

5p
113-



\$113.00

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
\$25.00 \$16.00 \$62.00 \$10.00

02/23/2021 11:34:37 AM

Project No.: CI 18-002

Tax Map & Lot: 32E05C000400

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 2 – 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 in Parcel 1.

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

Station	to	Station	Width on Westerly Side of Center Line
49+92.88		52+66.78	39.72 in a straight line to 40.02
52+66.78		53+06.02	40.02 in a straight line to 70.48
53+06.02		53+14.17	70.48 in a straight line to 102.29
53+14.17		53+30.00	102.29 in a straight line to 98.24

EXCEPT therefrom that portion lying within the above described Parcel 1 – Right-of-Way Dedication.

This parcel of land contains 2,594 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, \$6,965 (SIX THOUSAND NINE HUNDRED SIXTY FIVE DOLLARS) 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 Cascella
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 00400

Parcel 2 - Permanent Slope and Public Utility Easement

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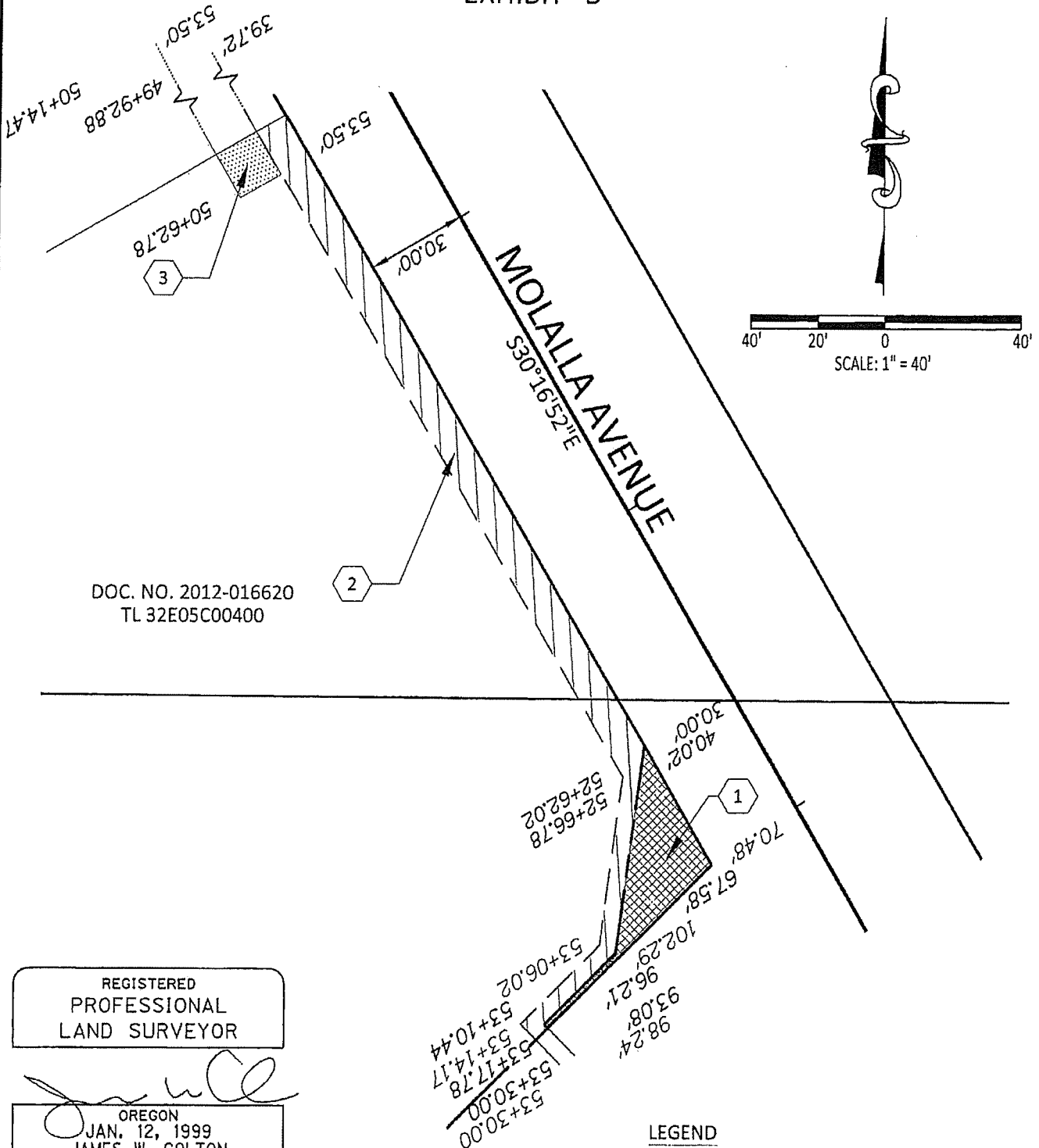
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JAN 1 1990
JAMES W. COLTON

RENEWS: DEC. 31, 2019

SIGNED: 5/13/2019

EXHIBIT "B"



DOC. NO. 2012-016620
TL 32E05C00400

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JAN. 12, 1999
JAMES W. COLTON
58756

RENEWES: DEC. 31, 2018
SIGNED: *[Signature]*

MOLALLA AVENUE PHASE 3 BEAVERCREEK ROAD TO OR 213

FILE NO: 002	SUBMITTAL DATE: MAY 13, 2019
TAX LOT: 00400	ADDRESS: 1840 MOLALLA AVENUE
TAX MAP: 32E05C	OREGON CITY, OR 97045

LEGEND

- RIGHT OF WAY DEDICATION
831 SQ. FT. ±
- PERMANENT SLOPE & PUBLIC UTILITY
EASEMENT
2,594 SQ. FT. ±
- TEMPORARY CONSTRUCTION EASEMENT
201 SQ. FT. ±