

AFTER RECORDING RETURN TO:

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



\$113.00

12/03/2019 03:23:15 PM

D-E Cnt=1 Stn=9 COUNTER1
\$25.00 \$4 \$62.00 \$10.00

Planning No.: SP 18-42

Tax Map & Lot: 3-2E-05CA-03400 GRANTOR: M Hashem limited partnership -

*Rerecorded at the request of
City of Oregon City to correct
Exhibits A & B. Previously recoded
as 2019-077016.*

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

KNOW ALL BY THESE PRESENTS, THAT M Hashem limited partnership -, hereinafter called "Grantor", does hereby grant unto the City of Oregon City, hereinafter called the "City", and its successors in interest and assigns, a permanent easement, including the permanent right to construct, reconstruct, operate, and maintain utilities within the easement, described as follows:

See attached **Exhibit A** Legal Description, and

Exhibit B Drawing 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 all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is for other value given, 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.



\$113.00

12/05/2019 09:16:34 AM

D-E Cnt=1 Stn=9 COUNTER1
\$25.00 \$16.00 \$62.00 \$10.00

City of Oregon City - PU

IN WITNESS WHEREOF, the Permittee has executed this 21st day of November, 2019. The person(s) whose name(s) is/are subscribed to the within instrument acknowledge that he/she/they executed the instrument in his/her/their legally authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature Page(s) Follow]

GRANTOR: M Hashem Limited Partnership -
As shown on Page 1 (name of organization or individual property owner(s))

[Signature]

Signature No. 1

Mike Hashem President
Signer printed name, Title (if any)

Signature No. 2

Signer printed name, Title (if any)

STATE OF OREGON)

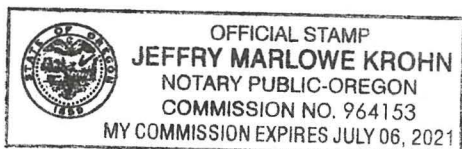
County of Clatsamas)

This record was acknowledged before me on (date) November 21, 2019

by MIKE HASHAM
Signer's printed name

as OWNER OF M. HASHAM LTD. PARTNERSHIP
Title and (if applicable) Name of Corporation or Party on whose behalf the record is executed

Stamp notary seal:



WITNESS my hand and official seal.

[Signature]
Signature of Notary Public

My commission expires: 7/6/21

Accepted on behalf of the City of Oregon City:

Anthony J. Konkol III
By: Anthony J. Konkol III, City Manager

John M. Lewis
By: John M. Lewis, Public Works Director

Kattie Riggs
Attest: Kattie Riggs, City Recorder

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Exhibit 'A'

Legal Description of a Public Utility Easement

A public utility easement over a portion of that tract of land described by Deed Document No. 2017-052631, Clackamas County Deed Records, located in the William Holmes Donation Land Claim No. 38 in the northeast one-quarter of the southwest one-quarter of Section 5, Township 3 South, Range 2 East of the Willamette Meridian, City of Oregon City, Clackamas County, Oregon, and which is more particularly described as follows:

Beginning at a five-eighths inch diameter iron rod with a red plastic cap marked 'CENTERLINE CONCEPTS INC.' found at the northeast corner of that tract of land described in Deed Document No. 2017-052631, Clackamas County Deed Records, said iron rod being the True Point of Beginning; thence South $26^{\circ}37'00''$ East along the southwest right-of-way line of Molalla Avenue, 45.32 feet to an angle point; thence South $8^{\circ}27'49''$ East, 44.22 feet to a point of non-tangent curve; thence 26.17 feet along the arc of a curve to the right which has radius of 42.00 feet; a central angle of $35^{\circ}42'10''$; and a chord length of 25.75 feet which bears South $52^{\circ}50'45''$ West to a point of compound curve; thence 66.47 feet along the arc of a curve to the right which has a radius of 668.00 feet; a central angle of $5^{\circ}42'06''$, and a chord length of 66.45 feet which bears South $73^{\circ}32'53''$ West to a five-eighths inch diameter iron rod with a red plastic cap marked 'CENTERLINE CONCEPTS INC.' at the southwest corner of said Document No. 2017-052631 tract; thence North $11^{\circ}43'40''$ West along the west line of said Document No. 2017-052631 tract, 6.00 feet; thence 65.66 feet along the arc of a non-tangent curve to the left which has a radius of 662.00 feet; a central angle of $5^{\circ}41'06''$, and a chord length of 65.68 feet which bears North $73^{\circ}32'22''$ East to a point of compound curve; thence 23.57 feet along the arc of a curve to the left which has a radius of 135.00 feet, a central angle of $10^{\circ}00'05''$, and a chord length of 23.54 feet which bears North $56^{\circ}29'26''$ East; thence North $11^{\circ}18'24''$ West, 33.91 feet; thence North $26^{\circ}29'55''$ West, 52.13 feet to the north line of said Document No. 2017-052631 tract; thence North $77^{\circ}54'36''$ East along the north line of said Document No. 2017-052631 tract, 6.19 feet to the True Point of Beginning.

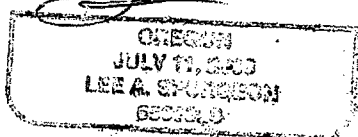
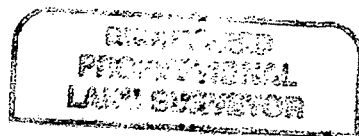
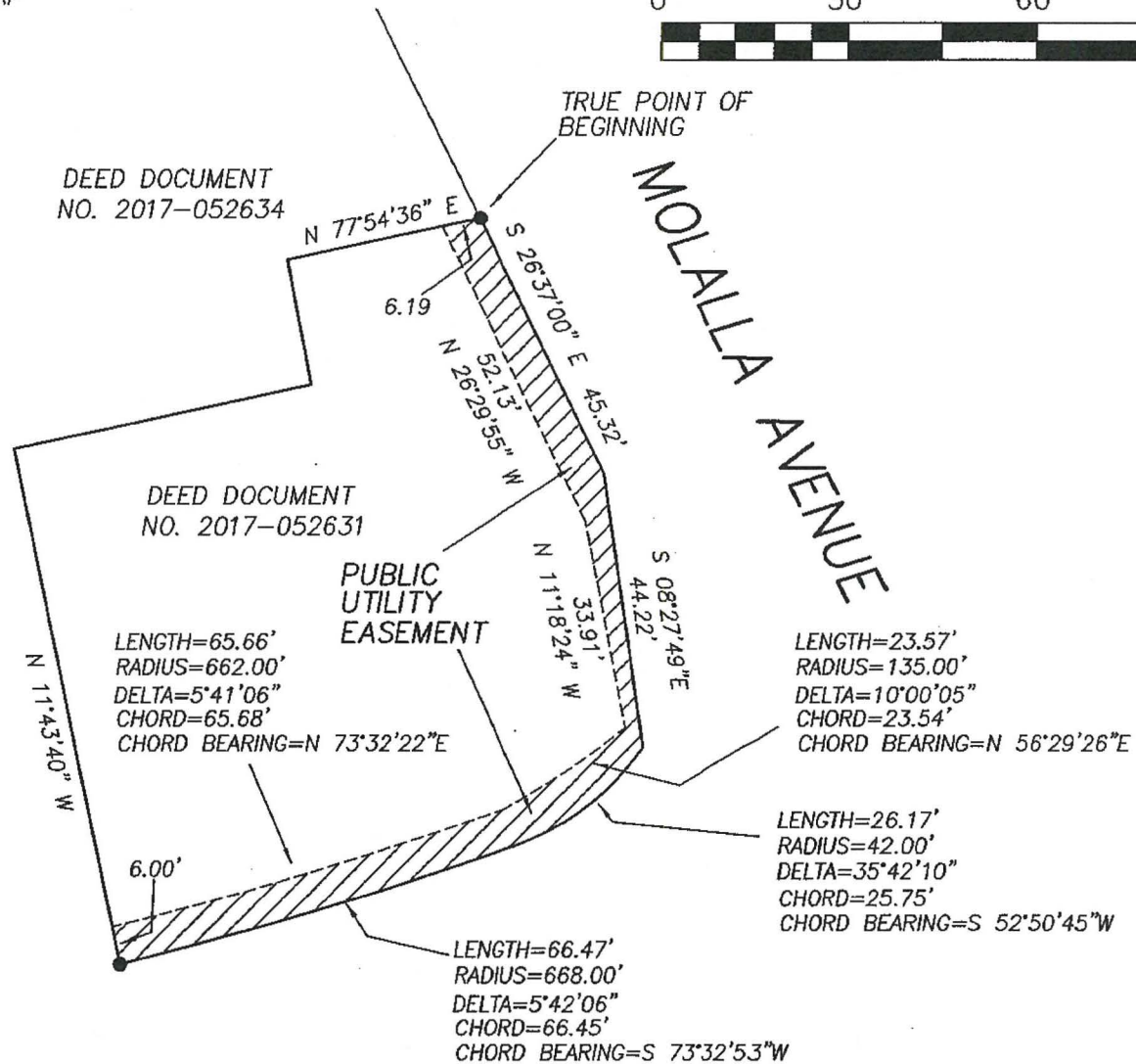


EXHIBIT: 0100/02

EXHIBIT B

- 5/8" IRON ROD WITH RED PLASTIC CAP
MARKED 'CENTERLINE CONCEPTS INC.'
SET BY SN 2007-374



SCALE: 1" = 30'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 11, 2006
LEE A. SPURGEON
65603LS

EXPIRES 6/30/20

WARNER-MILNE ROAD

TOWNSHIP LAND SURVEYS, LLC
1415 WASHINGTON STREET, OREGON CITY, OR 97045
(503) 656-4915 info@townshipsurveys.com