

UTILITY EASEMENT

\$1,000.00

In consideration of the sum of ~~\$500.00~~ and other valuable consideration, Edward R. Bagnall, herein called Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining underground utilities over, under, and across the following described real property:

Part of that property described in Film Volume 108, Page 868 of Yamhill County Deed Records, situated in the D.D. Deskins D.L.C. in Section 20, of Township 3 South, Range 2 West of the Willamette Meridian in the City of Newberg, Yamhill County, Oregon and more particularly described as follows:

A strip of land being 15.0 feet wide and lying 7.5 feet on each side of the following described centerline;

Beginning at a point on the South line of East Hancock Street, said point being 17 feet East of a 1/2 inch iron rod set in County Survey P-8145 (attached as Exhibit A) to mark the northeast corner of that property described in Film Volume 141, Page 574 of Yamhill County Deed Records; thence South 5 degrees East, 134 feet more or less to the northerly right-of-way line of Highway 99W.

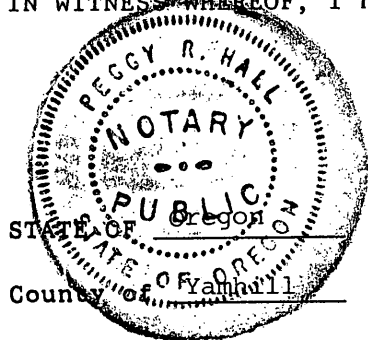
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose hereinabove described.

It is further understood that:

1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and construction and maintenance of said easement.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities hereinabove authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

IN WITNESS WHEREOF, I have executed said document on this 16th day of November, 1992.



Edward R. Bagnall
Edward R. Bagnall
8668 Chinook Ct. NE
Bremerton, WA 98310

ss.

THIS CERTIFIES that on this 16th day of November, 1992, before me, the above signed, personally appeared Edward R. Bagnall and acknowledged the foregoing instrument to be his voluntary act and deed.

Peggy R. Hall
Notary Public for Oregon
My Commission expires: 11/21/92

Accepted as to form and intent by the City of Newberg, a Municipal Corporation of the State of Oregon.

Dated this 17th day of November, 1992.

Duane R. Cole
Duane R. Cole, City Manager

After Recording return to:
City of Newberg
c/o City Attorney
414 E. First Street
Newberg, Oregon 97132

014561.

STATE OF OREGON

COUNTY OF YAMHILL

I hereby certify that this instrument was received and duly recorded by me in Yamhill County records.

Instrument # 109380

Charles Stern
CHARLES STERN,
COUNTY CLERK

V-475

CSP 8145

MAIN ST.

CENTER ST.

RIVER ST.

N 0° 36' 30" E 299.88 CALC.

N 0° 36' 30" E 299.88

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SHERIDAN ST.

MON. IN CASE

1/2" IRON PIPE

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HANCOCK ST.

SOUTH LINE PLAT OF WOODWARD PLACE

379.49 N 89° 49' 30" W

79.00

CARLTON ST.

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LEGEND

- EXISTING MONUMENT
- 1/2" x 30" IRON ROD SET
- ✕ NAIL SET IN PAVING
- () RECORD DATA

NOTE: THE SOUTH LINE OF D.D. DESKINS D.L.C. IS FROM CITY OF NEWBERG MAP BY A.R. SORDEL IN 1958. THE SOUTHERN CORNER OF SAID D.L.C. IS A 1/2" IRON PIPE AS SHOWN ON C.S.P. 3259 AND WAS VERIFIED FROM OTHER EXISTING IRON PIPES SHOWN ON SAID SURVEY, AND USED IN SURVEYS 7723 AND 7761. THE SOUTH LINE OF HANCOCK ST. WAS ASSUMED TO BE 34.50 FEET SOUTH OF THE SOUTH LINE OF THE PLAT OF "WOODWARD PLACE". HOWEVER, NO DEED WAS FOUND TO THE CITY OF NEWBERG FOR THIS AREA. THE SURVEY FOR BEN GEHLEN WAS COMPLETED AUG. 5, 1982, BY JOHN HOSKINS - RT 3 BOX 543-C NEWBERG, OR.

SW. CORNER D.D. DESKINS D.L.C.

MON. 1.72" SOUTH OF D.L.C. LINE

FIRST ST.

381.77

N 89° 49' 50" W SOUTH LINE D.D. DESKINS D.L.C. 4735.23 (CITY) (BASIS OF BEARINGS FROM CITY OF NEWBERG COORDINATES BY A.R. SORDEL, A.S. 1958)

1142.58 (FK 141/553)

(N 89° 53' W DEED)

SE. CORNER D.D. DESKINS D.L.C. 1/2" IRON PIPE

NE. CORNER J.B. ROGERS D.L.C.

REGISTERED PROFESSIONAL LAND SURVEYOR

JOHN HOSKINS

1852

SURVEY FOR BEN GEHLEN

IN D.D. DESKINS D.L.C. NO. 54

IN NW 1/4, NW 1/4, SECTION 20, T35, R2W, YAMHILL COUNTY, OR.

JOHN HOSKINS - SURVEYOR

RT 3 BOX 543-C NEWBERG, OR.

538-9367

AUG. 5, 1982

Received 8-27-1982

County Surveyor

Reduced Copy, Not To Scale

1992 NOV 24 PM 1:50

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