

RESOLUTION NO. 565

A RESOLUTION DECLARING THE CITY OF WILSONVILLE'S INTENTION AND DETERMINATION OF NECESSITY TO ENTER UPON AND APPROPRIATE LAND AND PROPERTY FOR THE BOBERG ROAD RECONSTRUCTION AND UTILITY IMPROVEMENTS LOCAL IMPROVEMENT DISTRICT NO. 7; HEREINAFTER REFERRED TO AS LID #7; AND RELATED STREET RIGHTS-OF-WAY AND UTILITY EASEMENTS.

WHEREAS, under and by virtue of the laws of the State of Oregon, the City of Wilsonville is duly authorized and empowered to establish, locate, construct, lay out, widen, maintain, and repair roads, streets and highways and to establish, construct, lay out, extend, replace, operate, maintain and repair sanitary sewer, storm drain sewer and water utility systems as in the judgment of City Council are necessary and proper for the City; and

WHEREAS, under and by virtue of the laws of the State of Oregon, the City of Wilsonville is duly authorized and may acquire, purchase, enter upon and appropriate land for and in connection with establishing, locating, constructing, laying out, widening, maintaining, and repairing roads, streets and highways in the City of Wilsonville and may acquire, purchase, enter upon

and appropriate land and property for or in connection with establishing, constructing, laying out, extending, replacing, operating, maintaining and repairing sanitary sewer, storm drain sewer and water utility systems as in the judgment of City Council are necessary and proper to exercise its powers; and

WHEREAS, for the health, safety, benefit, and general welfare of the public, the City of Wilsonville plans to locate, lay out, widen, construct, maintain and repair Boberg Road and Barber Street and to locate, lay out, construct, extend, operate, maintain and repair the City's sanitary, sewer, storm drainage sewer, water utilities, sidewalks, curbs, streets and other utilities in conjunction with LID #7 in the City of Wilsonville; and

WHEREAS, staff has been corresponding with the property owners listed in Exhibit "A", Exhibit "B" and Exhibit "C" to obtain approvals for the necessary street dedications and easements for construction of LID #7 and to date have not received such documents.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF WILSONVILLE THAT:

1. The City of Wilsonville does hereby find and declare that it is needed and required for the location, construction, laying out, widening, maintaining and repairing of

Boberg Road and Barber Street and for the construction, laying out, extension, replacement, operation, maintenance and repair of the City's sanitary sewer, storm drainage sewer, water utilities system, sidewalks, curbs, streets, and other utilities, to enter upon and appropriate the land and property and interest therein, more particularly set forth and described in Exhibit "A", Exhibit "B" and Exhibit "C", attached herein, and by reference incorporated herein.

2. The location, laying out, widening, construction, maintaining and repairing of Boberg Road and Barber Street and the location, construction, laying out, extension, replacement, operation, maintenance and repair of the City's sanitary sewer, storm drainage sewer, water utilities system, sidewalks, curbs, streets and other utilities for which the land and property and interest therein as described in Exhibit "A", Exhibit "B", and Exhibit "C", attached hereto and by reference incorporated herein, is required, and is being taken, if necessary, in the public interest, is necessary to protect the full use and enjoyment by the public of Boberg Road and Barber Street, and the road and the aforementioned utility systems have been planned, designed, located and will be constructed in a manner that will be most compatible with the greatest public benefit and the least private injury or damage.

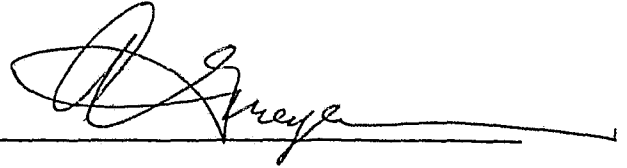
3. The City of Wilsonville and its attorneys be, and they are hereby authorized, to attempt to agree with the owners and other persons and interest in the land, property and interest therein described in Exhibit "A", Exhibit "B" and Exhibit "C", attached hereto and by reference incorporated herein, as to the compensation to be paid for the appropriation of the property and, in the event that no satisfactory agreement can be reached, then the attorneys for the City of Wilsonville be, and the same are hereby directed and authorized to commence and prosecute to the final determination of such proceedings as may be necessary to acquire the land and property and interest therein and that, upon the filing of such proceedings, possession of the land and property and interest therein may be taken immediately.

4. Upon the trial of any suit or action instituted to acquire the land and property or any interests therein, the attorneys acting for and on behalf of the City of Wilsonville be and hereby are authorized to make such stipulation, agreement or admission as in their judgment may be for the best interest for the City of Wilsonville.

5. In order to protect the health, safety and welfare of the public, an emergency exists, and it is necessary that no undue delay be encountered in obtaining access to and possession of the land, property and interests therein described in Exhibit

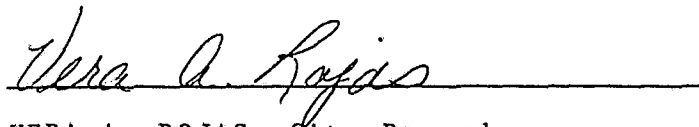
"A", Exhibit "B" and Exhibit "C" in order to establish and implement the aforementioned Boberg Road and Barber Street and utility systems and improvements and, therefore, this resolution shall be in force and effect from and after its passage by the City Council.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 16th day of June, 1986, and filed with the Wilsonville City Recorder this same date.

A handwritten signature in cursive script, appearing to read 'A. G. Meyer', written over a horizontal line.

A. G. MEYER, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read 'Vera A. Rojas', written over a horizontal line.

VERA A. ROJAS, City Recorder



WILSONVILLE

P.O. Box 220 / Wilsonville, Oregon 97070
503 / 682-1011

TO: Mr. Doug Bean
610 S.W. Broadway #210
Portland, OR 97205

LETTER OF TRANSMITTAL

DATE March 13, 1986	JOB NO
ATTENTION DOUG BEAN	
RE LID #7	

TO WHOM IT MAY CONCERN:

- WE ARE SENDING YOU Attached Under separate cover via _____ the following items:
- Shop drawings Prints Plans Samples Specifications
- Copy of letter Change order _____

COPIES	DATE	NO	DESCRIPTION
1			STREET DEDICATION
1			STREET CONSTRUCTION & PUBLIC UTILITY EASEMENT

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit ___ copies for approval
- For your use Approved as noted Submit ___ copies for distribution
- As requested Returned for corrections Return ___ corrected prints
- For review and comment For Signature _____
- For Bids Due _____ 19____ Prints returned after loan to us

REMARKS: Dear Mr. Bean: The City of Wilsonville is in the process of completing final plans for L.I.D. #7, Boberg Road Reconstruction & Utility Improvements. Construction is scheduled for May, 1986. In order to proceed in a timely manner, the attached document must be reviewed and signed by person listed, and each signature must be notarized, then return the document to me for processing. If you have any questions, please contact me.

CCPY TO: _____

SIGNED: Larry L. Blanchard

STREET DEDICATION FOR: L.I.D. No. 7 - Boberg Road

KNOW ALL PERSONS BY THESE PRESENTS that Douglas L. Bean, James A. Flynn, Harvey H. Hatfeld, Donald F. Bean and Mary Alice Bean, hereinafter referred to as "Grantor(s)" does hereby dedicate to the City of Wilsonville and its assigns for the use of the Public as Public Way, Street and Road, forever, certain real property located in the City of Wilsonville, County of Clackamas, and State of Oregon that is more particularly bounded and described as follows:

SEE EXHIBIT "A" (2 Pages) attached hereto, and incorporated by reference as if fully set forth herein

TO HAVE AND TO HOLD the above described and dedicated premises unto the City of Wilsonville for the Public forever for the uses and purposes herein above mentioned; provided, however, in the event said premises is not used or ceases to be used for public purpose, the premises shall revert to the Grantor(s).

The true and actual consideration paid for the transfer, stated in terms of dollars, is \$_____.

IN WITNESS WHEREOF, the Grantor(s) does hereunto set his hand this _____ day of _____, 19 ____.

GRANTOR(S): GRANTOR(S):

Signature

Signature

Signature

Signature

Signature

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

State of Oregon)
) ss
Clackamas County)

_____, 19 ____

Personally appeared the above name _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

State of Oregon)
) ss
Clackamas County)

_____, 19 ____

Personally appeared the above name _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

Approved as to form this _____ day
of _____, 19____.

BY: _____
City Attorney

Approved as to Legal Description this
_____ day of _____, 19____.

BY: _____
Public Works Director

Accepted on behalf of the City of Wilsonville, Oregon, this _____ day of
_____, 19____.

BY: _____
Mayor

ATTESTED TO:

DEANNA J. THOM, CITY RECORDER

DATE

After recording, return to:

City Recorder
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070

RIGHT-OF-WAY ACQUISITION DESCRIPTION

Tax Lot 1400

Map 3-1W-14A

A parcel of land in the west one-half (1/2) of the northeast one-quarter (1/4) of Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, more particularly described as being that portion of the tract of land described in Fee No. 79-22856 (deed) of the Clackamas County deed Records (Tax Lot 1400, Map 3-1W-14A), which falls between a center line and a line 37.5 feet northerly at right angles and parallel to said center line, said center line described as follows:

BEGINNING at a point on the south line of the northeast one-quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, and on the west line of Interstate Highway No. 5 that is S 89 deg. 46'58" W 1420.177 feet from the east one-quarter (1/4) corner of said Section 14; thence S 89 deg. 46'58" W along the center line 1224.778 feet to a point that is the legal center of said Section 14 and the end of said center line.

Except that portion lying within existing County road No. 1571 (a one-half width of 30 feet north of the east-west center line of Section 14).

Basis of Bearing - Clackamas County Survey LP-064.

2/17/86 CRC
84.458.192

458DESC.F17(P7)

-True Center Line, Section 14



Scale: 1"=100'

Existing Center Line As Described

1224.778

5 09° 46' 58" W

Street

Barber

1981.168

329' m/l

5 09° 46' 58" W

P.O.B.

1420.177

5 09° 46' 58" W

N 0° 01' 01" W

2,635.562

Boberg Road (County Rd. No. 1571)

1,989.335

5 09° 34' 10" W

T.L. 1400

40'
37.5'
30'

Tax Lot. No. 1400
 Tax Map No. 3-1W-14A
 Owners: Douglas L. Bean, James A. Flynn
 Harvey H. Hatfield, Donald F.
 Bean & Mary Alice Bean
 Deed Ref.: Fee No. 79-22856
 Additional Right-of-Way Contains
 2,467 Square Feet more or less

BOONES FERRY ROAD (Frontage Road)

I-5

Additional Right-of-Way

Utility & Construction Easement

14
13 1/4 corner Alum. cap in Mon. box

14 11
13 12 section corner stone w/x in Mon. box

DeHAAS & ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS

Suite 300-ABC Center
8488 E.W. Catherine Circle
Wilsonville, Oregon 97097

(503) 682-2450
Fax: 636-6195

RIGHT-OF-WAY ACQUISITION MAP
L.I.D. NO. 7

CITY OF WILSONVILLE, OREGON
84.458.192

STREET CONSTRUCTION AND PUBLIC UTILITY EASEMENT

THIS INDENTURE WITNESSETH, THAT Douglas L. Bean, James A. Flynn, Harvey H. Hatfeld, Donald F. Bean and Mary Alice Bean (Grantors), for the consideration of _____ (Dollars) to _____ paid, and of the mutual covenants herein contained, do hereby grant and convey unto the City of Wilsonville, Oregon (Grantee) right-of-way and easement for street construction and public utilities over and across the following described real property:

SEE EXHIBIT "B" (2 pages) attached hereto, and
incorporated by reference as if fully set forth herein.

TO HAVE AND TO HOLD the above described right-of-way unto said grantee in accordance with the conditions and covenants as follows:

- (1) The grantee, through its officers, employees and agents, shall have the right to enter upon said lands in such a manner and at such times from this date as may be reasonably necessary for the purpose of street construction and of constructing, building, patrolling, replacing and maintaining thereon a public utilities along said right-of-way for the conveyance of water lines, electric power, telephone or T.V. cable, including such renewals, repairs, replacements and removals as may be from time to time required. Said right shall be perpetual so long as grantee shall operate a public utility for said purposes as herein provided.
- (2) Immediately after any construction or repair of said public utility, the surface of the ground shall be restored equal to its original condition so that the grantors and their successors in interest shall have the free and unobstructed use thereof, subject to rights of grantee herein provided.
- (3) Grantee will make no unreasonable interference with such use of the surface of said land by grantors and their successors in interest.
- (4) Grantors and their successors in interest will not be responsible for damage by others to said public utilities.
- (5) Grantee will indemnify and hold harmless the Grantors, their heirs and assigns from claims or injury to person or property as a result of the negligence of the Grantee, its agents or employees in the construction, operations or maintenance of said public utility.

IN WITNESS WHEREOF, Grantor(s) have executed this Easement on this _____ day of _____, 19____.

GRANTORS:

GRANTORS:

Signature

Signature

Signature

Signature

Signature

Approved as to form this _____ day of _____, 19____.

Approved as to legal description this _____ day of _____, 19____.

City of Wilsonville, Oregon
City Attorney

City of Wilsonville, Oregon
Public Works Director

Accepted on behalf of the City of Wilsonville, Oregon, this _____ day of _____, 19____.

MAYOR

ATTESTED TO:

DEANNA J. THOM, CITY RECORDER

DATE

After recording, return to:

City Recorder
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070

STATE OF OREGON)
) SS
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON
My Commission Expires: _____

STATE OF OREGON)
) SS
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON
My Commission Expires: _____

STATE OF OREGON)
) SS
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON
My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

UTILITIES AND CONSTRUCTION EASEMENT
Tax Lot 1400
Map 3-1W-14A

A parcel of land in the west one-half (1/2) of the northeast one-quarter (1/4) of Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, more particularly described as being that portion of the tract of land described in Fee No. 79-22856 (deed) of the Clackamas County deed Records (Tax Lot 1400, Map 3-1W-14A), which falls between a line 40 feet northerly at right angles and parallel to a center line and a line 37.5 feet northerly at right angles and parallel to said center line, said center line described as follows:

BEGINNING at a point on the south line of the northeast one-quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, and on the west line of Interstate Highway No. 5 that is S 89 deg. 46'58" W 1420.177 feet from the east one-quarter (1/4) corner of said Section 14; thence S 89 deg. 46'58" W along the center line 1224.778 feet to a point that is the legal center of said Section 14 and the end of said center line.

Basis of Bearing - Clackamas County Survey LP-064.

2/17/86 CRC
84.458.192

458DESC.F17(P19)

True Center 1/4, Section 14



Scale: 1"=100'

Existing Center Line As Described

Street Barber Street

1224.778

589° 46' 50" W

N 0° 01' 01" W

2,635.562

Boberg Road (County Rd. No. 1571)

1,982.335

1,981.160

TL 1400

Tax Lot. No. 1400
 Tax Map No. 3-1W-14A
 Owners: Douglas L. Bean, James A. Flynn
 Harvey H. Hatfield, Donald F.
 Bean & Mary Alice Bean
 Deed Ref.: Fee No. 79-22856
 Additional Right-of-Way Contains
 2,467 Square Feet more or less

40'
37.5'
30'

589° 34' 10" W

P.O.B.

BOONES FERRY ROAD (Frontage Road)

I-5

1420.177

589° 46' 58" W

329' m/l

- Additional Right-of-Way
- Utility & Construction Easement

1/4 corner Alum. cap in Mon. box

section corner stone w/x in Mon. box

DeHAAS & ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS

Suite 200-ADB Center
9400 S.W. Commerce Circle
Wilsonville, Oregon 97150

(503) 882-2450
Fax 836-6195

UTILITIES & CONSTRUCTION EASEMENT MAP
L.I.D. NO. 7
CITY OF WILSONVILLE, OREGON
84.458.192

CITY OF



WILSONVILLE

P.O. Box 220 / Wilsonville, Oregon 97070
503 / 682-1011

TO: Moose Lodge #1598
P.O. Box 475
Wilsonville, OR 97070

EXHIBIT "C"

LETTER OF TRANSMITTAL

DATE March 13, 1986	JOB NO
ATTENTION MOOSE LODGE #1598	
RE LID #7	

TO WHOM IT MAY CONCERN:

- WE ARE SENDING YOU Attached Under separate cover via _____ the following items:
- Shop drawings Prints Plans Samples Specifications
- Copy of letter Change order _____

COPIES	DATE	NO	DESCRIPTION
1			STREET DEDICATION - Moose Lodge, Richard & Jeanne Messingham
1			STREET CONSTRUCTION & PUBLIC UTILITY EASEMENT

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit ___ copies for approval
- For your use Approved as noted Submit ___ copies for distribution
- As requested Returned for corrections Return ___ corrected prints
- For review and comment For Signature _____
- For Bids Due _____ 19___ Prints returned after loan to us

REMARKS: The City of Wilsonville is in the process of completing final plans for
L.I.D. #7, Boberg Road Reconstruction & Utility Improvements. Construction is
scheduled for May, 1986. In order to proceed with construction in a timely manner,
the attached document must be reviewed, signed by person listed, and the signature
must be notarized, then return the document to me for processing. If you have any
questions, please contact me.

COPY TO: LID #7 VIII a

SIGNED: Larry R. Blanchard

607

STREET DEDICATION FOR: L.I.D. No. 7 - Boberg Road

KNOW ALL PERSONS BY THESE PRESENTS that the Wilsonville Loyal Order of Moose #1598, an Oregon corporation - a non-profit charitable organization (Buyer); C.L. Weis, Richard Massingham and Jeanne A. Massingham (Sellers) hereinafter referred to as "Grantor(s)", does hereby dedicate to the City of Wilsonville and its assigns for the use of the Public as Public Way, Street and Road, forever, certain real property located in the City of Wilsonville, County of Clackamas, and State of Oregon, that is more particularly bounded and described as follows:

SEE EXHIBIT "A" (3 Pages) attached hereto, and incorporated by reference as if fully set forth herein

TO HAVE AND TO HOLD the above described and dedicated premises unto the City of Wilsonville for the Public forever for the uses and purposes herein above mentioned; provided, however, in the event said premises is not used or ceases to be used for public purpose, the premises shall revert to the Grantor(s).

The true and actual consideration paid for the transfer, stated in terms of dollars, is \$_____.

IN WITNESS WHEREOF, the Grantor(s) does hereunto set his hand this _____ day of _____, 19 ____.

GRANTOR(S):

Signature

Signature

Signature

GRANTOR(S):

Signature

Title

Duly Authorized Representative of

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____,
a duly authorized representative of _____,
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON
My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____,
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON
My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____,
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON
My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

Approved as to form this ____ day
of _____, 19____.

BY: _____
City Attorney

Approved as to Legal Description this
____ day of _____, 19____.

BY: _____
Public Works Director

Accepted on behalf of the City of Wilsonville, Oregon, this ____ day of
_____, 19____.

BY: _____
Mayor

ATTESTED TO:

DEANNA J. THOM, CITY RECORDER

DATE

After recording, return to:

City Recorder
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070

RIGHT-OF-WAY ACQUISITION DESCRIPTION

Tax Lot 1500

Map 3-1W-14A

Two parcels of land in the west one-half (1/2) of the northeast one-quarter (1/4) of Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, more particularly described as follows:

PARCEL 1 - Being that portion of the tract of land described in Fee No. 83-7400 (contract) of the Clackamas County Records (Tax Lot 1500, Map 3-1W-14A), which falls between a center line and a line 37.5 feet northerly at right angles and parallel to said center line, said center line described as follows:

BEGINNING at a point on the south line of the northeast one-quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, and on the west line of Interstate Highway No. 5 that is S 89 deg. 46'58" W 1420.177 feet from the east one-quarter (1/4) corner of said Section 14; thence S 89 deg. 46'58" W along the center line 1224.778 feet to a point that is the legal center of said Section 14 and the end of said center line.

Except that portion lying within existing County road No. 1571 (a one-half width of 30 feet north of the east-west center line of Section 14).

PARCEL 2 - Being that portion of the tract of land described in Fee No. 83-7400 (contract) of the Clackamas County Records (Tax Lot 1500, Map 3-1W-14A), which falls between a center line and a line 30 feet easterly at right angles and parallel to said center line, said center line described as follows:

BEGINNING at a point on the south line of the northeast one-quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, that is

RIGHT-OF-WAY ACQUISITION DESCRIPTION
Tax Lot 1500

EXHIBIT "A"
Page 2 of 3

S 89 deg. 46'58" W 1981.168 feet from the east one-quarter corner of said Section 14, thence N 0 deg. 01'01" W along the center line 2635.562 feet to the end of said center line that is S 89 deg. 34'10" W 1989.335 feet from the northeast corner of said Section 14 and N 89 deg. 34'10" E 659.780 feet from the north one-quarter (1/4) corner of said Section 14.

Except that portion lying within existing County Road No. 1571 (a 40-foot wide road).

Basis of Bearing - Clackamas County Survey LP-064.

2/17/86 CRC
84.458.192

458DESC.F17.(P9)

true center 14, sec. 14



Scale: 1"=100'

Existing Center Line As Described

1,224.710'

Street
210' M/L

589° 46' 58" N

Barber
1,981.168'

1,420.177'

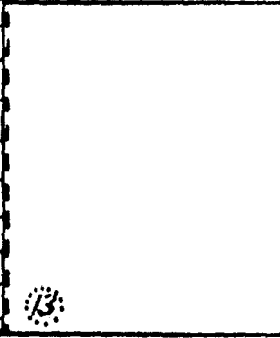
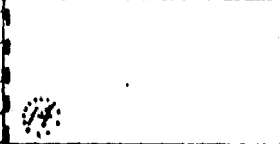
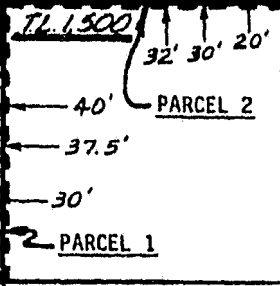
589° 46' 58" N

N 0° 01' 01" W

203' M/L

Boberg Road (County Rd. No. 1571)

2,635,562



Tax Lot No. 1500
Tax Map No. 3-1W-14A
Owner: The Wilsonville Loyal Order of Moose #1598 (Buyer)
C.L. Weis, Richard Massingman and Jeanne A. Massingman
Deed Ref.: Fee No. 83-7400
Additional Right-of-Way Contains 3,604 Square Feet more or less

1,989.335'

589° 34' 10" W

BOONES FERRY ROAD (Frontage Road)

I-5

Additional Right-of-Way

Utility & Construction Easement

1/4 corner Alum. cap in Mon. box

section corner 14 | 11
stone w/x in Mon. box 13 | 12

DeHAAS & ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS

Suite 200-ABC Center
9400 S.W. Cammeresa Circle
Wilsonville, Oregon 97079

(503) 682-2450
Fax: 503-61196

RIGHT-OF-WAY ACQUISITION MAP
L.I.D. NO. 7

CITY OF WILSONVILLE, OREGON
84.458.192

STREET CONSTRUCTION AND PUBLIC UTILITY EASEMENT

THIS INDENTURE WITNESSETH, THAT the Wilsonville Loyal Order of Moose #1598, an Oregon corporation - a non-profit charitable organization (Buyer); C.L. Weis, Richard Massingham and Jeanne A. Massingham (Sellers) (Grantors) for the consideration of _____ (Dollars) to _____ paid, and of the mutual covenants herein contained, do hereby grant and convey unto the City of Wilsonville, Oregon (Grantee), right-of-way and easement for street construction and public utilities over and across the following described real property:

SEE EXHIBIT "B" (3 pages) attached hereto, and incorporated by reference as if fully set forth herein.

TO HAVE AND TO HOLD the above described right-of-way unto said grantee in accordance with the conditions and covenants as follows:

- (1) The grantee, through its officers, employees and agents, shall have the right to enter upon said lands in such a manner and at such times from this date as may be reasonably necessary for the purpose of street construction and of constructing, building, patrolling, replacing and maintaining thereon a public utilities along said right-of-way for the conveyance of water lines, electric power, telephone or T.V. cable, including such renewals, repairs, replacements and removals as may be from time to time required. Said right shall be perpetual so long as grantee shall operate a public utility for said purposes as herein provided.
- (2) Immediately after any construction or repair of said public utility, the surface of the ground shall be restored equal to its original condition so that the grantors and their successors in interest shall have the free and unobstructed use thereof, subject to rights of grantee herein provided.
- (3) Grantee will make no unreasonable interference with such use of the surface of said land by grantors and their successors in interest.
- (4) Grantors and their successors in interest will not be responsible for damage by others to said public utilities.
- (5) Grantee will indemnify and hold harmless the Grantors, their heirs and assigns from claims or injury to person or property as a result of the negligence of the Grantee, its agents or employees in the construction, operations or maintenance of said public utility.

IN WITNESS WHEREOF, Grantor(s) have executed this Easement on this _____ day of _____, 19_____.

GRANTOR(S):

GRANTOR(S):

Signature

Signature

Signature

Title

Signature

Duly Authorized Representative of

STATE OF OREGON)
) ss
Clackamas County)

_____, 19_____

On this _____ day of _____, 19_____, before me, a notary public in and for said County and State, personally appeared the above named _____, who being duly sworn is the _____ (Title) of _____ (Name of Business), and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires:_____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

STATE OF OREGON)
) ss
Clackamas County)

_____, 19____

Personally appeared the above named _____
and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

Approved as to form this ____ day
of _____, 19____.

Approved as to legal description this
____ day of _____, 19____.

City of Wilsonville, Oregon
City Attorney

City of Wilsonville, Oregon
Public Works Director

Accepted on behalf of the City of Wilsonville, Oregon, this ____ day of
_____, 19____.

MAYOR

ATTESTED TO:

DEANNA J. THOM, CITY RECORDER

DATE

After recording, return to:

City Recorder
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070

UTILITIES AND CONSTRUCTION EASEMENT
Tax Lot 1500
Map 3-1W-14A

Two parcels of land in the west one-half (1/2) of the northeast one-quarter (1/4) of Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, more particularly described as follows:

PARCEL 1 - Being that portion of the tract of land described in Fee No. 83-7400 (contract) of the Clackamas County Records (Tax Lot 1500, Map 3-1W-14A), which falls between a line 40 feet northerly at right angles and parallel to a center line and a line 37.5 feet northerly at right angles and parallel to said center line, said center line described as follows:

BEGINNING at a point on the south line of the northeast one-quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, and on the west line of Interstate Highway No. 5 that is S 89 deg. 46'58" W 1420.177 feet from the east one-quarter (1/4) corner of said Section 14; thence S 89 deg. 46'58" W along the center line 1224.778 feet to a point that is the legal center of said Section 14 and the end of said center line.

PARCEL 2 - Being that portion of the tract of land described in Fee No. 83-7400 (contract) of the Clackamas County Records (Tax Lot 1500, Map 3-1W-14A), which falls between a line 32 feet easterly at right angles and parallel to a center line and a line 30 feet easterly at right angles and parallel to said center line, said center line described as follows:

BEGINNING at a point on the south line of the northeast one-quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, that is

UTILITIES & CONSTRUCTION EASEMENT
Tax Lot 1500

EXHIBIT "B"
Page 2 of 3

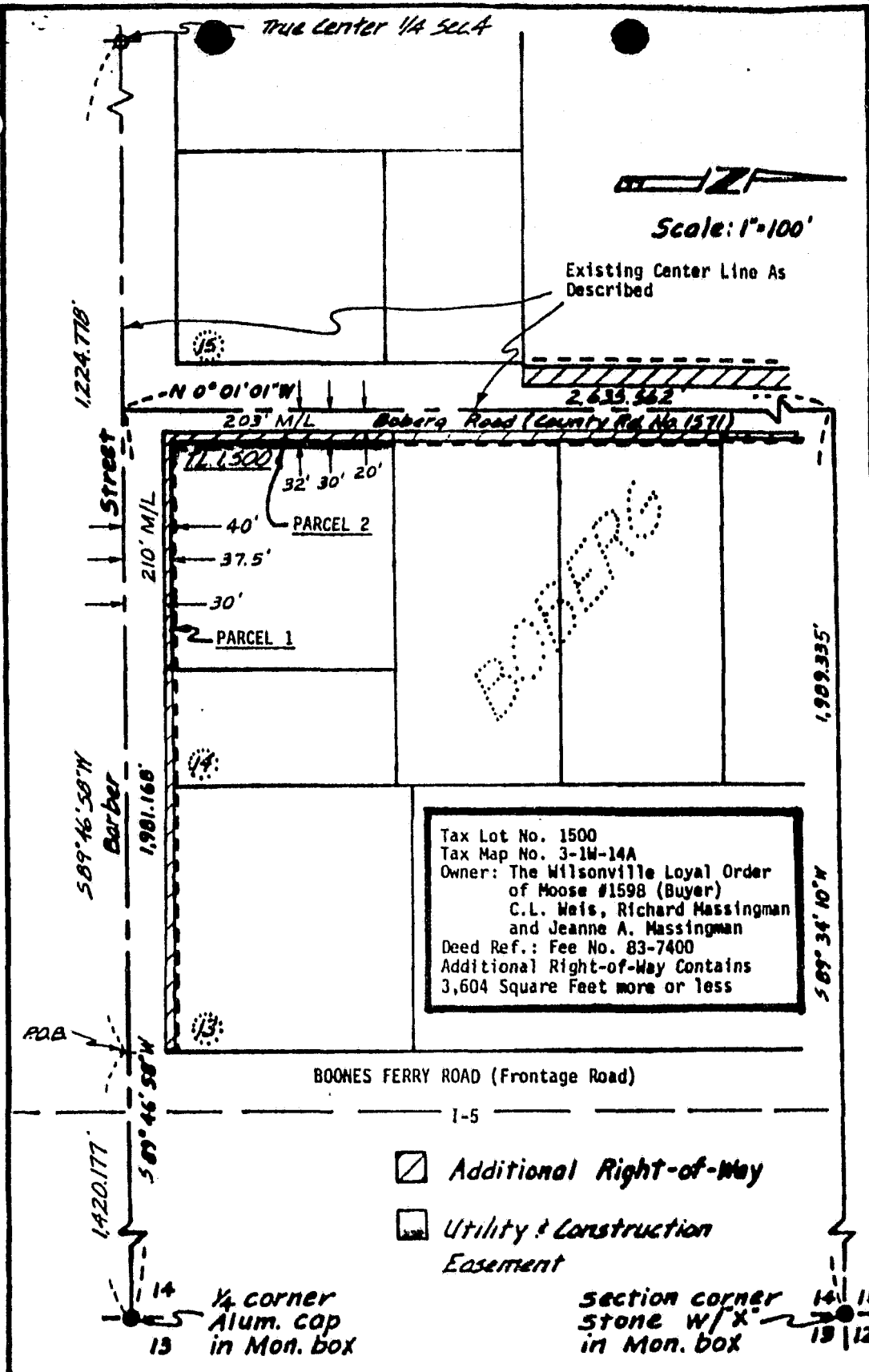
S 89 deg. 46'58" W 1981.168 feet from the east one-quarter corner of said Section 14, thence N 0 deg. 01'01" W along the center line 2635.562 feet to the end of said center line that is S 89 deg. 34'10" W 1989.335 feet from the northeast corner of said Section 14 and N 89 deg. 34'10" E 659.780 feet from the north one-quarter (1/4) corner of said Section 14.

Except that portion lying within existing County Road No. 1571 (a 40-foot wide road).

Basis of Bearing - Clackamas County Survey LP-064.

2/17/86 CRC
84.458.192

458DESC.F17(P17)



DeHAAS & ASSOCIATES, INC.
 CONSULTING ENGINEERS & SURVEYORS

Suite 200-ABC Center
 6400 SW Commercial Circle
 Wilsonville, Oregon 97070

(503) 663-2450
 Fax 634-8196

UTILITIES & CONSTRUCTION EASEMENT MAP

L.I.D. NO. 7

CITY OF WILSONVILLE, OREGON

84.458.192

WILSONVILLE

P.O. Box 220 / Wilsonville, Oregon 97070
503 / 682-1011

TO: Charles Breuer
P.O. Box 42535
Portland, OR 97242

LETTER OF TRANSMITTAL

DATE March 17, 1986	JOB NO
ATTENTION CHARLES BREUER	
RE L.I.D. #7	

TO WHOM IT MAY CONCERN:

- WE ARE SENDING YOU Attached Under separate cover via _____ the following items:
- Shop drawings Prints Plans Samples Specifications
- Copy of letter Change order _____

COPIES	DATE	NO	DESCRIPTION
1			PIPELINE EASEMENT

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit ___ copies for approval
- For your use Approved as noted Submit ___ copies for distribution
- As requested Returned for corrections Return ___ corrected prints
- For review and comment For Signature _____
- For Bids Due _____ 19___ Prints returned after loan to us

REMARKS: Dear Mr. Breuer: The City of Wilsonville is in the process of completing final plans for L.I.D. #7, Boberg Road Reconstruction and Utility Improvements. Construction is scheduled for May, 1986. In order to proceed with construction in a timely manner, the attached document must be reviewed, signed by person listed, and the signature must be notarized; then return to me for processing. If you have any questions, please call me.

COPY TO: LID #7 VIII a

SIGNED: Larry R. Blanchard

PIPELINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Charles F. Breuer (Buyer) and Theodore R. Godfrey (Seller) for the consideration of _____ dollar(s) to _____ paid, the receipt whereof is hereby acknowledged, do forever grant unto the CITY OF WILSONVILLE, a municipal corporation a permanent right-of-way and easement over and along the full length of the premises described as follows, to wit:

NONE

together with a temporary (construction) easement as follows, to wit:

SEE EXHIBIT "B" (2 Pages) attached hereto, and
incorporated by reference as if fully set forth herein.

The temporary (construction) easement shall be effective only for and during the time of the initial construction and laying of the pipeline hereinafter described.

TO HAVE AND TO HOLD the above described permanent right-of-way unto said grantee in accordance with the conditions and covenants as follows:

The permanent right-of-way and easement shall include the right, privilege, and authority, to the said City of Wilsonville, to excavate for, and to construct, build, install, lay, patrol, operate, maintain, repair, replace and remove an underground sanitary sewer, storm drain, or water pipeline or pipelines, with all appurtenances incident thereof or necessary therewith, including aboveground valve boxes, fire hydrants or manholes, for the purpose of carrying or conveying potable water or catching, carrying and conveying sewage waste and surplus waters, and for similar uses in, under, and across the said premises, and to cut and remove from said right-of-way any trees and other obstructions which may endanger the safety or interfere with the use of said pipelines, or appurtenances attached to or connected therewith; and the right of ingress and egress to and over said described premises at any and all times for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted. No building shall be constructed over the pipeline easement right-of-way.

Grantee will indemnify and hold harmless the Grantors, their heirs and assigns from claims for injury to person or property as a result of the negligence of the Grantee, its agents or employees in the construction, operation, or maintenance of said pipeline.

The City of Wilsonville, upon the initial installation, and upon each and every occasion that the same be repaired, renewed, added to, or removed, shall restore the premises of the Grantor, and any improvements disturbed by the City, to as good condition as they were prior to any such installation or work, including the restoration of any topsoil and lawn.

Signature

Signature

STATE OF OREGON)
) ss
County of)

On this _____ day of _____, 19____, before me, a notary public in and for said County and State, personally appeared the above named _____
_____ and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

STATE OF OREGON)
) ss
County of)

On this _____ day of _____, 19____, before me, a notary public in and for said County and State, personally appeared the above named _____
_____ and acknowledged the foregoing instrument to be their voluntary act and deed.

NOTARY PUBLIC OF OREGON

My Commission Expires: _____

Approved as to form this ____ day
of _____, 19____

Approved as to legal description this
____ day of _____, 19____.

City of Wilsonville, Oregon
City Attorney

City of Wilsonville, Oregon
Public Works Director

Accepted on behalf of the City of Wilsonville, Oregon, this ____ day of
_____, 19____.

MAYOR

ATTESTED TO:

DEANNA J. THOM, CITY RECORDER

DATE

After recording, return to:

City Recorder
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070

CONSTRUCTION EASEMENT
Tax Lot 500
Map 3-1W-14B

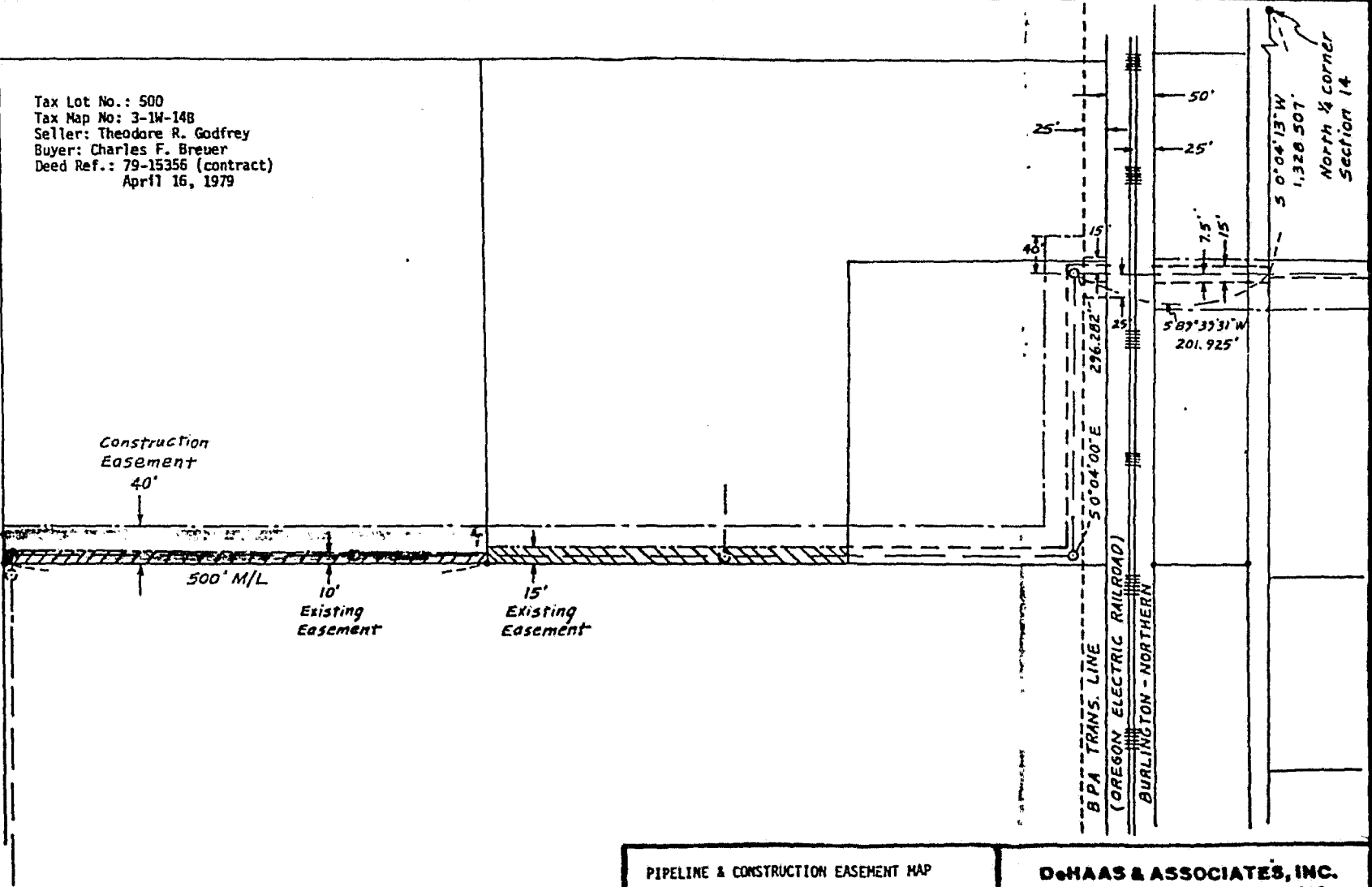
Over a parcel of land in the east one-half (1/2) of the northwest one-quarter (1/4) of Section 14, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, described as being the southerly forty (40) feet (measured at right angles) of that tract of land described in Fee No. 79-15356 (contract) of the Clackamas County Records.

2/17/86 CRC
84.458.192

458DESC.F17(P1)

Scale: 1"=100'

Tax Lot No.: 500
Tax Map No: 3-1W-14B
Seller: Theodore R. Godfrey
Buyer: Charles F. Breuer
Deed Ref.: 79-15356 (contract)
April 16, 1979



PIPELINE & CONSTRUCTION EASEMENT MAP
L.I.D. NO. 7
CITY OF WILSONVILLE, OREGON
84.458.192

DeHAAS & ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS

6400 S.W. Commercial Circle
Wilsonville, Oregon 97070

(503) 867-9400
Fax: 838-4100