

62



\$118.00

02431218202100186080060062

02/23/2021 11:34:37 AM

AFTER RECORDING RETURN TO:

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

D-E Cnt=1 Stn=9 COUNTER1
\$30.00 \$16.00 \$62.00 \$10.00

Project No.: CI 18-001

Tax Map & Lot: 32E05C000403

GRANTOR: Mountain View Jara LLC

CITY OF OREGON CITY, OREGON SLOPE AND PUBLIC UTILITY(S) EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Mountain View Jara LLC, an Oregon limited liability company, 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 and slopes within the easement, described as follows:

Parcel 1 – Permanent Slope and Public Utility Easement

A parcel of land lying in the Southwest one-quarter of Section 5 and the Samuel N. Vance Donation Land Claim (DLC) No. 51 in Township 3 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon, and being a portion of that property conveyed to Mountain View Jara, LLC, an Oregon limited liability company in that Special Warranty Deed, recorded March 21, 2012 as Document No. 2012-016620, Clackamas County Deed Records; said parcel being that portion of said property included in a strip of land variable in width and lying on the westerly side of the centerline of Molalla Avenue, which centerline of is described as follows:

The center line of said connection road is described as follows:

Beginning at center line Station 38+67.42, said station bears North 76°42'53" West 5,355.98 feet from the one-quarter corner common to Sections 4 and 9, Township 3 South, Range 2 East, Willamette Meridian; thence South 30°16'52" East 4,056.28 feet (Station 79+23.71 = Station a 70009+00.00 ahead); thence South 30°16'52" East 272.51 feet to a point of curvature (Station a 70011+72.51); thence along the arc of a 572.96 foot radius curve to the left, through a central angle of 49°48'36", an arc distance of 498.10 feet (the long chord of which bears South 55°11'10" East 482.57 feet) to a point of tangency (Station a 70016+70.61), said point bears South 43°25'20" West 3,831.55 feet from the one-quarter corner common to said Sections 4 and 9.

The width in feet of said strip of land is as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Westerly Side of Center Line</u>
47+90.00		49+92.88	42.10 in a straight line to 39.72
49+92.88		52+66.78	39.72 in a straight line to 40.02

Bearings are based on the Oregon Coordinate Reference System – Portland Zone, NAO 83 (2011) epoch 2010.00.

This parcel of land contains 1,652 square feet, more or less, outside the existing right of way.

See also 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, \$11,943.50 (ELEVEN THOUSAND NINE HUNDRED FORTY THREE DOLLARS AND FIFTY CENTS) 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 Permittee has executed this instrument this 22 day of January, 2021. The person whose name is subscribed to the within instrument acknowledge that he executed the instrument in his legally authorized capacity, and that by his signature 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: Mountain View Jara LLC, an Oregon limited liability company

Marko A. Susnjara
Signature

Marko A. Susnjara, Manager
Signer's printed name Title (if applicable)

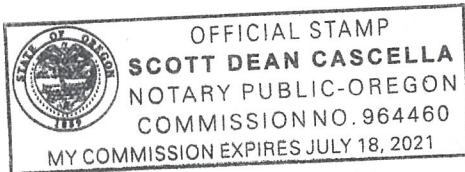
STATE OF OREGON)
County of Clackamas)

This record was acknowledged before me on (month & day) 22 January, 2021

by Marko A. Susnjara, as Manager
Signer's printed name Title (write "N/A" if not applicable)

of Mountain View Jara LLC, an Oregon limited liability company

Stamp notary seal:



WITNESS my hand and official seal.

Scott Dean
Signature of Notary Public
My commission expires: July 18, 2021

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.

Rocky Smith, Jr.
By: Rocky Smith, Jr. Commission President

Kattie Riggs
Attest: Kattie Riggs, City Recorder

**Molalla Avenue Phase 3:
Beavercreek Road to OR 213
City of Oregon City
May 13, 2019**

**Tax Map 32E05C
Tax Lot 00403**

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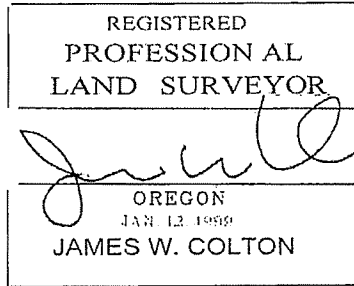
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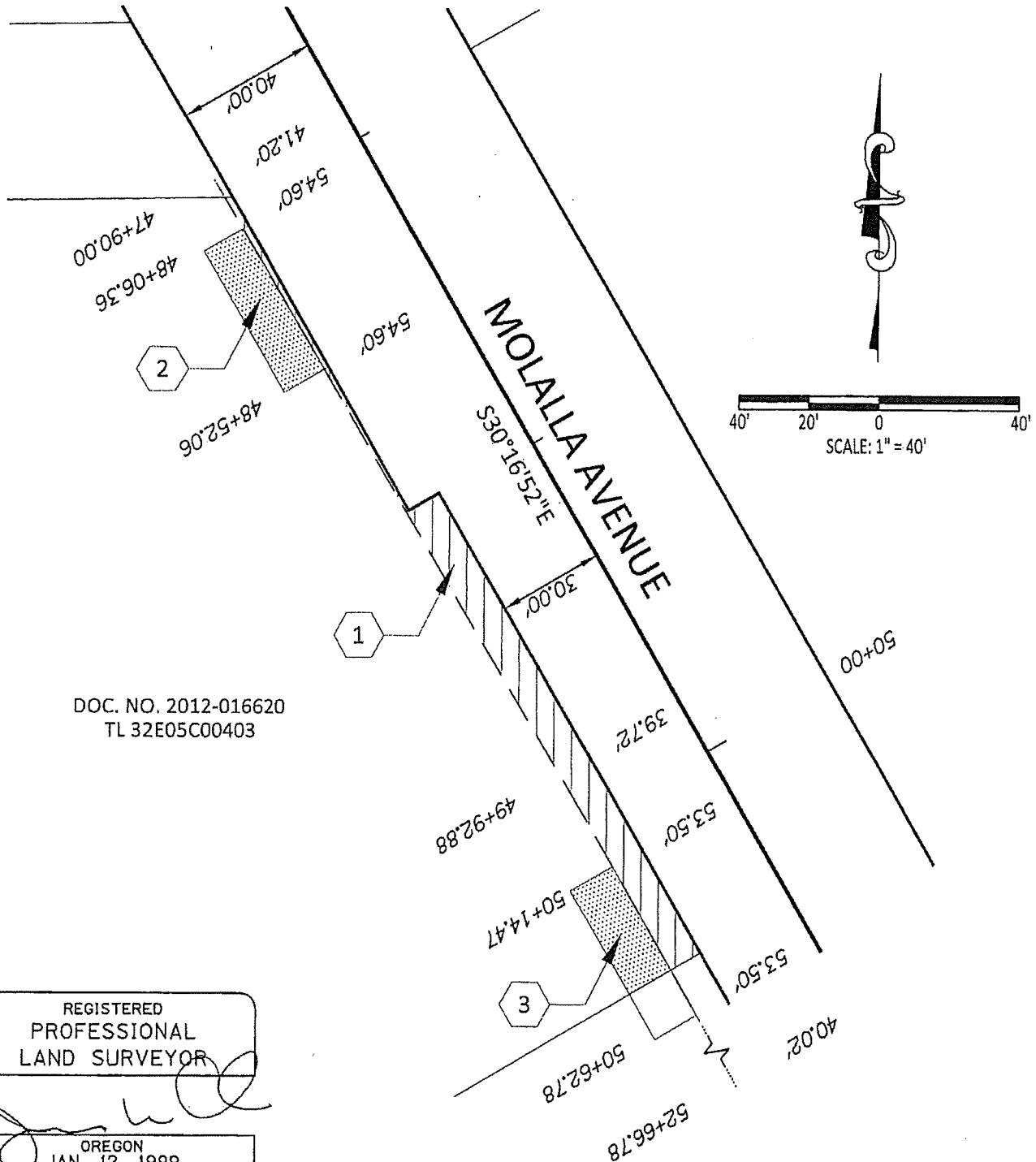
EXHIBIT A- Page 2 of 2

File 05170010 001
Jim Colton, PLS OBEC - 5/13/2019



RENEWS: DEC. 31, 2019
SIGNED: 5/13/2019

EXHIBIT "B"



DOC. NO. 2012-016620
TL 32E05C00403

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JAN. 12, 1999
JAMES W. COLTON
*58756

RENEWES: DEC. 31, 2019
SIGNED: *[Signature]*

MOLALLA AVENUE PHASE 3 BEAVERCREEK ROAD TO OR 213

FILE NO: 001	SUBMITTAL DATE: MAY 13, 2019
TAX LOT: 00403	ADDRESS: 1820 MOLALLA AVENUE
TAX MAP: 32E05C	OREGON CITY, OR 97045

LEGEND

- PERMANENT SLOPE & PUBLIC UTILITY EASEMENT
1,652 SQ. FT. ±
- TEMPORARY CONSTRUCTION EASEMENT
599 SQ. FT. ±
- TEMPORARY CONSTRUCTION EASEMENT
463 SQ. FT. ±

(6)