

AFTER RECORDING, RETURN TO:

City of Boardman  
P.O. Box 229  
Boardman, OR 97818

ACCESS EASEMENT

Morrow County School District, an Oregon public school district, Grantor, conveys and grants to City of Boardman, an Oregon municipal corporation, Grantee, a perpetual easement over and across the property of Grantor described in Exhibit "A" and as depicted in Exhibit "B" (the "Easement Area") attached hereto and by this reference made a part hereof.

The true and actual consideration for this easement is \$-0-.

The terms of this easement are as follows:

1. Grantee shall have access over, across and under the Easement Area for the purpose of construction, reconstruction, installation, operating, repairing and maintaining a public pedestrian and bicycling path (the "Pedestrian Path"); the Pedestrian Path shall be so constructed and maintained consistent with the proper use, operation and maintenance of the Pedestrian Path.
2. Grantee shall be responsible for relocating the existing fence in the Easement Area at its sole cost and at no cost to Grantor.
3. Grantee, its successors and assigns, shall have the right to enter into and upon the Easement Area at all times in the future for the purpose of constructing, repairing, reconstructing, operating and maintaining the Pedestrian Path or in the inspection of or maintenance of the Pedestrian Path.
4. Grantor hereby declares, acknowledges and covenants that the general public shall and be allowed regular access to the Easement Area for the purpose of walking, jogging, running, bicycling and like activities.
5. Grantee hereby agrees to hold and save Grantor harmless from any and all claims, losses, liabilities and expenses arising in any way out of or related to the use of the Easement Area by Grantee or its Licensees.
6. Grantor shall not construct, place or maintain any building or trees within the Easement Area, nor shall Grantor install any structures or trees within the Easement Area that would interfere with the maintenance or safe operation of the Pedestrian Path or that are not in

compliance with all safety and building codes, regulations or laws.

7. The provisions of this Easement shall inure to the benefit of and bind the heirs successors and assigns of the respective parties and all covenants shall apply to and run with the land.

8. This Easement is granted subject to all prior easements or encumbrances of record.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022.

GRANTOR:  
MORROW COUNTY SCHOOL DISTRICT

GRANTEE:  
THE CITY OF BOARDMAN  
A municipal corporation

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Karen Pettigrew, City Manager

STATE OF OREGON        )  
  ) ss.  
County of Morrow        )

\_\_\_\_\_, 2022.

Personally appeared the above named \_\_\_\_\_ as  
\_\_\_\_\_ of Morrow County School District and acknowledged the foregoing  
Easement to be duly authorized by its Board of Directors and to be his/her voluntary act.

Before me:

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

STATE OF OREGON        )  
                                  ) ss.  
County of Morrow        )

\_\_\_\_\_, 2022

Personally appeared the above named Karen Pettigrew, as City Manager of the City of Boardman, Grantee and acknowledged the foregoing Easement to be her voluntary act.

Before me:

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

FILE: 04N25E09-401 ExA  
TAX LOT 4N25E09-401- 35.87 acres +/-  
CITY OF BOARDMAN - AP (JAM) 03-21-2022

**Tract 1 - 15' WIDE PERMANENT ACCESS EASEMENT**

A tract of land located in the Northwest One-quarter of Section 9, Township 4 North, Range 25 East, Willamette Meridian and being a portion of Parcel 1 of Partition Plat 2002-07, recorded as File No. 2002-5352, September 6<sup>th</sup>, 2002, Morrow County Records, said **Tract 1** being 15' wide; said 15' wide tract lying Southeasterly of the following described centerline:

**Beginning** at a point of intersection on the Easterly right-of-way line of North Main Street and the Southerly right-of-way line of Columbia Avenue, from which a 2 1/2" brass cap in a water valve box marking the point of intersection of the centerline of Columbia Avenue and the centerline of the former North Main Street as shown on Survey C-1178-E, Morrow County Survey Records, bears S72°51'40"W, 267.20 feet; thence along said Southerly right-of-way line of Columbia Avenue, N64°15'05"E, 479.64 feet to the terminus of said centerline, from which a 2 1/2" brass cap in a water valve box marking the point of intersection of the centerline of North Main Street and the centerline of Boardman Avenue, bears S17°24'38"W, 1315.39 feet

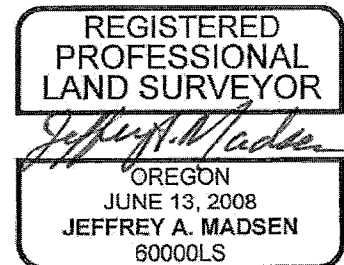
**Tract 1** contains 7,293 square feet or 0.167 acres, more or less.

**Subject to** all easement and encumbrances of record or in view

Bearings are based on the Oregon State Plane Coordinate System North Zone NAD83(2011).

All easement lines being shortened or lengthened to intersect with the line calls described at the centerline beginning and terminus points throughout this description.

For purposes of this description, said 2 1/2" brass cap in a water valve box marking the point of intersection of the centerline of Columbia Avenue and the centerline of the former North Main Street bears N16°52'52"W, 1011.61 feet from said 2 1/2" brass cap in a water valve box marking the point of intersection of the centerline of North Main Street and the centerline of Boardman Avenue; All as shown on Exhibit B, the easement sketch attached to this description.



EXPIRES: 12/31/22  
SIGNED: 3/21/22

THE PURPOSE OF THIS PROPERTY EXHIBIT A & EXHIBIT B IS TO DESCRIBE AN ACCESS EASEMENT FOR A PEDESTRIAN PATH FOR THE CITY OF BOARDMAN

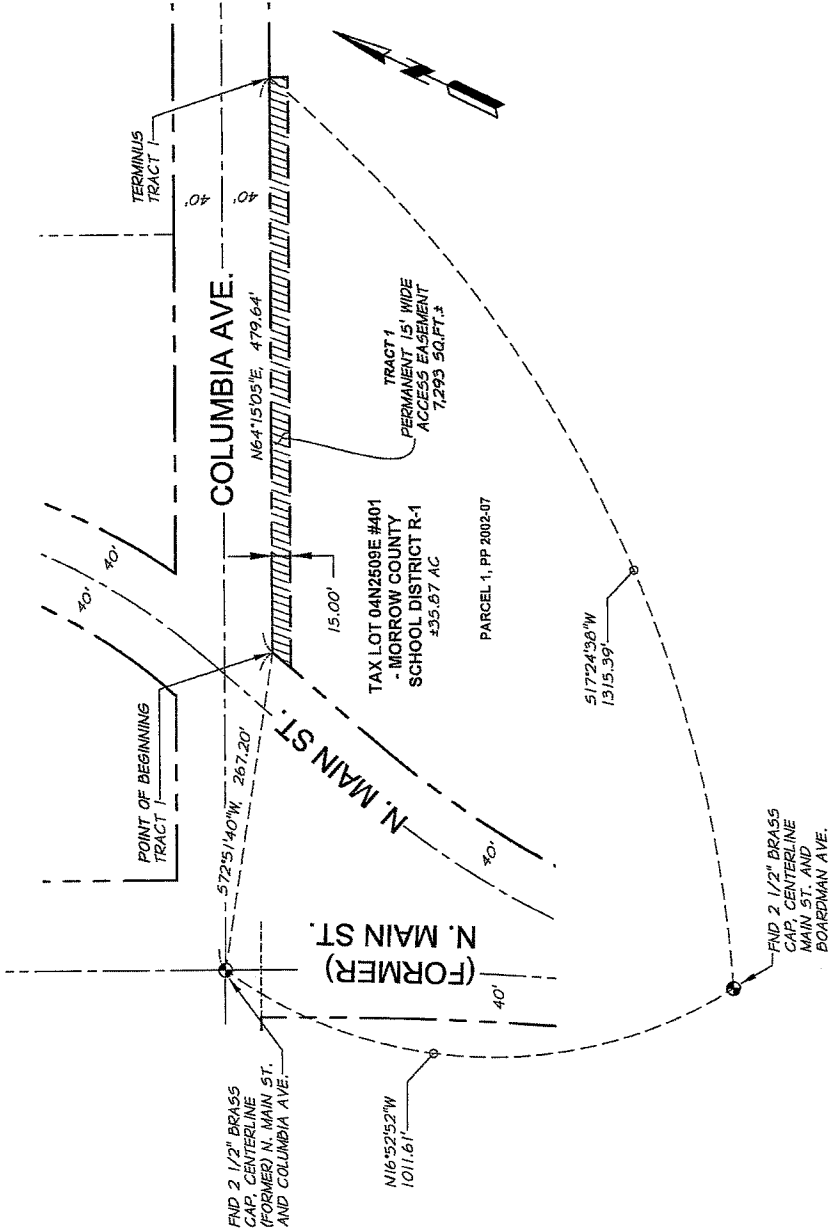
THE FIELD SURVEY FOR THIS LOCATION WAS PERFORMED BY ANDERSON PERRY & ASSOCIATES, INC. FROM DEC. 15, 2021 - MAR 11, 2022. THE SURVEYS AND PARTITIONS LISTED BELOW WERE REVIEWED AND SEVERAL FOUND MONUMENTS WERE RECOVERED AND USED TO ESTABLISH PROPERTY LINES AS SHOWN:

- B-19-K, FOLDER 360
- B-76-K, FOLDER 115
- C-81-K, FOLDER 117
- C-109-K, FOLDER 341
- C-151-K, FOLDER 355
- B-160-K, FOLDER 150
- C-214-K, FOLDERS 369 & 390
- C-272-K, FOLDER 419
- C-302-K, FOLDER 437
- C-388-K, FOLDER 448
- D-501-K, FOLDER 621
- B-966-E, FOLDER 739
- COLUMBIA RIVERVIEW ESTATES, 1027-E, FOLDER 800
- C-1179-E, FOLDER 952
- B-1290-M, FOLDER 1290
- 1425-C, FOLDER 1425
- 1467-B, FOLDER 1467

- PP 2002-07, FOLDER 1351
- PP 2003-15, FOLDER 1390
- PP 2015-01, FOLDER 1736
- PP 2015-08, FOLDER 1750
- PP 2016-02, FOLDER 1762
- PP 2021-14, FOLDER 1926

DEEDS: BOOK 73, PAGES 580 & 591

BEARINGS AND DISTANCES ARE BASED ON THE OREGON STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83(2011).



**LEGEND**

- FOUND MONUMENT AS NOTED
- PERMANENT ACCESS EASEMENT
- EXISTING RIGHT-OF-WAY LINE
- CENTER LINE RIGHT-OF-WAY
- ADJACENT PROPERTY LINE

REGISTERED PROFESSIONAL LAND SURVEYOR  
 OREGON  
 JUNE 13, 2008  
 JEFFREY A. MADSEN  
 60000LS  
 EXPIRES: 12/31/22  
 Seal 600 - 3/21/22

CITY OF BOARDMAN - PROPERTY EXHIBIT  
 SEC. 09, T. 4 N. R. 26 E., W.M.  
 TAX MAPS 04N2508 LOT 401,  
 MORROW COUNTY, OREGON

NOTE: SEE EXHIBIT "A" FOR THE LEGAL DESCRIPTION OF THIS EASEMENT  
 TRACT 1 = 7,293 SF OR 0.167 ACRES, MORE OR LESS

SCALE: 1 INCH = 100 FEET

**anderson perry & associates, inc.**

CITY OF BOARDMAN  
 EASEMENT SKETCH  
 TAX LOT 04N2508-401  
 MORROW COUNTY, OREGON

EXHIBIT B  
 SKETCH  
 1/1