

AFTER RECORDING RETURN TO:

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

Map No.: 32E09C
Tax Lot No.: 00300
Planning No.: _____
Street: Hwy 213

PERMANENT SLOPE AND PUBLIC UTILITY EASEMENT

This TEMPORARY CONSTRUCTION and ACCESS EASEMENT is entered into this 18 day of Feb, 2019, by and between, Rocky D. Keith and Lavona D. Keith, as tenants by the entirety, as to an undivided one-half interest and Ross D. Keith and Dusti L. Keith, as tenants by the entirety, as to an undivided one-half interest (hereafter referred to as "Grantor") and the City of Oregon City, a Municipal Corporation of the State of Oregon (hereafter referred to as "Grantee").

RECITALS

1. Grantor is the owner of certain real property located in the City of Oregon City, Clackamas County, Oregon, described in the legal descriptions in Exhibit "A", as Parcel 2 and illustrated on Exhibit "B", attached hereto and incorporated by reference. (hereafter referred to as "Easement Area(s)").
2. Grantor desires to grant to Grantee, for good and valuable consideration a permanent, 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 constructions a slope to support a public street and to place public utilities as part of the Meyers Road Extension Project.
3. This PERMANENT SLOPE AND PUBLIC UTILITY EASEMENT is intended to allow the City of Oregon City, or its assigns to undertake the construction and all other activities that the Grantee deems necessary and appurtenant to the above noted activities in conjunction with the Meyers Road Extension 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 permanent slope and public utility easement over, under, and across the Easement Area(s), together with the right to go upon said Easement Area(s) for the purpose of constructing slopes to support Myers Road and to install public utilities in said slope area.
2. **Hold Harmless Clause.** Grantee shall have the right to conduct 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. 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.

The true consideration for this conveyance is **Ten Thousand Five Hundred Twenty Eight and No/100 Dollars (\$10,528.00)**, the receipt of which is hereby acknowledged by GRANTOR.

AK

This PERMANENT SLOPE AND UTILITY EASEMENT has been executed as of the date and year first written above.

Grantor



Rocky D. Keith



Lavona D. Keith



Ross D. Keith



Dusti L. Keith



EXHIBIT "A"

Meyers Road Extension
City of Oregon City
December 8, 2016
Revised July 24, 2017

Tax Map 3S2E9C
Tax Lot 00300

PARCEL 1 (RIGHT-OF-WAY DEDICATION)

A parcel of land situated in the southwest one-quarter of Section 9 and the Andrew Hood DLC No. 44 in Township 3 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon and being a portion of that property conveyed to Rocky D. Keith and Lavona D. Keith in that Memorandum of Land Sale Contract, recorded February 18, 1992 as Document No. 92-08767, conveyed to Ross D. Keith and Dusti L. Keith in that Memorandum of Real Estate Agreement, recorded December 30, 1994 as Document No. 94-098555, and conveyed to Ross D. Keith and Dusti L. Keith in that Quitclaim Deed, recorded July 18, 2002 as Document No. 2002-057040, Clackamas County Deed Records; said parcel being that portion of said property included in a strip of land 50.00 feet wide and lying on the southerly side of the centerline of Meyers Road, which centerline is described below.

CENTERLINE DESCRIPTION OF A PORTION OF MEYERS ROAD

A road centerline situated in the southwest and southeast one-quarters of Section 9, the Andrew Hood DLC No. 44 and the Robert Caufield DLC No. 53, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon.

Beginning at the intersection of Cascade Highway (OR 213) and the centerline of Meyers Road, being Station 268+29.93 on Cascade Highway and being Station 50+62.02 for the purpose of this description, said point which bears North 59° 05' 23" West 2535.44 feet from the south one-quarter corner of said Section 9; thence North 72° 11' 51" East 173.70 feet to a point of curvature (Station 52+35.72); thence on the arc of a 1000.00 foot radius curve to the right, through a central angle of 56° 55' 36", an arc distance of 993.56 feet (the long chord of which bears South 79° 20' 21" East 953.19 feet) to a point of tangency (Station 62+29.28); thence South 50° 52' 33" East 98.90 feet to a point of curvature (Station 63+28.18); thence on the arc of a 1300.00 foot radius curve to the left, through a central angle of 39° 23' 50", an arc distance of 893.90 feet (the long chord of which bears South 70° 34' 28" East 876.39 feet) to a point of tangency (Station 72+22.08); thence North 89° 43' 36" East 62.14 feet to the terminus of this description (Station 72+84.22), said point which bears North 07° 26' 30" West 832.65 feet from said south one-quarter corner of Section 9.

Also, all that portion lying north of said centerline.

The parcel of land to which this description applies contains 13,128 square feet, more or less.



PARCEL 2 (PERMANENT SLOPE AND PUBLIC UTILITY EASEMENT)

A parcel of land situated in the southwest one-quarter of Section 9 and the Andrew Hood DLC No. 44 in Township 3 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon and being a portion of that property conveyed to Rocky D. Keith and Lavona D. Keith in that Memorandum of Land Sale Contract, recorded February 18, 1992 as Document No. 92-08767, conveyed to Ross D. Keith and Dusti L. Keith in that Memorandum of Real Estate Agreement, recorded December 30, 1994 as Document No. 94-098555, and conveyed to Ross D. Keith and Dusti L. Keith in that Quitclaim Deed, recorded July 18, 2002 as Document No. 2002-057040, 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 southerly side of the centerline of Meyers Road, which centerline is described above.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on the Southerly side of Centerline
68+30.00		70+00.00	68.00
70+00.00		72+40.00	60.00

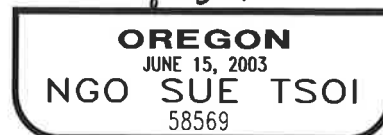
EXCEPT therefrom that portion lying within the above-described Parcel 1 (Right-of-Way Dedication).

The parcel of land to which this description applies contains 5,264 square feet, more or less.

The bearings of this description are Oregon Coordinate Reference System, Portland zone.



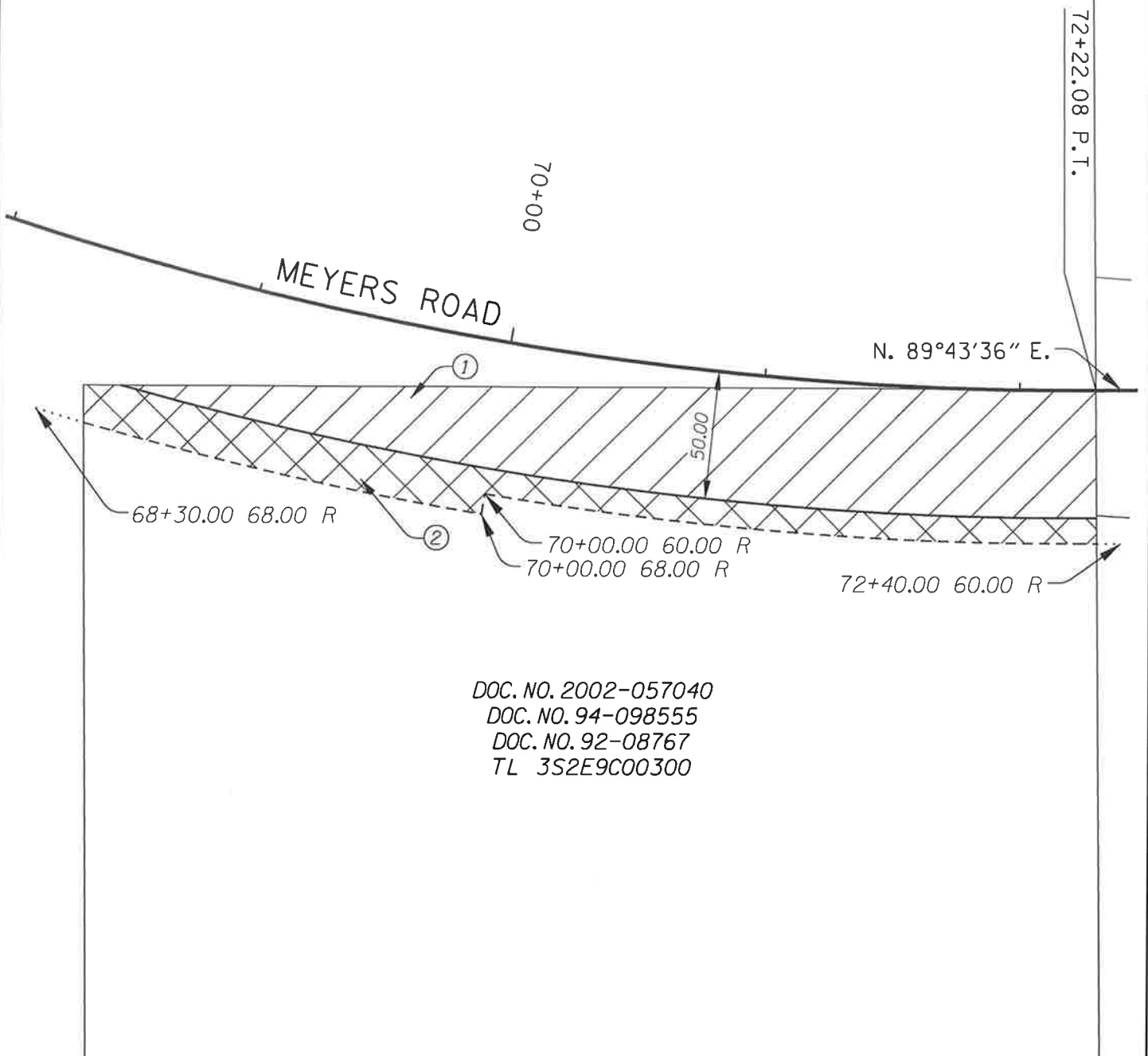
Ngos Tsoi



RENEWS: 6/30/18



EXHIBIT "B"



DOC. NO. 2002-057040
DOC. NO. 94-098555
DOC. NO. 92-08767
TL 3S2E9C00300

LEGEND:



① RIGHT-OF-WAY DEDICATION
13,128 SQ. FT.± (0.301 AC.±)



② PERMANENT SLOPE AND PUBLIC UTILITY EASEMENT
5,264 SQ. FT.± (0.121 AC.±)

MEYERS ROAD EXTENSION OREGON CITY

FILE NO: KEITH

SUBMITTAL DATE: 12/08/16

REV'D: 7/24/17

TAX LOT: 00300

ADDRESS: 14433 Glen Oak Road

TAX MAP: 3S2E9C



**DAVID EVANS
AND ASSOCIATES INC.**

2100 Southwest River Parkway
Portland Oregon 97201
Phone: 503.223.6663