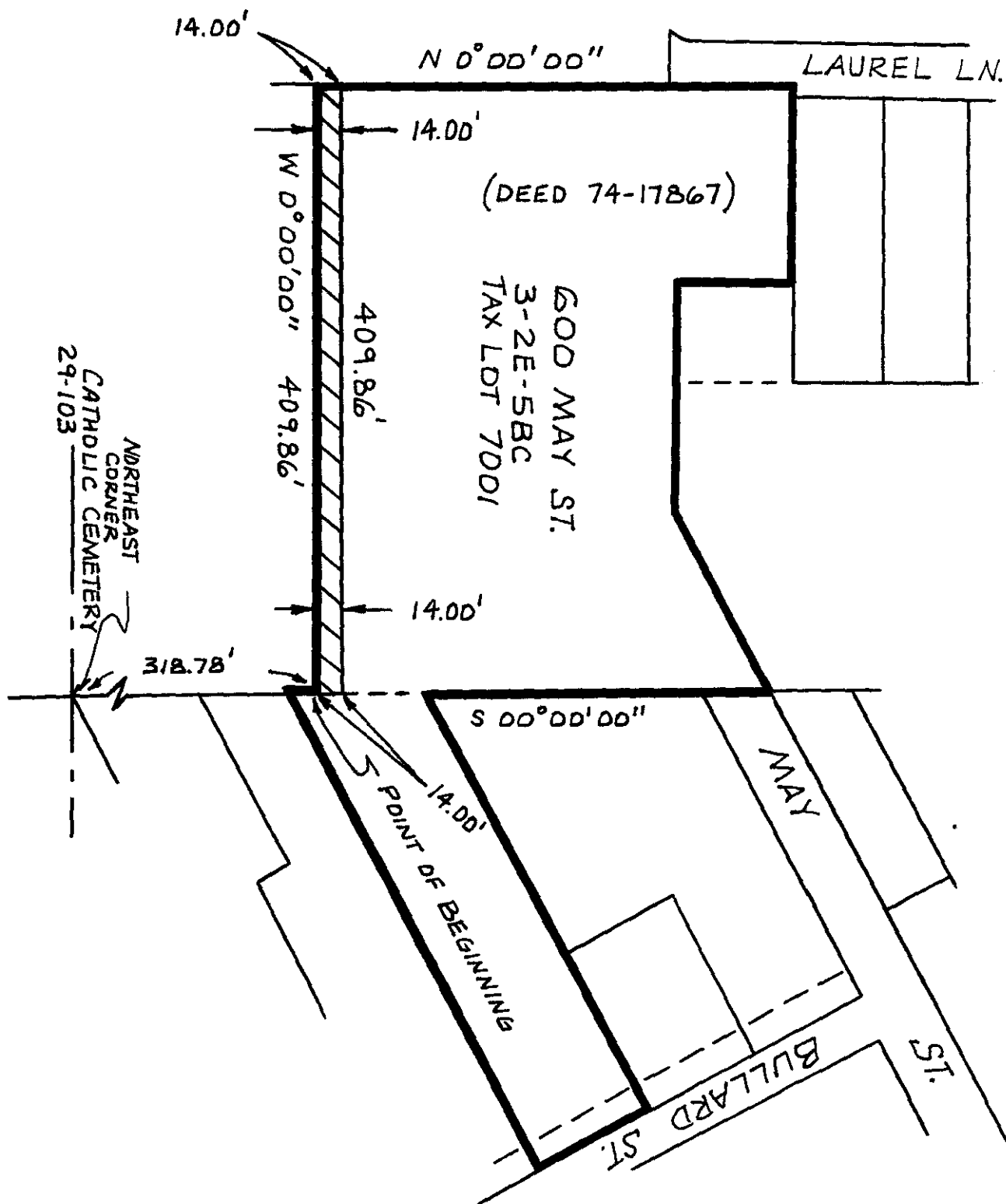
Water Resource Area Vegetated Corridor Easement

Part of the William Homes D.L.C. in section 5, T. 3 S., R. 2 E., W.M., Clackamas County, Oregon, described as follows: BEGINNING 318.78 feet North from the Northeast corner of the Catholic Cemetery described in Deed Book 29, page 103; To a point of beginning thence West 409.86 feet; thence North 14.00 feet; thence East 409.86 feet; thence South 14.00 feet to the point of beginning. Referenced to deed record 74-17867

EXHIBIT "A"





EXHIBIT "B"



**COMMISSION REPORT: CITY OF OREGON CITY
TO THE HONORABLE MAYOR AND COMMISSIONERS**

320 Warner Milne Road----(503) 657-0891

 INCORPORATED 1844	Agenda Item No.: 5.5	Topic: Public Water Resource Area Vegetated Corridor Easement for the Oregon City Terrace Apartments Addition Project (600 May Street) (Md02-05 & WR02-05, Bldg Permit No. 01-754)
	Report No.: 02-116	
	Agenda Type: DISCUSSION/ACTION	
	Meeting Date: June 5, 2002	Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Prepared By: John Knapp	Reviewed By: Bob Cullison	Approved By:  Nakamura

RECOMMENDATION:

It is recommended that the City Commission adopt a motion accepting this public water resource area vegetated corridor easement instrument and authorize the Mayor and City Recorder to execute it.

REASON FOR RECOMMENDATION:

This instrument provides the needed public easement to provide a vegetated buffer for the water resource that neighbors to the south of this property. The easement instrument is attached for Commission review.

BACKGROUND:

On the June 5, 2002, agenda is the Public Water Resource Area Vegetated Corridor Easement Instrument for the Oregon City Apartments Addition project – City Planning File No. Md02-05 & WR02-05, Building Permit No. 01-754.

Map No. 3-2E-5BC

Tax Lot 7001

Oregon City Terrace Apartments Addition (600 May Street)
(Md02-05 & WR02-05, Building Permit No. 01-754)

BUDGET IMPACT: FY(s): N/A

Funding Source: N/A

Approved

Water Resource Veg. Corr.

3-ZE-5BC TL 7001

(green)

Acton, Betty J.

(MD02-05 & WRO2-05)

[Doc. 2002-057861]

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ITEM #23

Env. 1166