

AFTER RECORDING RETURN TO:

Pam Rensch
35024 Maple Street
St. Helens, OR 97051

City of St. Helens
265 Strand Street
St. Helens, OR 97051

This space is reserved for recorder's use.

**ACCESS AND UTILITY EASEMENT
MODIFICATION**

BETWEEN: Pamela Rensch ("Rensch")

and: City of St. Helens, ("City")
an Oregon municipal corporation

DATED: March 31, 2022 ("Effective Date")

RECITALS

A. Rensch and City may each be referred to herein as "Party," or collectively as the "Parties."

B. Rensch and the City, along with Vera Fix ("Fix"), previously entered into an Access and Utility Easement (the "**2009 Easement Agreement**") dated March 20, 2009 and recorded on March 20, 2009, Document Number 2009-2856, Columbia County, Oregon, granting various access and utility easements across their respective properties for the benefit of one or more other Parties.

C. Rensch and the City modified the original **2009 Easement Agreement** with an Access and Utility Easement Modification (the "**2020 Modification**") dated March 31, 2020 and recorded on May 19, 2020, Document Number 2020-4379, Columbia County, Oregon.

D. The Private Access Easements granted by Rensch to Fix and the City and by Fix to the City for a fifty foot (50') wide perpetual, nonexclusive easement over, under and across the Rensch Property and the Fix Property, respectively, were conditioned on the City's development of the City Property and could be terminated by Rensch or Fix if the City did

not develop the City Property within eleven (11) years after the Effective Date of the **2009 Easement Agreement**.

E. Ownership changes identified in the **2020 Modification** identify Rensch as the only granting property owner. That has not changed.

F. Per the **2020 Modification** the Parties desired to maintain the perpetual, nonexclusive access easements previously granted to the City and to extend the Development Contingency provision set forth within Section 4(a) of the **2009 Easement Agreement** for a period of two (2) years from the Effective Date.

G. The Parties now desire to maintain the perpetual, nonexclusive access easements previously granted to the City and to extend the Development Contingency provision set forth within Section 4(a) of the **2009 Easement Agreement** for a period of two (2) years from the Effective Date of this Access and Utility Agreement Modification ("**2022 Modification**").

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

This Agreement continues that **2009 Easement Agreement** dated March 20, 2009 and recorded on March 20, 2009, Document Number 2009-002856, Columbia County, Oregon; as modified by the **2020 Modification** dated March 31, 2020 and recorded on May 19, 2020, Document Number 2020-4379, Columbia County, Oregon; except as expressly modified herein by this **2022 Modification**.

[SIGNATURE AND ACKNOWLEDGMENTS PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties have executed this Access and Utility Easement Modification to be effective as of the Effective Date.

Rensch

City

Pamela Rensch

CITY OF ST. HELENS, an Oregon
municipal corporation

By:_____

Name:_____

Title:_____

STATE OF OREGON)
) ss.
County of _____)

 This Access and Utility Easement was acknowledged before me on
_____, 2022, by Pamela Rensch.

NOTARY PUBLIC FOR OREGON
My Commission Expires:_____

STATE OF OREGON)
) ss.
County of _____)

 This Access and Utility Easement was acknowledged before me on
_____, 2022, by _____ as _____ of the
City of St. Helens.

NOTARY PUBLIC FOR OREGON
My Commission Expires:_____