

EXHIBIT 3



OREGON CITY

Public Works – Development Services

625 Center Street | PO Box 3040 | Oregon City OR 97045

Ph (503) 657-0891 | Fax (503) 657-7892

APPLICATION STREET/ALLEY VACATION

Property Owner/Authorized Agent HILLTOP MALL LLC
Address PO BOX 2200, OREGON CITY, OREGON 97045
Telephone 503-719-9621 Location of Property to be Vacated 358 WARNER
MILNE ROAD

Note: Legal description of property must be attached for street vacations. The application shall be accompanied by a fully dimensioned accurate and legible site plan, drawn to scale.

Reason for Street/Alley/Easement Vacation and Proposed Use THE OLD 10 FOOT WIDE EASEMENT IS BEING REPLACED BY A NEW 15 FOOT WIDE EASEMENT IN A DIFFERENT LOCATION.

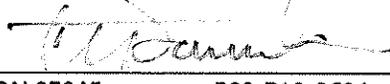
A vacation shall be granted only in the event that all of the following conditions exist:

- a. There is no present or future public need for the street, alley, or easement.
- b. The vacation is in the best public interest.
- c. There would be no impacts to adjacent properties.
- d. Consent of adjacent property owners when appropriate.

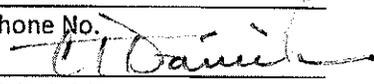
Explain how proposed vacation complies with these four conditions:

INSTRUCTIONS FOR COMPLETING VACATION APPLICATIONS

1. All applications must be either typed or printed (black ink). Please make the words easily readable. Neatness is important.
2. The application must be submitted with the correct fee.
3. If you mail in the application, please verify with the Development Services Division to ensure that it was received and that all necessary fees and information are with the application form.
4. If you wish to modify or withdraw the application, you must notify the Development Services Division in writing. Additional fees may be charged if the changes require new public notice and/or if additional staff work is necessary.
5. Attach all the information with the application form that you have available that pertains to the activity you propose.
6. Prior to submitting the application, you must make an appointment to discuss your proposal with a member of the Development Services Division. If you wish, Development Services personnel will advise you in completing some portions of the application; however, the entire burden is upon the applicant to provide necessary information to justify approval of the application.
7. Detailed legal descriptions, maps, and other relevant information should be attached to the application form and will be available for public review. All applicable standards and criteria must be addressed prior to acceptance of the application. The content of the attached information should be discussed with the City Engineer prior to submission of the application.
8. Incomplete applications will be returned.

APPLICANT'S NAME & SIGNATURE: CT DANIELSON 
 MAILING ADDRESS: PO BOX 2200, OREGON CITY, OREGON 97045 503-719-9621

City State Zip Phone No.

ABUTTING PROPERTY OWNER'S NAME & SIGNATURE: CT DANIELSON 

MAILING ADDRESS: PO BOX 2200, OREGON CITY, OREGON 97045 503-719-9621

City State Zip Phone No.

ABUTTING PROPERTY OWNER'S NAME & SIGNATURE: _____

MAILING ADDRESS: _____

City State Zip Phone No.

ABUTTING PROPERTY OWNER'S NAME & SIGNATURE: _____

MAILING ADDRESS: _____

City State Zip Phone No.

If the property owner does not sign this application, then a letter authorizing signature by an agent must be attached.

FOR OFFICE USE ONLY

DATE SUBMITTED: _____

RECEIVED BY: _____

FEE PAID: _____

RECEIPT NO.: _____

PUBLIC HEARING DATE: _____

ENGINEER ASSIGNED: _____

DATE ACCEPTED AS COMPLETE: _____

EXHIBIT A

LEGAL DESCRIPTION OF PUBLIC WATERLINE EASEMENT TO BE VACATED

A PORTION OF THAT PUBLIC WATERLINE EASEMENT NUMBER 2 AS DESCRIBED IN PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF OREGON CITY BY DOCUMENT NUMBER 2011-066460, CLACKAMAS COUNTY DEED RECORDS, SAID PORTION TO BE VACATED LIES 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE TERMINUS OF THE CENTERLINE OF PUBLIC WATERLINE EASEMENT NUMBER 2 AS DESCRIBED IN PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF OREGON CITY BY DOCUMENT NUMBER 2011-066460, CLACKAMAS COUNTY DEED RECORDS; THENCE NORTHERLY ALONG SAID CENTERLINE THE FOLLOWING SIX (6) COURSES:

- 1) NORTH 07°50'22" EAST 14.01 FEET;
- 2) THENCE NORTH 18°01'40" WEST 21.44 FEET;
- 3) THENCE NORTH 84°43'35" WEST 38.96 FEET;
- 4) THENCE NORTH 04°18'40" WEST 22.20 FEET;
- 5) THENCE NORTH 57°13'30" WEST 19.72 FEET;
- 6) THENCE NORTH 88°26'00" WEST 38.39 FEET TO THE TRUE POINT OF BEGINNING OF THE CENTERLINE TO BE DESCRIBED;

THENCE CONTINUING ALONG SAID CENTERLINE OF PUBLIC WATERLINE EASEMENT NUMBER 2 AS DESCRIBED IN PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF OREGON CITY BY DOCUMENT NUMBER 2011-066460, NORTH 88°26'00" WEST 133.71 FEET; THENCE NORTH 83°02'24" WEST 54.81 FEET; THENCE NORTH 27°28'20" WEST 57.89 FEET TO THE TERMINUS OF THE CENTERLINE OF THE EASEMENT TO BE VACATED.

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**


**OREGON
JULY 14, 1978
DON DEVLAEINCK
1634**

DATE OF SIGNATURE: 11/15/17
EXPIRES 12/31/2019

EXISTING PUBLIC WATERLINE
EASEMENT NUMBER 2 PER
DOC. NO. 2011-066460

TERMINUS

N27°28'20"W
57.89'

EASEMENT TO BE VACATED
(AND BE REPLACED WITH A
NEW 15' PUBLIC WATERLINE
EASEMENT BY SEPARATE
DOCUMENT)

N83°02'24"W
54.81'

EASEMENT TO BE VACATED
(AND BE REPLACED WITH A
NEW 15' PUBLIC WATERLINE
EASEMENT BY SEPARATE
DOCUMENT)

N88°26'00"W
133.71'

EXISTING PUBLIC
WATERLINE EASEMENT
NUMBER 2 PER DOC.
NO. 2011-066460

N04°18'40"W
22.20'

N07°50'22"E
14.01'

N18°01'40"W
21.44'

N84°43'35"W
38.96'

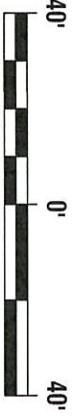
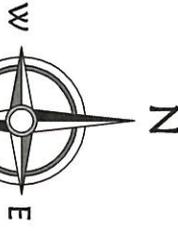
N57°13'30"W
19.72'

N88°26'00"W
38.39'

TRUE POINT
OF BEGINNING

NEW BUILDING

BEAVERCREEK ROAD



Scale: 1" = 40'

DATE OF SIGNATURE:
EXPIRES 12/31/2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1978
DON DEVLAEINICK
1634

POINT OF
COMMENCEMENT
(TERMINUS OF CENTERLINE OF
PUBLIC WATERLINE EASEMENT
NUMBER 2 PER DOC. NO.
2011-066460)

EXHIBIT "B"

3509.21 WaterCase2Nov2017

MPASS Land Surveyors
4107 SE International Way, Suite 705
Milwaukie, Oregon 97222 503-653-9093

EASEMENT VACATION OF A PORTION OF
PUBLIC WATERLINE EASEMENT NUMBER 2,
DOC. NO. 2011-066460

S.W. 1/4 OF SECTION 5, T. 3S., R. 2 E., W.M.
CITY OF OREGON CITY
CLACKAMAS COUNTY, OREGON