



PARTITION PLAT FOR SMELSER HOMES  
A REPLAT OF A PORTION OF LOT 35, CLACKAMAS HEIGHTS, PLAT NO. 30  
IN THE SE 1/4 OF THE NW 1/4, SECTION 28, T2S R2E, W.M.  
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

OREGON CITY PLANNING FILE NO. "MP 05-04", "WR 05-13"

OCTOBER 24, 2005  
GAYLORD LAND SURVEYING, INC.  
2910 S.E. OAK GROVE BLVD.  
MILWAUKIE, OREGON 97267  
(503)654-1492

PARTITION PLAT NO. 2005-124

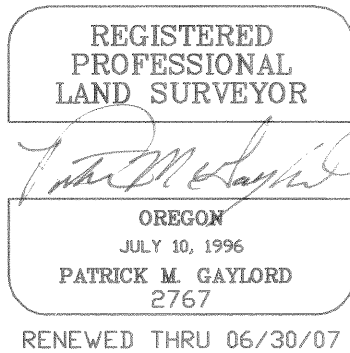
PAGE 2 OF 2

I HEREBY CERTIFY AND SAY THAT  
THIS IS A TRUE AND EXACT COPY  
OF THE ORIGINAL PARTITION PLAT

Patrick M. Gaylord  
PATRICK M. GAYLORD, PLS 2767

SURVEYORS CERTIFICATE

I, PATRICK M. GAYLORD, DO HEREBY CERTIFY AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ANNEXED PARTITION PLAT BEING A PART OF LOT 35, CLACKAMAS HEIGHTS IN THE SOUTHEAST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 28, T2S R2E W.M., CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS. BEGINNING AT THE INITIAL POINT, A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "RLS 322" AT THE NORTHEAST CORNER OF LOT 35 THENCE ALONG THE EAST LINE OF THE SAID LOT 35, S 00°15'32" E 332.49 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING INC." IN THE NORTH RIGHT OF WAY LINE OF HOLCOMB BOULEVARD; THENCE ALONG THE SAID RIGHT OF WAY LINE, S 49°17'47" W 129.75 FEET TO A 5/8 INCH IRON ROD SET BY SN 7321, CLACKAMAS COUNTY SURVEY RECORDS, AT THE SOUTHEAST CORNER OF THE OCCUPATION LINE OF DEED BOOK 612 PAGE 763, DEED RECORDS, BEING ALSO THE SOUTHEAST CORNER OF QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 2005-128135, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE SAID OCCUPATION LINE AND THE EAST LINE SAID QUIT CLAIM DEED, N 00°10'56" W 61.89 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE N 00°07'57" E 77.15 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE N 00°04'18" 98.57 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC."; THENCE N 00°25'58" W 79.84 FEET TO A 5/8" IRON ROD AS SET BY SAID SN 7321, CLACKAMAS COUNTY SURVEY RECORDS; THENCE S 89°53'17" W 2.19 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING, INC." AT THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED BY DEED BOOK 499 PAGE 483, CLACKAMAS COUNTY DEED RECORDS; THENCE N 00°15'32" W 99.48 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP MARKED "GAYLORD LAND SURVEYING INC." AT THE NORTHEAST CORNER OF SAID DEED BOOK 499 PAGE 483, BEING ALSO A POINT IN THE NORTH LINE OF LOT 35, CLACKAMAS HEIGHTS; THENCE ALONG THE SAID NORTH LINE, N 89°53'17" E 100.00 FEET TO THE INITIAL POINT. CONTAINING 0.85 ACRES MORE OR LESS.



PLAT EASEMENTS, CONDITIONS AND RESTRICTIONS

- 1) THIS PLAT IS SUBJECT TO THOSE CONDITIONS OF APPROVAL AS SET FORTH BY THE CITY OF OREGON CITY PLANNING FILE NUMBERS "MP 05-04" AND "WR 05-13".
- 2) THE CITY OF OREGON CITY AND ITS FRANCHISEES, SUCCESSORS AND ASSIGNS ARE HEREBY GRANTED THE RIGHT TO MAINTAIN, REPLACE, AND UPGRADE UTILITIES IN THESE PUBLIC EASEMENTS AND WILL NOT BE IN ANY WAY RESPONSIBLE FOR REPLACING THE LANDSCAPING, FENCING OR OTHER STRUCTURES, SHRUBS OR TREES THAT MAY EXIST OF BE PLACED IN THESE PUBLIC EASEMENTS. NOTICE SHALL BE PROVIDED BEFORE SUCH ACTIVITIES ARE COMMENCED.
- 3) THE NORTHERLY 21.75 FEET OF PARCEL 2 AND THE SOUTHERLY 21.75 FEET OF PARCEL 3 AS SHOWN ON THE MAP IS PROPOSED AND RESERVED AS FUTURE RIGHT OF WAY AND THE ABUTTING 10-FOOT "PUE'S" ARE PROPOSED PUBLIC UTILITY EASEMENTS. THE DECLARANT, BY THIS NOTE, HEREBY MAKES AN OFFER TO DEDICATE THE PROPOSED RIGHT OF WAY AND GRANT THE PROPOSED UTILITY EASEMENTS TO THE PUBLIC FOR A PERIOD OF 20 YEARS FROM THE RECORDING OF THIS PLAT. THIS OFFER TO DEDICATE IS ONLY VALID AT SUCH TIME AS THE PROPOSED RIGHT OF WAY AND EASEMENT IS CONNECTED TO ANOTHER RIGHT OF WAY PROVIDING PUBLIC ACCESS. THIS OFFER IS BINDING ON ALL SUBSEQUENT OWNERS OF PARCEL 2 AND 3 AND MUST BE FORMALLY ACCEPTED BY RESOLUTION OF THE CITY OF OREGON CITY.
- 4) RIGHT OF WAY DEDICATION TO THE CITY OF OREGON CITY FOR HOLCOMB BOULEVARD.
- 5) THE AREA BETWEEN THE WEST PROPERTY LINE AND AN EXISTING FENCE HAS BEEN CONVEYED TO THE OWNERS OF DEED BOOK 612 PAGE 763, CLACKAMS COUNTY DEED RECORDS, BY QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 2005-128135, CLACKAMS COUNTY DEED RECORDS. THE EXISTING FENCE LINE DOES NOT MATCH THE DEEDED PROPERTY LINE AND IT APPEARS THAT THERE IS EVIDENCE OF AN OPEN AND NOTORIOUS CLAIM OF THAT PROPERTY SHOWN ON PAGE 1 OF THIS PLAT. THE RECORDED QUIT CLAIM DEED SOLVES THIS ISSUE TO THE SATISFACTION OF THE CLACKAMAS COUNTY SURVEYORS OFFICE.
- 6) PARCEL 1 IS SUBJECT TO A 10 FOOT PUBLIC UTILITY EASEMENT PER THIS PLAT AS SHOWN.
- 7) PARCEL 1 IS ALSO SUBJECT TO A 100.18 FOOT LONG NON-VEHICULAR ACCESS STRIP AS SHOWN AND SHALL ONLY TAKE ACCESS TO HOLCOMB BLVD BY WAY OF THE PRIVATE ACCESS EASEMENT.
- 8) PARCELS 1 AND 2 ARE SUBJECT TO A RECIPROCAL TEMPORARY PRIVATE ACCESS AND PRIVATE SANITARY SEWER EASEMENT AND PRIVATE WATER EASEMENT AS SHOWN. THESE EASEMENTS SHALL EXTINGUISH UPON THE COMPLETION OF THE CONNECTION OF A PUBLIC ROAD TO HUNTER AVENUE TO THE WEST.
- 9) PARCEL 2 IS SUBJECT TO A PERMANENT 10 FOOT PUBLIC UTILITY EASEMENT OVER THE NORTH 10 FEET AS SHOWN.
- 10) PARCEL 3 IS SUBJECT TO A PERMANENT 10 FOOT PUBLIC UTILITY EASEMENT OVER THE SOUTH 10 FEET AS SHOWN.
- 11) PARCEL 3 IS SUBJECT TO A TEMPORARY ACCESS EASEMENT FOR THE BENEFIT OF ALL PARCELS AS SHOWN. THIS EASEMENT SHALL EXTINGUISH UPON THE COMPLETION OF THE CONNECTION OF A PUBLIC ROAD TO HUNTER AVENUE TO THE WEST.
- 12) THE TEMPORARY EASEMENT PROVIDING ACCESS TO PARCELS 1, 2 AND 3 SHALL AUTOMATICALLY EXPIRE UPON COMPLETION, DEDICATION AND ACCEPTANCE OF A PUBLIC RIGHT OF WAY THAT CONNECTS THE AREA DESIGNATED AS "FUTURE RIGHT OF WAY DEDICATION" TO AN EXISTING PUBLIC, CITY OR COUNTY ROAD RIGHT OF WAY. (SEE NOTE 3)

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS: THAT SMELSER HOMES, INC. AND TRACY HANSEN, ARE THE OWNERS OF THE LAND DEPICTED HEREON AND DESCRIBED IN THE ACCOMPANYING SURVEYORS CERTIFICATE, AND HAS CAUSED TO SAME TO BE PARTITIONED AND SURVEYED INTO PARCELS AND TRACT A WITH EASEMENTS AS SHOWN OR NOTED HEREON, AND DOES HEREBY DEDICATE TO THE PUBLIC AS PUBLIC WAYS FOREVER THE RIGHT OF WAY DEDICATION ADJACENT TO HOLCOMB BLVD., AND DOES HEREBY CREATE AND ESTABLISH PRIVATE EASEMENTS AS SHOWN OR STATED ON SAID MAP FOR THE USES INDICATED, AND DOES HEREBY GRANT ALL PUBLIC EASEMENTS AS SHOWN, NOTED, OR STATED ON THE SAID MAP. THE DECLARANT DOES FURTHER STATE THAT THE PROPERTY PLATTED HEREIN IS SUBJECT TO PLAT RESTRICTIONS AND FUTURE RIGHT OF WAY AND PUBLIC UTILITY EASEMENT RESERVATIONS AS NOTED IN NOTE 3 ELSEWHERE ON THIS PLAT, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES.

Steve Smelser  
STEVE SMELSER- OWNER  
SMELSER HOMES, INC.

Tracy Hansen  
TRACY HANSEN - OWNER

ACKNOWLEDGEMENT

STATE OF OREGON } SS  
COUNTY OF CLACKAMAS }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON December 23, 2005 BY STEVE SMELSER

WITNESS MY HAND AND SEAL

Kathy Jensen  
NOTARY SIGNATURE  
Kathy Jensen  
NOTARY PUBLIC OF OREGON

COMMISSION NO. 398276

MY COMMISSION EXPIRES Nov. 08 / 2009

ACKNOWLEDGEMENT

STATE OF OREGON } SS  
COUNTY OF CLACKAMAS }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON December 23, 2005 BY TRACY HANSEN

WITNESS MY HAND AND SEAL

Kathy Jensen  
NOTARY SIGNATURE  
Kathy Jensen  
NOTARY PUBLIC OF OREGON

COMMISSION NO. 398276

MY COMMISSION EXPIRES Nov. 8 / 2009

APPROVALS

FILE NO. OREGON CITY PLANNING DEPARTMENT "MP 05-04", "WR 05-13"

APPROVED THIS 27<sup>th</sup> DAY OF December 2005

BY Don Dierck  
OREGON CITY - PLANNING MANAGER

APPROVED THIS 27<sup>th</sup> DAY OF December, 2005

BY Jay L. Toll  
OREGON CITY - CITY ENGINEER

STATE OF OREGON } SS  
COUNTY OF CLACKAMAS }

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION  
WAS RECEIVED FOR RECORD ON THE 30<sup>th</sup> DAY OF  
December, 2005 AT 9:34 O'CLOCK A. M.

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY Sina G. Jarboe  
DEPUTY

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES  
AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THRU JUNE  
30, 2006.

APPROVED THIS 30 DAY OF Dec 2005

RAY ERLAND, CLACKAMAS COUNTY ASSESSOR & TAX  
COLLECTOR Ray Erland  
BY Edaie Harney  
DEPUTY

APPROVED THIS 29 DAY OF Dec, 2005

Stefan  
CLACKAMAS COUNTY SURVEYOR

MEDIA CERTIFICATE

I, PATRICK M. GAYLORD, CERTIFY THAT THIS SURVEY  
WAS PREPARED WITH HP 51645A INK ON OCE  
86-8342 INK JET FILM

Patrick M. Gaylord  
PATRICK M. GAYLORD, PLS 2767