

UTILITY EASEMENT

In consideration of the sum of \$ 1.00 and other valuable consideration Friendsview Manor, an Oregon corporation, hereinafter called the Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called the Grantee, 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: storm sewer and sanitary sewer lines

See Exhibit "A" for legal description
See Exhibit "B" for sketch

TO HAVE AND TO HOLD said easement to said grantee, for the use and the 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 that not occupied by the Grantor or their assigns and of maintenance of the easement.
2. The rights granted herein shall not be construed to interfere or restrict the 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 not so constructed as to impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as practical to do so, upon completion of the construction.

THIS INSTRUMENT WILL NOT ALLOW THE 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 12th day November, 1998.

Friendsview Manor, an
Oregon corporation
Address 1301 E Fulton
Newberg OR 97132

By: Armond Kalesse
signature

Title: Executive Director

STATE OF OREGON)

SS

County of Yamhill

signature

THIS CERTIFIES that on this 12th day of November, 1998, before me, the above signed, personally appeared Armond Kalesse and acknowledged the foregoing instrument to be His voluntary act



Sharon L. Gillaspie
Notary Public for Oregon
My commission expires: May 23, 2000

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

Dated this 2nd day of December, 1998

Duane R. Cole
Duane R. Cole, City Manager

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

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



25.00

199900136 11:15am 01/05/99

001 083705 10 04 000200
1 0 D13 3 15.00 10.00 0.00 0.00 0.00 0.00

NORTHWEST TITLE COMPANY

ALPHA ENGINEERING, INC.

EXHIBIT "A"

DECEMBER 7, 1998

LEGAL DESCRIPTION
STORM AND SANITARY SEWER EASEMENT
TAX LOT 2000

JOB NO. 500-336

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF NEWBERG, YAMHILL COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF CHERRY STREET SOUTH 00°34'00" WEST, 20.00 FEET AND NORTH 89°59'00" EAST, 361.00 FEET FROM THE INTERSECTION OF THE CENTERLINES OF CHERRY STREET AND CENTER STREET; SAID POINT BEING A POINT ON THE NORTH LINE OF THE PROPERTY DESCRIBED IN DEED FILM VOLUME 254, PAGES 724-725; THENCE ALONG THE NORTH LINE OF SAID PROPERTY AND SAID SOUTH RIGHT-OF-WAY LINE AND ITS EASTERLY EXTENSION NORTH 89°59'00" EAST, 20.00 FEET; THENCE LEAVING SAID LINE SOUTH 00°34'00" WEST, 105.00 FEET TO THE SOUTH LINE OF SAID PROPERTY; THENCE ALONG SAID LINE SOUTH 89°59'00" WEST, 20.00 FEET; THENCE LEAVING SAID LINE NORTH 00°34'00" EAST, 105.00 FEET TO THE POINT OF BEGINNING.



Valid until 6/30/99

Exhibit "B"

SOUTHERN

SEE SUPPLEMENTAL MAP

TAX LOT 200

HERRY ST.

LEWENSON

DEDICATION

