

After Recording Return to:  
City of Sandy  
39250 Pioneer Blvd.  
Sandy, OR 97055

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records      **2022-029134**  
Sherry Hall, County Clerk  
05/19/2022 09:16:02 AM  
D-E                      Cnt=1 Stn=4 MELISSA  
\$50.00 \$16.00 \$10.00 \$20.00 \$62.00                      \$158.00

**PERMANENT SLOPE EASEMENT TO THE CITY OF SANDY, OREGON**

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Recording Information Required by ORS 205.234

1. Name of Transaction: Permanent Slope Easement
2. Names of Parties:      **Grantor: Edward Blair Miller and Nancy Lu Miller,  
trustees of the Miller Family Trust dated June 19, 2017,  
as to an undivided one-third (1/3) interest**

**Grantee: City of Sandy, an Oregon Municipal Corporation**

3. Person to Whom Documents to be Returned:      **City of Sandy  
39250 Pioneer Blvd.  
Sandy OR 97055**
4. True and Actual Consideration:                      **\$10,845.00**
5. Please send any tax statements to:                      **No Change**
6. Information Required by ORS 205.125: N/A

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KNOW ALL MEN BY THESE PRESENTS, that Edward Blair Miller and Nancy Lu Miller, trustees of the Miller Family Trust dated June 19, 2017, as to an undivided one-third (1/3) interest, hereinafter (Grantor) conveys to the City of Sandy, a Municipal Corporation of the State of Oregon, (Grantee) a perpetual nonexclusive easement necessary for the construction of slopes for cuts and fills adjacent to Bell Street, Sandy, Oregon upon the property described in Exhibit A, attached hereto and incorporated herein by reference.

Fidelity National Title of Oregon 45142011576A-01 COMM

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Which real property may be continued to be used by the owners thereof, their successors and assigns for any lawful purposes desired, provided such use does not damage, destroy or weaken the support of said Bell Street. The Grantor, their heirs, successors, assigns or representatives shall not construct or maintain any building or other structures upon the real property described in Exhibit A without written approval by the Grantee. The Grantor, their heirs, successors, assigns or representatives shall not alter the configuration of the material forming the slope, including the alteration by addition or removal of material, without prior written approval of the Grantee.

The Grantee shall have the right at any time to enter upon the real property described in Exhibit A for the purpose hereinabove mentioned. In connection therewith, Grantee may remove any trees, shrubs, brush, paving or other materials necessary or convenient to accomplish said purposes. Grantee shall repair any damage to the property caused by Grantee's use for the purposes above described.

This easement is subject to all prior easements or encumbrances of record.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed this 14<sup>th</sup> day of December, 2021.

GRANTOR:

Ed Miller  
Ed Miller, Trustee

Edward Blair Miller, Trustee of the Miller Family Trust dated June 19, 2017

GRANTOR:

Nancy L. Miller  
Nancy L. Miller, Trustee of the Miller Family Trust dated June 19, 2017

STATE OF ~~OREGON~~ California )  
 )ss.  
COUNTY OF Siskiyou )

On this 14 day of December, 2021, before me, personally appeared Edward B. Miller and Nancy L. Miller, known to me to be the person who executed the within instrument on behalf of himself/herself, and acknowledged to me that he/she executed the same for the purposes herein stated.

Please see attached sheet  
for CA Acknowledgment/Jurat  
As per CA Civil Codes 1189/8202

See attached  
Notary Public for Oregon  
My commission expires: 04/26/2022

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Sandy, OR 97055

**ACCEPTANCE BY THE CITY OF SANDY**

This slope easement accepted by the City of Sandy on FEBRUARY 24, 2022

By: *Mike Walker*

Title: Public Works Director

STATE OF OREGON )  
 )ss.  
COUNTY OF (Clackamas)

On this 24<sup>th</sup> day of February, 2022, before me, a Notary Public in and for the State of Oregon, personally appeared Mike Walker, known to me to be the person(s) who executed the within instrument on behalf of the City of Sandy, and Oregon Municipal Corporation, and acknowledged to me that he/she executed the same for the purposes herein stated.

*Rebecca Casey*  
Notary Public for Oregon  
My commission expires: April 10, 2022



# Miller Family Trust

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Siskiyou )

On 14th December 2021 before me, Dustin Balma - Notary Public  
(insert name and title of the officer)

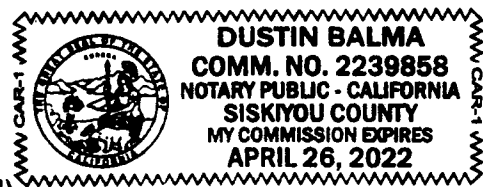
personally appeared Edward B. Miller and Nancy L. Miller,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)



Clear Form

Print Form

**EXHIBIT "A"**

Bell Street  
July 07, 2021

File No. 3  
Tax Map 2S4E11-03500

PARCEL 1 (RIGHT-OF-WAY DEDICATION).

A strip of land situated in the Southeast One-Quarter of the Southwest One-Quarter of Section 11 in Township 2 South, Range 4 East of the Willamette Meridian, City of Sandy, Clackamas County, Oregon and being a portion of that property described and conveyed to Edward Blair Miller and Nancy Lu Miller, Trustees of the Miller Family Trust Dated June 19, 2017, as to an undivided one-third interest, in Warranty Deed, recorded July 10, 2017 as Document No. 2017-046583, Clackamas County Deed Records; said strip also being a portion of that property described and conveyed to Julie K Miller, Trustee of the Gordon A Miller Marital Trust, as to an undivided one-third interest, in Statutory Bargain and Sale Deed, recorded July 24, 2019 as Document No. 2019-043116, Clackamas County Deed Records; said strip also being a portion of that property described and conveyed to Douglas E Rebok and Barbara A Rebok, Trustees of the Douglas and Barbara Rebok Revocable Trust, established February 16, 2005, as to an undivided one-third interest, in Quitclaim Deed, recorded February 24, 2020 as Document No. 2020-013007, Clackamas County Deed Records; said strip being variable in width and lying on the northerly side of the centerline of Proposed Bell Street, which centerline is described below.

The strip above referred to is as follows:

Station	to	Station	Width on the northerly side of Centerline
41+50.00		54+48.39	4.00 feet in a straight line to 0.00 feet (at the intersection of the proposed centerline with the north property line of said Document Numbers 2017-046583, 2019-043116 and 2020-013007)

Together with a strip of land, being variable in width and lying on the southerly side of the centerline of Proposed Bell Street, which centerline is described below

Station	to	Station	Width on the southerly side of Centerline
41+50.00		54+29.27	34.00 feet
54+29.27		55+00.00	49.00 feet

CENTERLINE DESCRIPTION FOR PROPOSED BELL STREET

A road centerline situated in the Southeast One-Quarter of Section 10, and the Southwest and Southeast One-Quarters of Section 11, all within Township 2 South, Range 4 East of the Willamette Meridian in the City of Sandy, Clackamas County, Oregon, being more particularly described as follows:

**Commencing** at a found 3-1/4 inch Bronze Disk, in a monument box marking the Section Corner common to Sections 10, 11, 14 and 15, Township 2 South, Range 4 East of the Willamette Meridian, per U.S.B.T. Entry 2005-065, Clackamas County Survey Records;

Thence N01°34'57"E, along the west line of said Section 11, a distance of 1569.48 feet to a point;

Thence leaving said west Section line, N88°25'03"W, a distance of 463.62 feet to Proposed Bell Street Centerline Station 20+00.00 and the **True Point of Beginning**;

Thence S88°25'03"E, a distance of 486.11 feet to the beginning of a 600.00 foot radius curve to the right having a central angle of 52°49'20" at Proposed Bell Street Centerline Station 24+86.11;

Thence southeasterly along the arc of said curve to the right (the long chord bears S62°00'23"E, 533.77 feet) an arc distance of 553.15 feet to Proposed Bell Street Centerline Station 30+39.26 at a point of tangency;

Thence S35°35'43"E, a distance of 535.52 feet to the beginning of a 600.00 foot radius curve to the left having a central angle of 53°14'51" at Proposed Bell Street Centerline Station 35+74.78;

Thence southeasterly along the arc of said curve to the left (the long chord bears S62°13'08"E, 537.75 feet) an arc distance of 557.61 feet to Proposed Bell Street Centerline Station 41+32.39 at a point of tangency;

Thence S88°50'34"E, a distance of 1266.95 feet to the beginning of a 300.00 foot radius curve to the left having a central angle of 11°25'51" at Proposed Bell Street Centerline Station 53+99.34;

Thence northeasterly along the arc of said curve to the left (the long chord bears N85°26'31"E, 59.75 feet) an arc distance of 59.86 feet to the beginning of a 5000.00

foot radius reverse curve to the right, having a central angle of  $0^{\circ}11'59''$  at Proposed Bell Street Centerline Station 54+59.20;

Thence northeasterly along the arc of said reverse curve to the right (the long chord of which bears  $N79^{\circ}49'35''E$ , 17.43 feet) an arc distance of 17.43 feet to the beginning of a 300.00 foot radius reverse curve to the left, having a central angle of  $61^{\circ}31'54''$  at Proposed Bell Street Centerline Station 54+76.63, said point being on the existing centerline of Bell Street per "Pioneer", Plat No. 4364, Clackamas County Survey Records;

Thence northeasterly along said existing centerline and along the arc of said reverse curve to the left (the long chord of which bears  $N49^{\circ}09'38''E$ , 306.92 feet) an arc distance of 322.18 feet to a found  $5/8$  inch iron rod with aluminum cap inscribed "Firwood Design" in the centerline of Bell Street per said "Pioneer", Plat No. 4364, at Proposed Bell Street Centerline Station 57+98.81, and the terminus of this centerline description.

The strip of land to which this description applies contains 50,015 square feet, more or less.

PARCEL 2 (PERMANENT SLOPE EASEMENT).

A strip of land situated in the Southeast One-Quarter of the Southwest One-Quarter of Section 11 in Township 2 South, Range 4 East of the Willamette Meridian, City of Sandy, Clackamas County, Oregon and being a portion of that property described and conveyed to Edward Blair Miller and Nancy Lu Miller, Trustees of the Miller Family Trust Dated June 19, 2017, as to an undivided one-third interest, in Warranty Deed, recorded July 10, 2017 as Document No. 2017-046583, Clackamas County Deed Records; said strip also being a portion of that property described and conveyed to Julie K Miller, Trustee of the Gordon A Miller Marital Trust, as to an undivided one-third interest, in Statutory Bargain and Sale Deed, recorded July 24, 2019 as Document No. 2019-043116, Clackamas County Deed Records; said strip also being a portion of that property described and conveyed to Douglas E Rebok and Barbara A Rebok, Trustees of the Douglas and Barbara Rebok Revocable Trust, established February 16, 2005, as to an undivided one-third interest, in Quitclaim Deed, recorded February 24, 2020 as Document No. 2020-013007, Clackamas County Deed Records; said strip being variable in width and lying on the southerly side of the centerline of Proposed Bell Street, which centerline is described above.

The strip above referred to is as follows:

Station	to	Station	Width on the southerly side of Centerline
41+50.00		46+35.59	44.00 feet
46+39.59		48+62.50	39.00 feet
48+62.50		51+09.71	39.00 feet in a straight line to 69.00 feet
51+09.71		52+30.79	69.00 feet
52+30.79		55+00.00	69.00 feet in a straight line to 41.66 feet

Excepting therefrom the above described Parcel 1.

The strip of land to which this description applies contains 18,861 square feet, more or less.

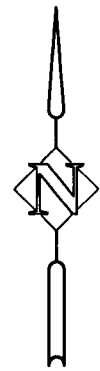
The basis of bearings of this legal description is N01°34'57"E as measured between a found 3-1/4 inch Bronze Disk, in a monument box marking the Section Corner common to Sections 10, 11, 14 and 15, Township 2 South, Range 4 East of the Willamette Meridian, per U.S.B.T. Entry 2005-065, Clackamas County Survey Records and a found 3-1/4 inch Bronze Disk marking the Quarter-Section Corner common to Sections 10 and 11, Township 2 South, Range 4 East of the Willamette Meridian, per U.S.B.T. Entry 2001-125, Clackamas County Survey Records, per the Oregon State Plane Coordinate System – North Zone: Reference Frame NAD83(2011)(Epoch:2010.00).



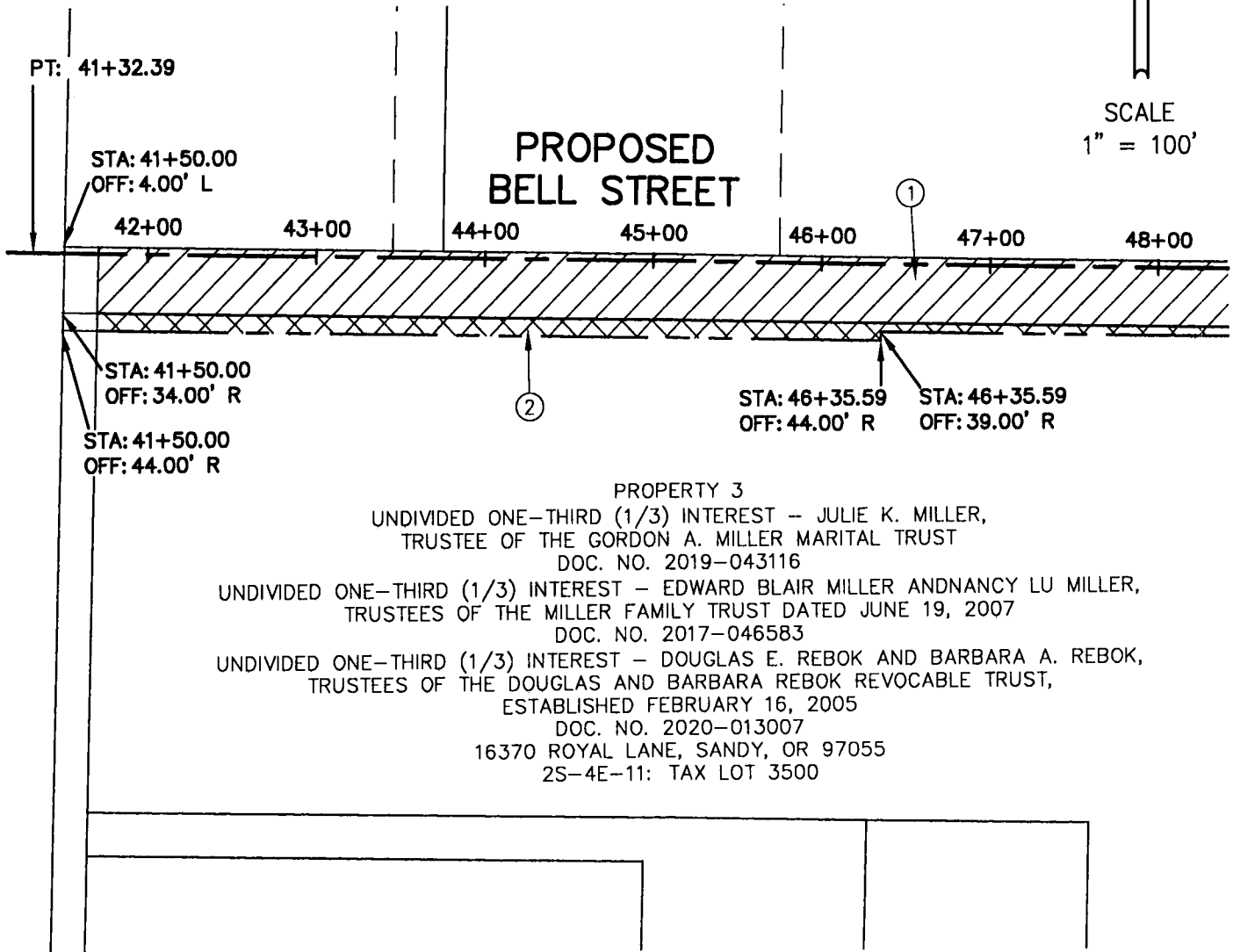
RENEWS: 12/31/2021



**EXHIBIT "B"**  
PROJECT FILE NO. 3



SCALE  
1" = 100'



**LEGEND**



① RIGHT-OF-WAY DEDICATION  
± 50,015 SQ.FT.



② PERMANENT SLOPE  
EASEMENT  
± 18,861 SQ.FT.

SEE ATTACHED  
LEGAL DESCRIPTION



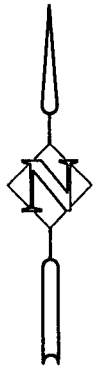
**Harper  
Houf Peterson  
Righellis Inc.**

ENGINEERS • PLANNERS  
LANDSCAPE ARCHITECTS • SURVEYORS

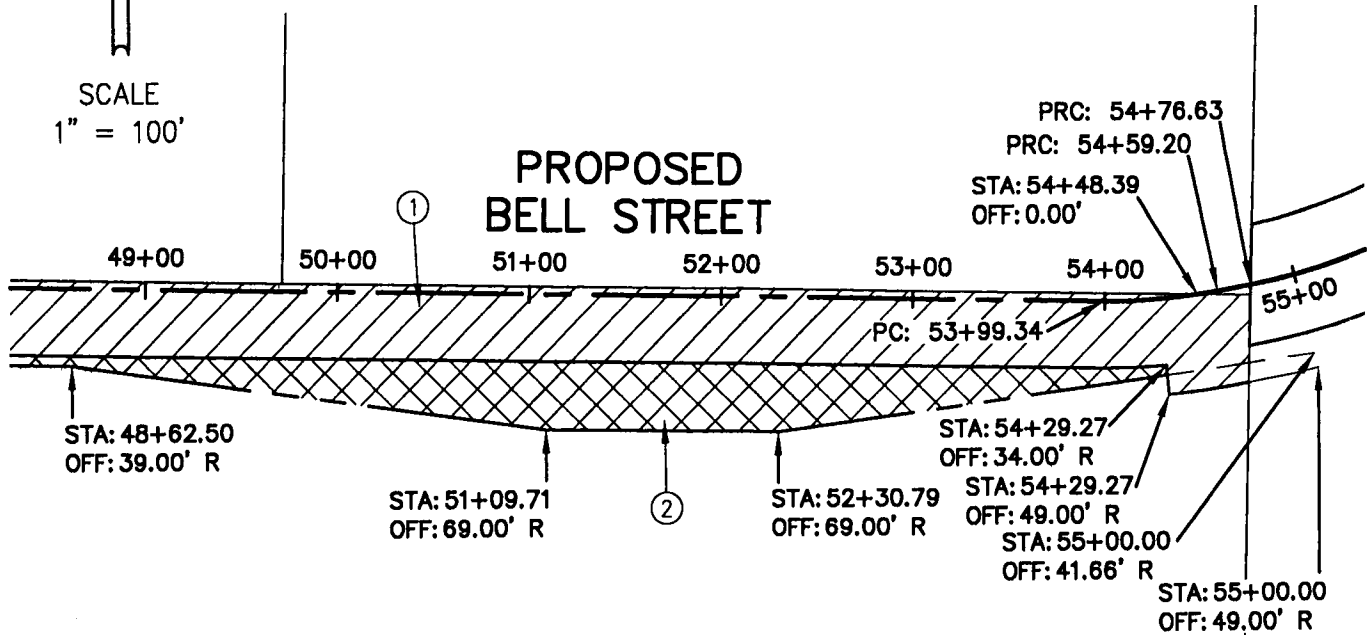
205 SE Spokane Street, Suite 200, Portland, OR 97202  
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SDY-06 TMW 07/07/2021 PAGE 1 OF 2

**EXHIBIT "B"**  
PROJECT FILE NO. 3



SCALE  
1" = 100'



PROPERTY 3  
 UNDIVIDED ONE-THIRD (1/3) INTEREST - JULIE K. MILLER,  
 TRUSTEE OF THE GORDON A. MILLER MARITAL TRUST  
 DOC. NO. 2019-043116  
 UNDIVIDED ONE-THIRD (1/3) INTEREST - EDWARD BLAIR MILLER AND NANCY LU MILLER,  
 TRUSTEES OF THE MILLER FAMILY TRUST DATED JUNE 19, 2007  
 DOC. NO. 2017-046583  
 UNDIVIDED ONE-THIRD (1/3) INTEREST - DOUGLAS E. REBOK AND BARBARA A. REBOK,  
 TRUSTEES OF THE DOUGLAS AND BARBARA REBOK REVOCABLE TRUST,  
 ESTABLISHED FEBRUARY 16, 2005  
 DOC. NO. 2020-013007  
 16370 ROYAL LANE, SANDY, OR 97055  
 2S-4E-11: TAX LOT 3500

**LEGEND**



① RIGHT-OF-WAY DEDICATION  
± 50,015 SQ.FT.



② PERMANENT SLOPE  
EASEMENT  
± 18,861 SQ.FT.

SEE ATTACHED  
LEGAL DESCRIPTION



**Harper  
Houf Peterson  
Righellis Inc.**

ENGINEERS • PLANNERS  
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SDY-06 TMW 07/07/2021 PAGE 2 OF 2