

52

AFTER RECORDING RETURN TO:
City of Oregon City, City Recorder
P.O. Box 3040
Oregon City, Oregon 97045-0304

Adam Ponder



02459509202100453380050055

\$113.00

05/04/2021 10:44:13 AM

D-E Cnt=1 Stn=9 COUNTER1
\$25.00 \$18.00 \$62.00 \$10.00

Planning No.: GLUA-20-00026

Tax Map & Lot: 32E05C 00402

GRANTOR: Clairmont MHC, LLC, an Oregon limited liability company

CITY OF OREGON CITY, OREGON PUBLIC UTILITY EASEMENT

KNOW ALL BY THESE PRESENTS, THAT Clairmont MHC, LLC, an Oregon limited liability company, hereinafter called the "Grantor", does hereby grant unto the City of Oregon City, hereinafter called the "City", its successors in interest and assigns, a permanent easement and right-of-way, including the permanent right to construct, reconstruct, operate, and maintain Water Main and appurtenances, hereinafter called the "Infrastructure" on the following described land:

See attached **Exhibit A** Legal Description and attached **Exhibit B** Sketch 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 structures or utility shall be placed upon, under, or within the permanent easement (described in Exhibits A & B), without the written permission of the City.

If the City exercises its right to construct, reconstruct, or maintain the Infrastructure, 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.

IN WITNESS WHEREOF, the Permittee has executed this instrument this 17th day of March, 2021. 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:

CLAIRMONT MHC, LLC,
an Oregon limited liability company

By: Hogan Woods Apartments, LLC,
an Oregon limited liability company,
its Sole Member

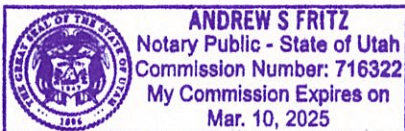
By: BLF Holdings, LLC,
a Washington limited liability company,
its Manager

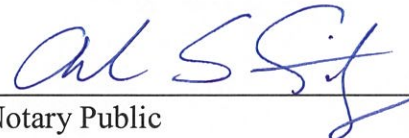
By: The Brian L. Fitterer Revocable Trust,
a California trust,
its Sole Member

By: 
Brian L. Fitterer, Trustee

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

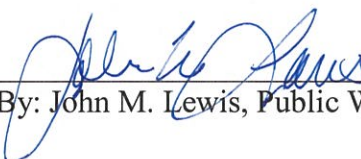
On this 17 day of March, 2021, before me Andrew S. Fritz, a notary public, personally appeared Brian L. Fitterer, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged he executed the same.

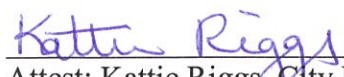



Notary Public

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



AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 | www.aks-eng.com

AKS Job #6495

OFFICES IN: BEND, OR - KEIZER, OR - TUALATIN, OR - VANCOUVER, WA

EXHIBIT A

Public Utility Easement Description

A strip of land 20.00 feet wide (offset 10.00 feet on both sides of the following described centerline), located in the North One-Half of Section 8, Township 3 South, Range 2 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, and the centerline being more particularly described as follows:

Commencing at the southeasterly corner of Lot 1, Block 12 of the plat "Hillendale No. 4", Plat No. 2209, Clackamas County Plat Records, also being on the northwesterly right-of-way line of Clairmont Way (30.00 feet from centerline); thence along said northwesterly right-of-way line, North 46°56'48" East 508.49 feet to the Point of Beginning; thence leaving said northwesterly right-of-way line, North 36°35'16" West 95.71 feet; thence North 53°40'23" West 126.84 feet; thence North 36°24'33" West 107.94 feet; thence North 23°05'24" West 271.21 feet; thence South 80°26'50" West 150.64 feet; thence South 49°12'41" West 51.36 feet; thence South 64°35'12" West 304.83 feet; thence North 31°36'48" West 33.12 feet; thence North 11°48'15" West 140.83 feet; thence North 04°01'20" West 56.81 feet; thence South 77°28'22" West 41.37 feet; thence South 63°42'54" West 59.55 feet; thence South 83°14'07" West 50.33 feet to the westerly line of Document Number 2019-012650, Clackamas County Deed Records, and the Point of Terminus.


The sidelines of the above described strip of land shall be extended and shortened to terminate at said northwesterly right-of-way line of Clairmont Way and said westerly line of Document Number 2019-012650.

The above described tract of land contains 29,797 square feet, more or less.

Bearings for this description are based on State Plane Grid bearing, Oregon State Plane, North Zone 3601, NAD83(2011) Epoch: 2010.0000. Distances shown are International Foot ground values.

12/21/2020

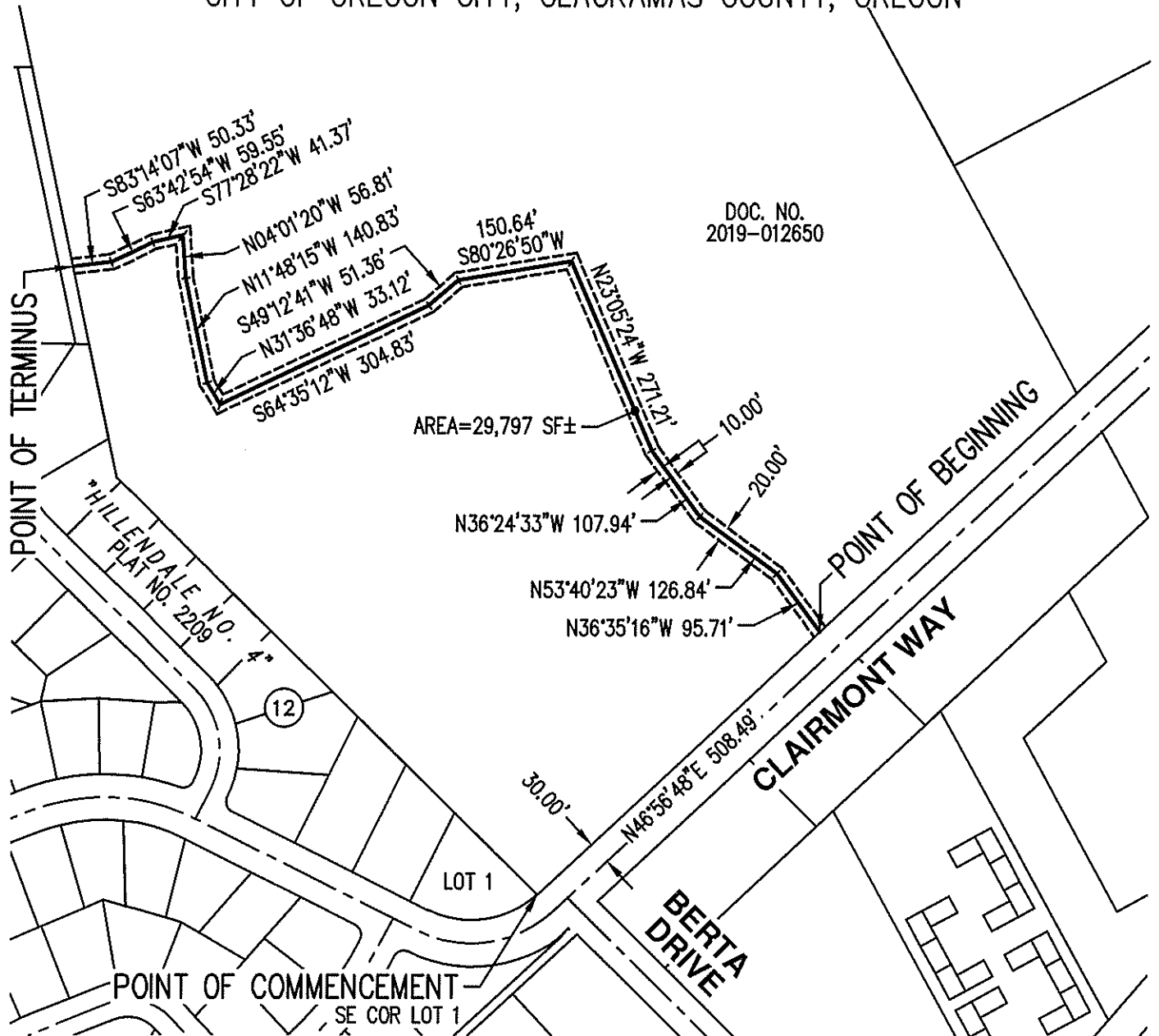
REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/22

EXHIBIT B

A STRIP OF LAND 20.00 FEET WIDE,
LOCATED IN THE NORTH 1/2 OF SECTION 8,
TOWNSHIP 3 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON



12/21/2020

REGISTERED
PROFESSIONAL
LAND SURVEYOR

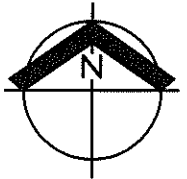
OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS

RENEWS: 12/31/22

PREPARED FOR

BRIDGEVIEW ASSET MANAGEMENT
838 SE 37TH AVENUE
PORTLAND, OR 97214

SCALE: 1"=200 FEET



PUBLIC UTILITY EASEMENT MAP

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

AKS

EXHIBIT
B

DRWN: WCB
CHKD: RDR
AKS JOB:
6495