

RECORDING COVER SHEET *(Please Print or Type)*

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

AFTER RECORDING RETURN TO:

City of Oregon City
City Recorder
PO Box 3040
Oregon City, OR 97045

1. TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)

Temporary Construction and Access Easement

2. DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160

John Alexander, James Alexander, Angelina Fong, Francisco Uribe, and Marina B. Uribe

3. INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160

City of Oregon City, a Municipal Corporation of the State of Oregon

4. TRUE AND ACTUAL CONSIDERATION

ORS 93.030(5) - Amount in dollars or other

\$0 ☐ Other

5. SEND TAX STATEMENTS TO:

No change

6. SATISFACTION of ORDER or WARRANT
ORS 204.125(1)(e)

CHECK ONE: ☐ Full
(If applicable) ☐ Partial

**7. The amount of the monetary obligation imposed
by the order or warrant.** ORS 205.125 (1)(c)

\$ 0.00

This instrument filed for record by
Fidelity National Title as an accommodation
only. It has not been examined as to its
execution or as to its effect upon the title.

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AFTER RECORDING RETURN TO:

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

Engineering File No.: CI 18-004

Tax Map & Lot: 32E05C00404 GRANTOR: John Alexander, James Alexander, Angelina Fong,
Francisco Uribe, and Marina B Uribe

TEMPORARY CONSTRUCTION AND ACCESS EASEMENT

This TEMPORARY CONSTRUCTION AND ACCESS EASEMENT is entered into this 23rd day of December, 2020, by and between, property owner John Alexander, James Alexander, Angelina Fong, Francisco Uribe, and Marina B Uribe, (hereafter referred to as "**Grantor**") and the City of Oregon City, a Municipal Corporation of the State of Oregon (hereafter referred to as "**Grantee**"). This document follows a prerecorded document signed by lien holder Joseph Alexander and Sally Alexander, Trustees of the Alexander Family Revocable Living Trust, u/a/d November 29, 2018.

RECITALS

1. Grantor is the owner of certain real property located in the City of Oregon City, Clackamas County, Oregon, legal descriptions on "Exhibit A", and illustrated on "Exhibit B", attached hereto (hereafter referred to as "**Easement Area(s)**").
2. Grantor desires to grant to Grantee, for good and valuable consideration a temporary, non-exclusive easement over, under, and across the Easement Area(s), together with the right to go upon said Easement Area(s) for the purpose of driveway and sidewalk reconstruction as part of the Molalla Avenue Streetscape Project.
3. This TEMPORARY CONSTRUCTION and ACCESS EASEMENT is intended to allow the City of Oregon City, or its assigns to undertake the driveway and sidewalk reconstruction and all other activities that the Grantee deems necessary and appurtenant to the above noted activities in conjunction with the Molalla Avenue Streetscape Project.

AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by each of the parties, it is agreed as follows:

1. **Grant of Easement.** Grantor hereby grants to Grantee a non-exclusive temporary easement over, under, and across the Easement Area(s), together with the right to go upon said Easement Area(s) for the purpose of driveway reconstruction.

2. **Term of Easement.** This TEMPORARY CONSTRUCTION AND ACCESS EASEMENT shall be temporary and shall terminate in three years or the duration of project, whichever is sooner.
3. **Hold Harmless Clause.** Grantee shall have the right to conduct temporary construction and maintenance activities within the Easement Area(s), so long as such activities do not unreasonably interfere with the use of the adjoining lands by the Grantor. Upon completion of any work by Grantee in the Easement Area(s), Grantee shall restore the area to its prior condition, at Grantee's sole cost and expense. Grantee shall indemnify Grantor and hold it harmless from any and all claims, actions, damages, liability and expense in connection with damage to person or property arising from any occurrence in or at the Easement Area(s) related to the use by Grantee, its agents, employees, invitees, or licensees, of the Easement Area(s); or occasioned wholly or in part by any act or omission for which Grantee, its agents, contractors, employees, servants, lessees, concessionaires or invitees are legally liable.

[Signature Page(s) Follow]

GRANTOR: Angelina Tong + John Alexander
As shown on Page 1 (name of organization or individual property owner(s))

John J. Alexander
Signature No. 1

John J. Alexander N/A
Signer's printed name Title (if applicable)

Angelina J. Tong
Signature No. 2

Angelina Tong N/A
Signer's printed name Title (if applicable)

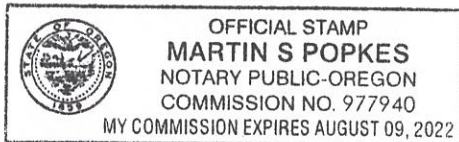
STATE OF OREGON)
County of Washington)

This record was acknowledged before me on (month & day) November 23, 2020

John Alexander
by + Angelina Tong, as N/A
Signer's printed name Title (write "N/A" if not applicable)

of N/A
Name of Corporation on whose behalf record is executed (write "N/A" if not applicable)

Stamp notary seal:



WITNESS my hand and official seal.

Martin S. Popkes
Signature of Notary Public

My commission expires: 08-09-2022

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

GRANTOR: FRANCISCO URIBE
As shown on Page 1 (name of organization or individual property owner(s))

Francisco Uribe
Signature No. 1

FRANCISCO URIBE NA
Signer's printed name Title (if applicable)

Marina Uribe
Signature No. 2

Marina Uribe NA
Signer's printed name Title (if applicable)

STATE OF OREGON

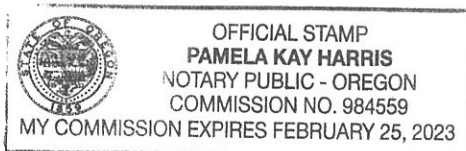
County of Clackamas

This record was acknowledged before me on (month & day) December 11, 2020

by Francisco and Marina Uribe, as N/A
Signer's printed name Title (write "N/A" if not applicable)

of N/A
Name of Corporation on whose behalf record is executed (write "N/A" if not applicable)

Stamp notary seal:



WITNESS my hand and official seal.

Pamela Kay Harris
Signature of Notary Public
My commission expires: 2/25/2023

Accepted on behalf of the City of Oregon City:

By: Anthony J. Konkol III, City Manager

By: John M. Lewis, Public Works Director

Katie Riggs
Attest: Kattie Riggs, City Recorder

GRANTOR: James Alexander
As shown on Page 1 (name of organization or individual property owner(s))

James Alexander by Angelica R Fong as attorney in fact
Signature No. 1

James Alexander by Angelica R Fong as attorney in fact
Signer's printed name Title (if applicable)

Signature No. 2

Signer's printed name Title (if applicable)

STATE OF OREGON)
County of Washington)

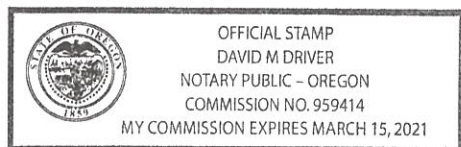
This record was acknowledged before me on (month & day) February 26, 2021

James Alexander
by Angelica R Fong, as attorney in fact
Signer's printed name Title (write "N/A" if not applicable)

of _____
Name of Corporation on whose behalf record is executed (write "N/A" if not applicable)

Stamp notary seal:

WITNESS my hand and official seal.



David Driver
Signature of Notary Public
My commission expires: 3/15/21

Accepted on behalf of the City of Oregon City:

By: Anthony J. Konkol III, City Manager

By: John M. Lewis, Public Works Director

Attest: Kattie Riggs, City Recorder

Molalla Avenue Phase 3:
Beavercreek Road to OR 213
City of Oregon City
December 02, 2019

Tax Map 32E05C
Tax Lot 00404

Parcel 1 – Right of Way Dedication

A parcel of land lying in the Southeast one-quarter of Section 5 and within the S.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 Joseph Alexander and Sally Alexander, Trustees of the Alexander Family Trust in that Statutory Bargain and Sale Deed, recorded December 17, 2018 as Document No. 2018-075306, 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 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 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>
46+20.00		47+04.02	45.14 in a straight line to 40.00

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

This parcel of land contains 191 square feet, more or less, outside the existing right of way.

Parcel 2 – Temporary Construction Easement (3 Year or duration of Project, whichever is sooner)

A parcel of land lying in the Southeast one-quarter of Section 5 and within the S.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 Joseph Alexander and Sally Alexander, Trustees of the Alexander Family Trust in that Statutory Bargain and Sale Deed, recorded December 17, 2018 as Document No. 2018-075306, Clackamas County Deed Records; said parcel being that portion of said property lying within the following described tract:

Beginning at a point opposite and 44.62 feet Southwesterly of Engineer's Station a 46+28.48 on the center line of Molalla Avenue; thence Westerly in a straight line to a point opposite and 63.61 feet Southwesterly of Engineer's Station a 46+19.49 on said center line; thence Southeasterly in a straight line to a point opposite and 61.76 feet Southwesterly of Engineer's Station a 46+56.74 on said center line; thence Easterly in a straight line to the point opposite and 42.21 feet Southeasterly of Engineer's Station a 46+67.92 on said center line; thence Northwesterly in a straight line to the point of beginning.

The center line of said road is described in Parcel 1.

This parcel of land contains 714 square feet, more or less, outside of the existing right of way.

Parcel 3 – Temporary Construction Easement (3 Year or duration of Project, whichever is sooner)

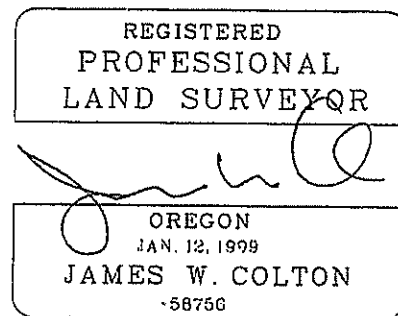
A parcel of land lying in the Southeast one-quarter of Section 5 and within the S.N. Vance Donation Land Claim (DLC) No. 51 in Township 3 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon and being a portion of that property conveyed to Joseph Alexander and Sally Alexander, Trustees of the Alexander Family Trust in that Statutory Bargain and Sale Deed, recorded December 17, 2018 as Document No. 2018-075306, Clackamas County Deed Records; said parcel being that portion of said property lying within the following described tract:

Beginning at a point opposite and 41.33 feet Southwesterly of Engineer's Station a 46+82.34 on the center line of Molalla Avenue; thence Westerly in a straight line to a point opposite and 52.10 feet Southwesterly of Engineer's Station a 46+76.22 on said center line; thence Southeasterly in a straight line to a point opposite and 58.22 feet

Southwesterly of Engineer's Station a 46+86.83 on said center line; thence Easterly in a straight line to the point opposite and 40.42 feet Southeasterly of Engineer's Station a 46+97.11 on said center line; thence Northwesterly in a straight line to the point of beginning.

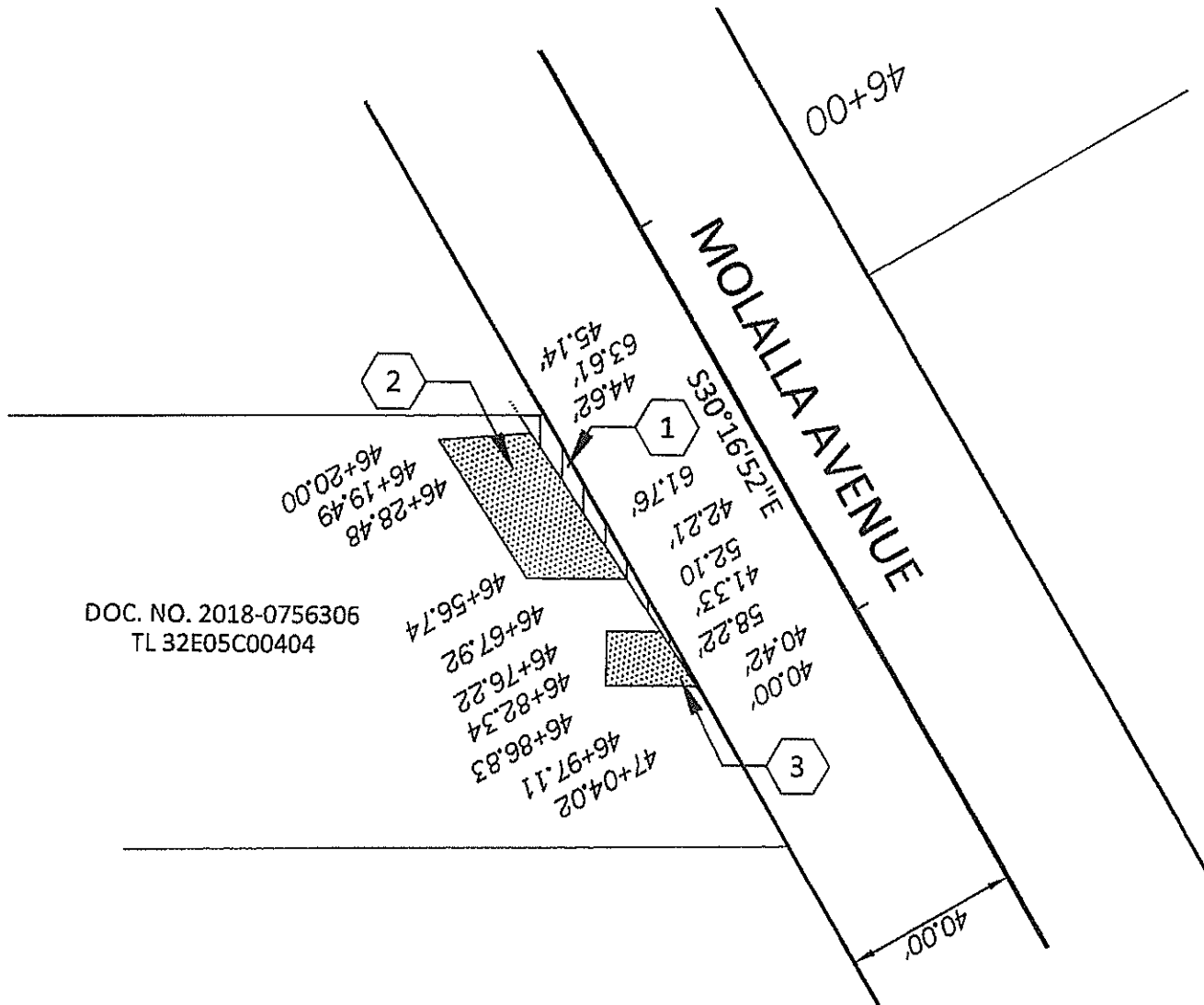
The center line of said road is described in Parcel 1.

This parcel of land contains 203 square feet, more or less, outside of the existing right of way



RENEWS: DEC. 31, 2019
SIGNED: 12/02/2019

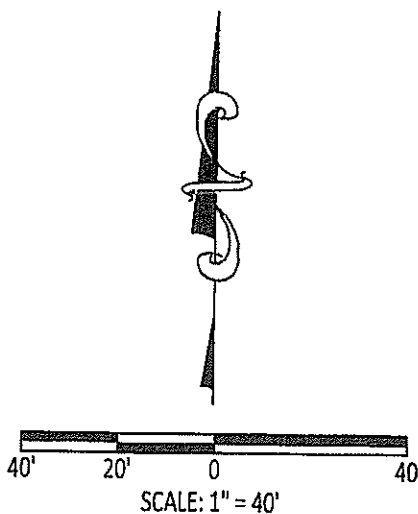
EXHIBIT "B"



REGISTERED
PROFESSIONAL
LAND SURVEYOR

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

RENEWES: DEC. 31, 2019
SIGNED: 12/02/2019



LEGEND

- RIGHT OF WAY DEDICATION
- 191 SQ. FT. ±
- TEMPORARY CONSTRUCTION EASEMENT
- 714 SQ. FT. ±
- TEMPORARY CONSTRUCTION EASEMENT
- 203 SQ. FT. ±

MOLALLA AVENUE PHASE 3 BEAVERCREEK ROAD TO OR 213

FILE NO: 017	SUBMITTAL DATE: DECEMBER 02, 2019
TAX LOT: 00404	ADDRESS: 1692 MOLALLA AVENUE
TAX MAP: 32E05C	OREGON CITY, OR 97045