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AFTER RECORDING RETURN TO:

Clackamas County Official Records
Sherry Hall, County Clerk

2021-025154

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



\$118.00

03/11/2021 09:36:50 AM

Planning No.: PR 125-2019

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

Tax Map & Lot: 32E06DB00100

GRANTOR: City of Oregon City Police Department

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

KNOW ALL BY THESE PRESENTS, THAT City of Oregon City Police Department, 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.

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.

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.

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.

IN WITNESS WHEREOF, the Permittee has executed this instrument this 9th day of February, 20 21. 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: City of Oregon City Police Department

As shown on Page 1 (name of organization or individual property owner(s))



Signature No. 1

Jim Band, Chief of Police

Signer printed name, Title (if any)

Signature No. 2

Signer printed name, Title (if any)

STATE OF OREGON)

County of Clackamas)

This record was acknowledged before me on (date) February 9th, 2021

by Jim Band
Signer's printed name

as Chief of Police, City of Oregon City Police Department
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.

Autumn Renee Wilson
Signature of Notary Public

My commission expires: 10/9/21

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

LEGAL DESCRIPTION
PUBLIC UTILITY EASEMENT
1234 LINN AVENUE,
OREGON CITY, OR 97045

EXHIBIT "A"

A 10.00 FOOT WIDE STRIP OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 2 EAST, W.M., CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, BEING 10.00 FEET NORTHERLY AND NORTHEASTERLY OF THE NORTHERLY AND NORTHEASTERLY RIGHT OF WAY LINE OF WARNER PARROT ROAD (WIDTH VARIES) AND 10.00 FEET WESTERLY OF THE WESTERLY RIGHT OF WAY LINE OF LINN AVENUE (COUNTY ROAD NO. 41, WIDTH VARIES), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING A 3/4" DIAMETER IRON PIPE AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2015-002426, CLACKAMAS COUNTY DEED RECORDS, BEING THE SOUTHEAST CORNER OF LOT 12, "RYAN'S MOUNT PLEASANT TRACTS NO. 1", PLAT NO. 392, ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF WARNER PARROT ROAD (COUNTY ROAD NO. 61, 30.00 FEET FROM CENTERLINE); THENCE ALONG SAID NORTH RIGHT OF WAY LINE, N.89°33'10"E., 227.73 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW CAP STAMPED "DEHAAS & ASSOC. INC.", (40.00 FEET FROM CENTERLINE); THENCE CONTINUING ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID WARNER PARROT ROAD (40.00 FEET FROM CENTERLINE), 314.68 FEET ALONG THE ARC OF A NON-TANGENT 340.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 53°01'41", THE CHORD OF WHICH BEARS S.50°00'10"E., 303.56 FEET, TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "DEHAAS & ASSOC. INC."; THENCE 235.50 FEET ALONG THE ARC OF A 252.66 FOOT RADIUS REVERSE CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 53°24'17", THE CHORD OF WHICH BEARS S.50°11'27"E., 227.07 FEET, TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING"; THENCE 45.17 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 103°31'29", THE CHORD OF WHICH BEARS N.51°20'40"E., 39.27 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" BEING ON THE WEST RIGHT OF WAY LINE OF LINN AVENUE (35.00 FEET FROM CENTERLINE); THENCE ALONG SAID WEST RIGHT OF WAY LINE, N.00°25'05"W., 259.37 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING", ON THE SOUTH LINE OF VACATED WARNER PARROT ROAD (ORDINANCE NO. 93-1003, DOCUMENT NO. 93-26143); THENCE ALONG SAID SOUTH LINE, S.89°33'10"W., 7.00 FEET; THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID LINN AVENUE (42.00 FEET FROM CENTERLINE), N.00°25'05"W., 488.70 FEET TO THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2015-002426, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID NORTH LINE, S.89°37'17"W., 10.00 FEET; THENCE, ALONG A LINE 10.00 FEET WEST OF AND PARALLEL TO THE AFORESAID WEST RIGHT OF WAY LINE OF LINN AVENUE (52.00 FEET FROM CENTERLINE), S.00°25'05"E., 498.71 FEET; THENCE N.89°33'10"E., 7.00 FEET; THENCE CONTINUING ALONG A LINE 10.00 FEET WEST OF AND PARALLEL TO THE AFORESAID WEST RIGHT OF WAY LINE OF LINN AVENUE (40.00 FEET FROM CENTERLINE), S.00°25'05"E., 249.36 FEET; THENCE 27.10 FEET ALONG THE ARC OF A 15.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 103°31'29", THE CHORD OF



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