

STORM SEWER EASEMENT

IT IS HEREBY AGREED on this 14 day of July, 1993, by and between Friends Church ("Grantor") and The City of Newberg, a municipal corporation ("Grantee") as follows:

That Grantor owns and operates a cemetery on the real property described as follows:

-- Being a part of the Donation Land Claim of Joseph B. Rogers and wife, Claim No. 95, Notification No. 1472, in Township Three South of Range Two West of the Willamette Meridian, said County, and beginning for the land boundary conveyed at a stake on the East boundary line of said Claim at a point 16.36 chains, South 24' West of the Northeast corner of said Claim, thence West 400' feet: thence South 3.29 chains: thence East 400 feet to East boundary line: thence North 3.29 chains to place of beginning, containing 1.99 of an acre, more or less. --

For One Dollar (\$1) and other valuable consideration given by Grantee to Grantor, Grantor grants to Grantee the following described property:

An Eight (8) foot wide strip of land lying Four (4) feet on each side of the following described centerline:

Beginning at a point on the East Line of the Joseph B. Rogers Donation Land Claim No. 55, Notification No. 1473, in Section 20, T3S, R2W, W.M., Yamhill County, Oregon which bears S 0 degree 24'00" W 1116.50 feet from the

Friends Church Cemetery Committee

90 Maurice Chandler

PO Box 487

Newberg Oregon 97132

Grantor's name and Address

City of Newberg

414 E. First St.

NEWBERG OR 97132

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

City of Newberg

414 E. First St.

Newberg OR 97132

Until requested otherwise, send all tax statements to (name, Address, Zip):

above

013626

1500
1000

STATE OF OREGON

COUNTY OF

I certify that the within instrument was received at _____ day of _____, 19____, at _____ o'clock _____m., and recorded _____ Volume No. _____ as fee/file/instrument/initials/reception No. _____

Deeds of said County. I hereby certify that this instrument was received and duly recorded _____ County affixed. by me in Yamhill County records

Instrument No.

Name

Title

By CHARLES STERN, Deputy
COUNTY CLERK

EXHIBIT A

PAGE 1 OF 2

Northeast Corner thereof and running thence S 89 degrees 38'00" W 210.85 feet to a point, thence S 0 degree 22'00" E 40.00 feet to a point, thence S 37 degrees 00'00" W 40.00 feet to the point of terminus of said centerline.

IT IS FURTHER AGREED that:

1. The Grantor hereby releases the Grantee, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and construction of said easement.

2. The rights granted herein shall not be construed to interfere with or restrict the use of the said real property by Grantor, its agents and employees, assigns and successors, with respect to the construction and maintenance of the property, so long as the same does not impair or interfere with the Grantee's use and maintenance of, or access to, the easement for use of same as a storm sewer.

3. Maintenance of the easement and the sewer system used therein shall be the responsibility of Grantee.

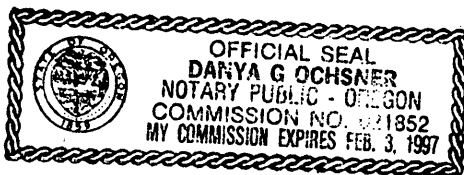
IN WITNESS WHEREOF, the parties have hereto set their hands in duplicate on this, the day and year first hereinabove written.

Grantor: *Clerk of Cemetery Committee*
Maurice G. Chandler As authorized agent for
 Friends Church

Grantee: *Duane R. Cole*
 City Manager

STATE OF OREGON,)
)
 County of Yamhill)

I CERTIFY that on this 14 day of July, 1993, the above signed personally appeared before me and acknowledged this instrument to be his or her voluntary act and deed. (for Maurice G. Chandler)



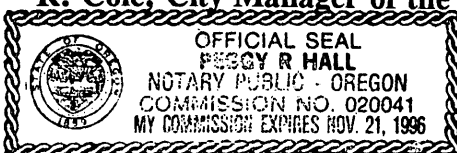
Danya G. Ochsner
 Notary Public For Oregon

My commission expires Feb. 3, 1997

EXHIBIT A
 PAGE 2 OF 2

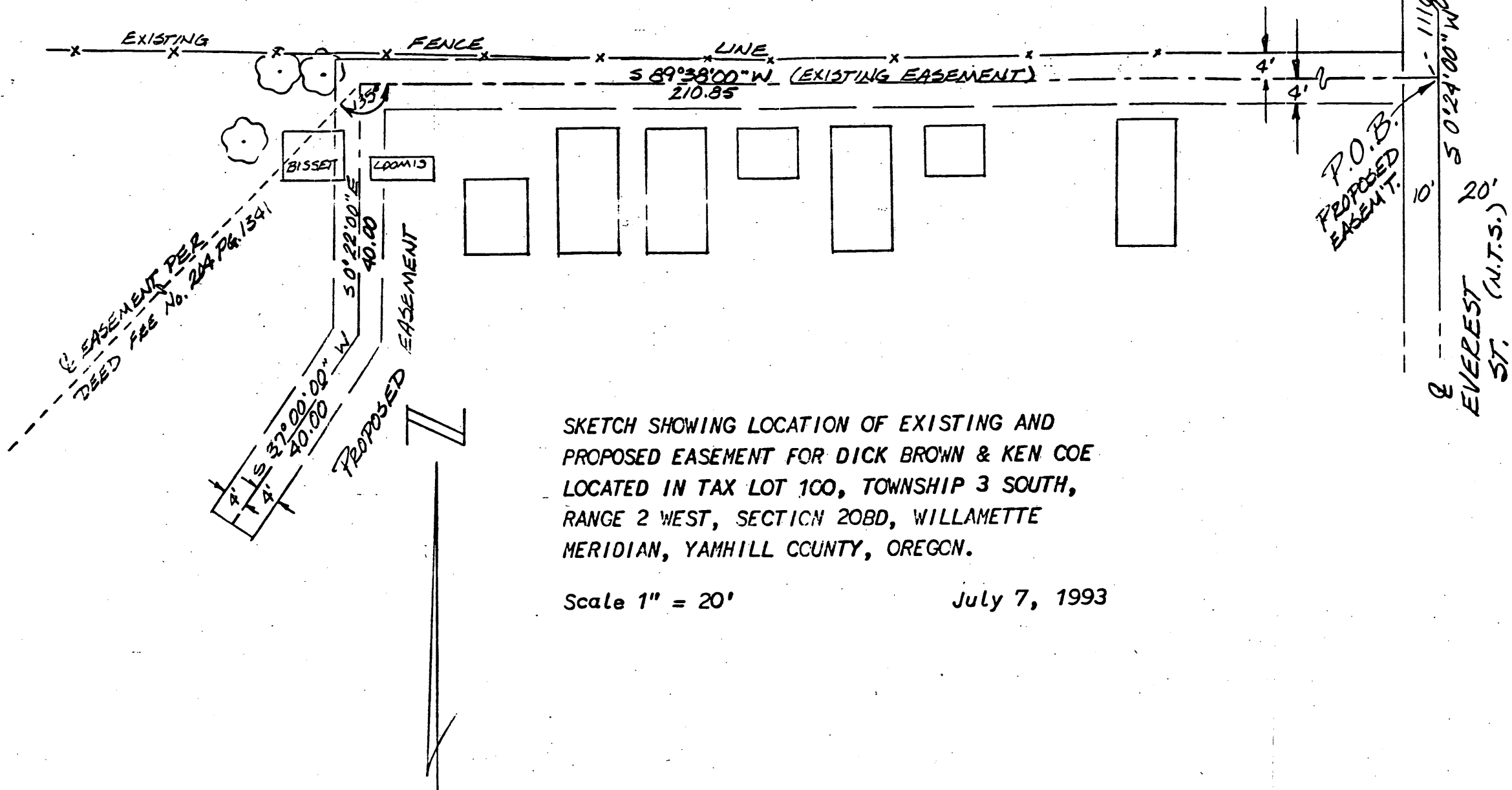
State of Oregon)
)
 County of Yamhill)

This instrument was acknowledged before me this 14th day of July, 1993 by Duane R. Cole, City Manager of the City of Newberg.



Peggy R. Hall
 Notary Public for Oregon
 My Commission Expires: 11/21/96

N.E. CORNER
J. ROGERS
D.L.C. No. 55



SKETCH SHOWING LOCATION OF EXISTING AND
PROPOSED EASEMENT FOR DICK BROWN & KEN COE
LOCATED IN TAX LOT 100, TOWNSHIP 3 SOUTH,
RANGE 2 WEST, SECTION 20BD, WILLAMETTE
MERIDIAN, YAMHILL COUNTY, OREGON.

Scale 1" = 20'

July 7, 1993

HOLD HARMLESS AGREEMENT

IT IS HEREBY AGREED on this 14 day of July, 1993, by and between Kenneth A. Coe and Richard K. Brown ("Indemnitor") and The City of Newberg ("Indemnitee") as follows:

In consideration for the granting of certain permits by Indemnitee to Indemnitor, and for other good and valuable consideration, receipt of which is acknowledged, Indemnitor hereby agrees to:

1. Undertake to indemnify Indemnitee from any and all liability, loss or damage Indemnitee may suffer as a result of any claims, demands, costs, or judgments against it arising out of the excavation of dirt and laying of a storm sewer pipes along an easement on certain property of Friends Church, which property and easement are identified in the Storm Sewer Easement, a copy of which is attached hereto as Exhibit "A".

2. Permit Indemnitee to inspect the process of laying the above mentioned storm sewer along the above mentioned easement.

3. Permit the owner of the above mentioned property, Friends Church, to monitor the process of laying the above mentioned storm system for the purpose of protecting such property, including but not limited to the protection of cemetery plots located on the property. *M.H.

4. Resurface the above mentioned property for the purpose of repairing any damage caused by the above mentioned excavation and laying of storm pipes, which resurfacing shall be completed to the reasonable satisfaction of Friends Church.

Indemnitor:

Kenneth A. Coe
Richard K. Brown

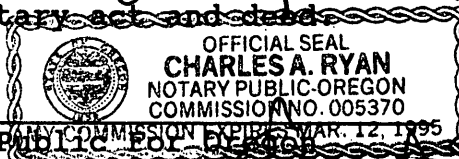
Indemnitee:

Duane R. Cole
City Manager

STATE OF OREGON,

County of _____

I CERTIFY that on this 13 day of July, 1993, the above signed personally appeared before me and acknowledged this instrument to be his or her voluntary act and deed.



Notary Public for Oregon

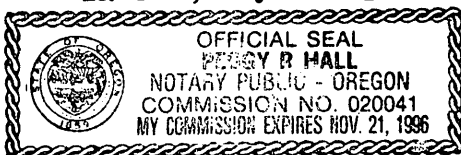
My commission expires _____

State of Oregon

County of Yamhill

After Recording return to:
City of Newberg - Legal Dept.
414 E First St
Newberg, OR 97132

This instrument was acknowledged before me this 14 day of July, 1993 by Duane R. Cole, City Manager of the City of Newberg.



Notary Public for Oregon

My Commission Expires: 11/21/96

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Friends Church Cemetery Committee

90 Maurice Chandler
PO Box 487
Newberg Oregon 97132
Grantor's name and Address

City of Newberg
414 E. First St.
NEWBERG, OR 97132
Grantee's Name and Address

After recording, return to (Name, Address, Zip):

City of Newberg
414 E. First St.

Newberg, OR 97132
Until requested otherwise, send all tax statements to (name, Address, Zip): above

STATE OF OREGON)
COUNTY OF _____) ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____m., and recorded in book/reel/volume No. _____ as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

Name Title

By _____, Deputy

EXHIBIT A
PAGE 1 OF 2

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1. The Grantor hereby releases the Grantee, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and construction of said easement.

2. The rights granted herein shall not be construed to interfere with or restrict the use of the said real property by Grantor, its agents and employees, assigns and successors, with respect to the construction and maintenance of the property, so long as the same does not impair or interfere with the Grantee's use and maintenance of, or access to, the easement for use of same as a storm sewer.

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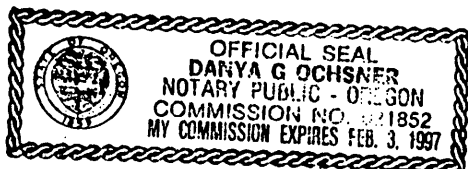
IN WITNESS WHEREOF, the parties have hereto set their hands in duplicate on this, the day and year first hereinabove written.

Grantor: *Maurice G. Chandler* Grantee: *Duane R. Cole*
As authorized agent for City Manager
Friends Church

STATE OF OREGON,)

County of Yamhill)

I CERTIFY that on this 14 day of July, 1993, the above signed personally appeared before me and acknowledged this instrument to be his or her voluntary act and deed. (for Maurice G. Chandler)



Danya G. Ochsner
Notary Public For Oregon

My commission expires Feb. 3, 1997

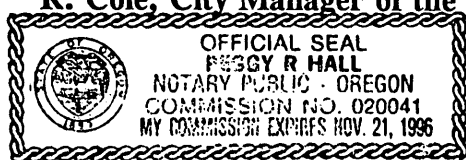
EXHIBIT A
PAGE 2 OF 2

State of Oregon)

County of Yamhill)

:ss

This instrument was acknowledged before me this 14th day of July, 1993 by Duane R. Cole, City Manager of the City of Newberg.

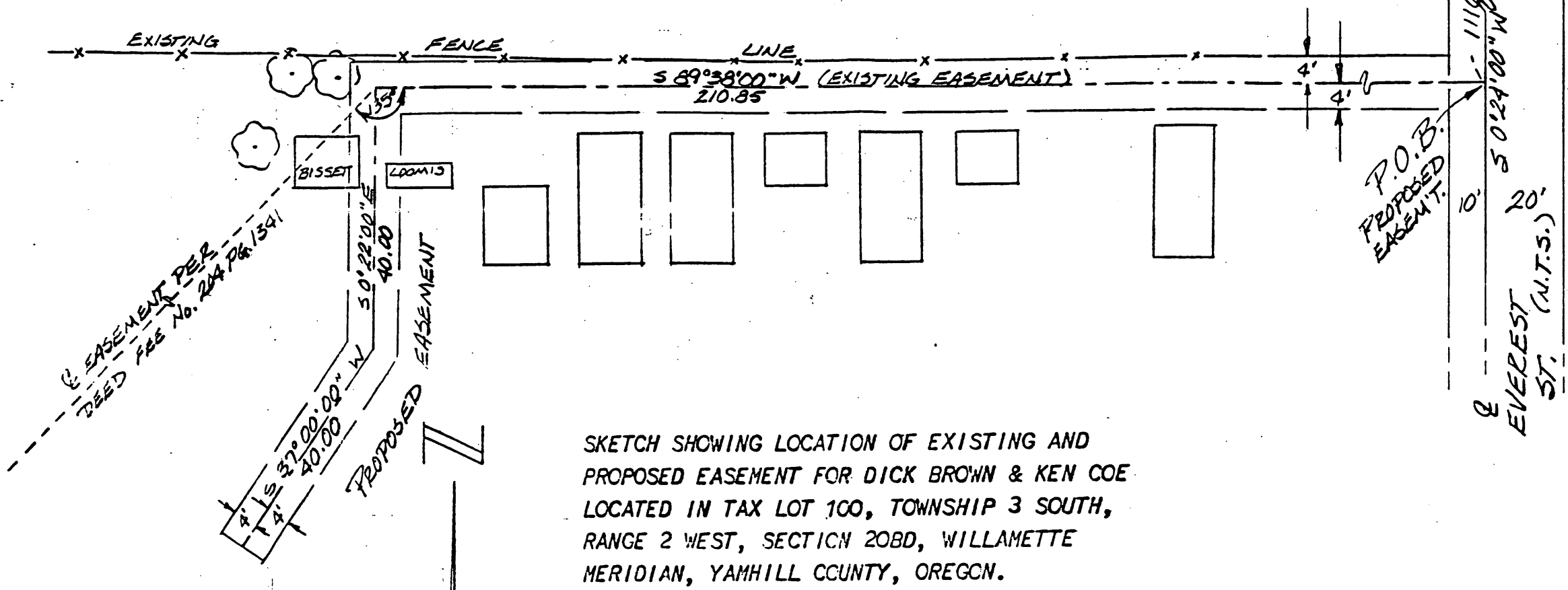


Peggy R. Hall
Notary Public for Oregon
My Commission Expires: 11/21/96

1993 SEP 23 PM 3:32

F294P0933

N.E. CORNER
J. ROGERS
D.L.C. No. 55



SKETCH SHOWING LOCATION OF EXISTING AND
PROPOSED EASEMENT FOR DICK BROWN & KEN COE
LOCATED IN TAX LOT 100, TOWNSHIP 3 SOUTH,
RANGE 2 WEST, SECTION 20BD, WILLAMETTE
MERIDIAN, YAMHILL CCUNTY, OREGON.

Scale 1" = 20'

July 7, 1993

STATE OF OREGON)
COUNTY OF YAMHILL)
I hereby certify that this instrument
was recorded and duly recorded
by me in Yamhill County records
Instrument No. of OREGON
013627 2000
1000
CHARLES STERN,
COUNTY CLERK