

AFTER RECORDING RETURN TO:

ZEK, LLC  
5200 SE Harney Street  
Portland, Oregon 97206

(ABOVE SPACE FOR RECORDER'S USE)

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### Temporary Construction Easement

Temporary Construction Easement between **ZEK LLC** ("Owner") and the **City of Oregon City, Oregon** ("City").

### RECITALS

- A. The City is in the process of constructing the Meyers Road Improvement Project ("the Project").
- B. Owner owns real property identified as Clackamas County Assessor's Tax Lot 32E08D 00605 located at the SW corner of Highway 213 and SE Meyers Road in Oregon City. ("Owner's Property").
- C. The City desires to enter onto a portion of Owner's property to perform work as part of the project.

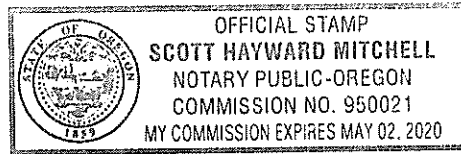
### TERMS OF AGREEMENT

- 1. Owner grants to City, its agents and contractors, the right to enter the portion of Owner's Property described in the legal description attached as Exhibit A as Parcel 2 [Temporary Construction Easement] and shown on Exhibit B which are incorporated by reference and made part of this document.
- 2. The work within the easement area will include construction of an ADA compliant ramp in the sidewalk at the South West corner of the intersection of Highway 113 and Meyers Road.
- 3. The City shall restore Owner's Property to the condition it was in prior to the work authorized by this easement.
- 4. The City will defend, indemnify and hold harmless the Owner, successors and assigns for injury to person or property as a result of the negligence or other misconduct of the City, its employees, contractors and/or agents while conducting the activities associated with the construction improvements authorized by this agreement.
- 5. The rights granted under this agreement shall terminate at the conclusion of the Project.

The monetary consideration for this conveyance is **Five Hundred and No/100 Dollars (\$500.00)**

GRANTOR: ZEK, LLC

Albert A. Kryszek  
Name and Title



STATE OF OREGON            )  
  )        ss.  
County of Multnomah        )

On this 14<sup>th</sup> day of May, 2019 Albert A. Kryszek, personally appeared before me and acknowledged this instrument to be his or her voluntary act and deed, and further affirmed that he or she is a duly authorized officer of ZEK, LLC with full power and authority to sign and acknowledge this document for and on behalf of ZEK, LLC. I further certify that the individual who signed this instrument before me was either personally known to me, or that I have satisfactory evidence that he or she is in fact the person who appeared before me and signed this instrument.

Scott Mitchell  
Notary Public

GRANTEE: CITY OF OREGON CITY

\_\_\_\_\_  
Name and Title

STATE OF OREGON            )  
  )        ss.  
County of \_\_\_\_\_        )

On this \_\_\_ day of \_\_\_\_\_, 2019 \_\_\_\_\_, personally appeared before me and acknowledged this instrument to be his or her voluntary act and deed, and further affirmed that he or she is a duly authorized officer of CITY OF OREGON CITY with full power and authority to sign and acknowledge this document for and on behalf of CITY OF OREGON CITY. I further certify that the individual who signed this instrument before me was either personally known to me, or that I have satisfactory evidence that he or she is in fact the person who appeared before me and signed this instrument.

\_\_\_\_\_  
Notary Public

(Grantor's Name and Address)

**City of Oregon City**  
**P.O. Box 3040**  
**625 Center Street**  
**Oregon City, OR 97045-0304**

Accepted on behalf of the City of Oregon City on the condition that the easement granted is free and clear from any taxes, liens, and encumbrances.

Mayor

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City Recorder

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## **EXHIBIT "A"**

Meyers Road Extension  
City of Oregon City  
June 6, 2019

Tax Map 3S2E8D  
Tax Lot 00605

### **PARCEL 1 (PUBLIC CURB RAMPS AND ACCESS EASEMENT)**

A parcel of land situated in the southwest one-quarter of Section 9 and the Robert Caufield DLC No. 53 in Township 3 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon and being a portion of that property conveyed to ZEK, LLC in that Bargain and Sale Deed, recorded December 14, 1999 as Document No. 99-114776, Clackamas County Deed Records; said parcel being that portion of said property described as follows:

Beginning at the southwest corner of Cascade Highway (OR 213) and Meyers Road; thence along the westerly right-of-way of Cascade Highway South 29° 07' 28" East, a distance of 11.00 feet; thence leaving said westerly right-of-way North 78° 20' 22" West, a distance of 23.14 feet to the southerly right-of-way of Meyers Road; thence along said southerly right-of-way North 74° 05' 53" East, a distance of 18.00 feet to the point of beginning.

The parcel of land to which this description applies contains 96 square feet, more or less.



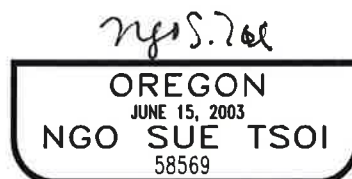
PARCEL 2 (TEMPORARY CONSTRUCTION EASEMENT)

A parcel of land situated in the southwest one-quarter of Section 9 and the Robert Caufield DLC No. 53 in Township 3 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon and being a portion of that property conveyed to ZEK, LLC in that Bargain and Sale Deed, recorded December 14, 1999 as Document No. 99-114776, Clackamas County Deed Records; said parcel being that portion of said property described as follows:

Beginning at the southwest corner of Cascade Highway (OR 213) and Meyers Road; thence along the westerly right-of-way of Cascade Highway South  $29^{\circ} 07' 28''$  East, a distance of 11.00 feet to the true point of beginning; thence along said westerly right-of-way South  $29^{\circ} 07' 28''$  East, a distance of 3.75 feet; thence leaving said westerly right-of-way North  $78^{\circ} 28' 38''$  West, a distance of 31.09 feet to the southerly right-of-way of Meyers Road; thence along said southerly right-of-way North  $74^{\circ} 05' 53''$  East, a distance of 6.20 feet; thence leaving said southerly right-of-way South  $78^{\circ} 20' 22''$  East, a distance of 23.14 feet to the true point of beginning.

The parcel of land to which this description applies contains 77 square feet, more or less.

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



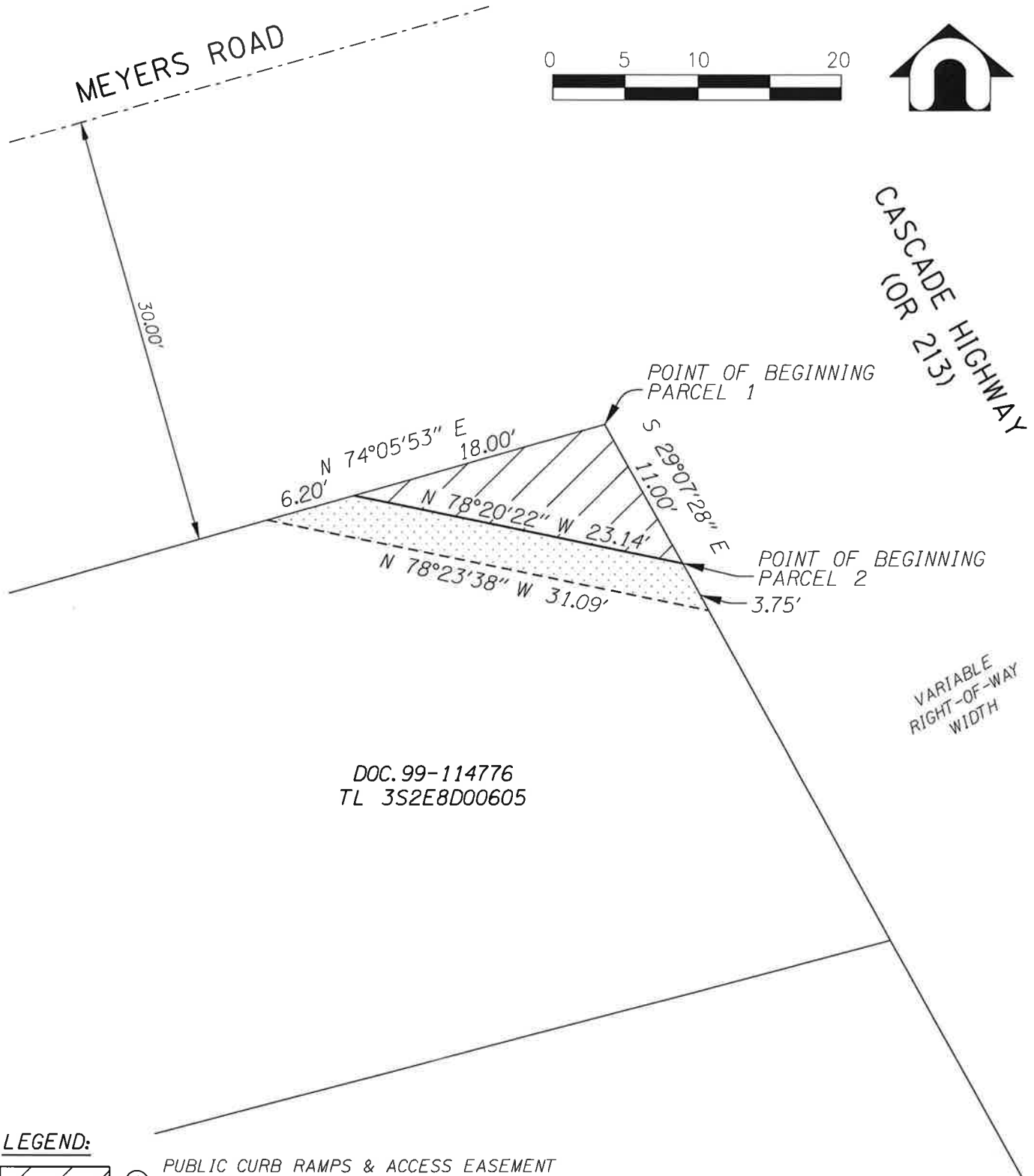
RENEWS: 6/30/20

# EXHIBIT "B"

MEYERS ROAD



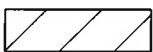
CASCADE HIGHWAY  
(OR 213)



DOC. 99-114776  
TL 3S2E8D00605

VARIABLE  
RIGHT-OF-WAY  
WIDTH

## LEGEND:



① PUBLIC CURB RAMPS & ACCESS EASEMENT  
96 SQ. FT. ± (0.007 AC. ±)



② TEMPORARY CONSTRUCTION EASEMENT  
77 SQ. FT. ± (0.002 AC. ±)

MEYERS ROAD EXTENSION  
OREGON CITY

FILE NO: ZEK

SUBMITTAL DATE: 6/06/19 REV'D:

TAX LOT: 00605

ADDRESS: 13825 MEYERS ROAD

TAX MAP: 3S2E8D



**DAVID EVANS  
AND ASSOCIATES INC.**

2100 Southwest River Parkway  
Portland Oregon 97201  
Phone: 503.223.6663