

**AFTER RECORDING RETURN TO:**  
City of Newberg - Community Development  
PO Box 970 - 719 E. First Street  
Newberg, OR 97132

CITY OF NEWBERG  
CITY RECORDER INDEX NO. 1731

**SANITARY SEWER EASEMENT**

In consideration of the sum of \$ 0 and other valuable consideration, Total Concept Development LLC, herein called Grantors, do 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 a public sanitary sewer across the following described real property:

SEE ATTACHED EXHIBIT "A"

**TO HAVE AND TO HOLD** said easement to said Grantee, for the use and purpose herein above 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 further absolves the Grantee from any damage not controlled by their actions.
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 herein above 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, the parties have executed this document on this 18 day of May, 2000

Recorded in Official Yamhill County Records  
CHARLES STERN, COUNTY CLERK



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36.00

200008989

2:53:36 PM 06/30/2000

DMR EDMR 1 - 15.00 10.00 11.00

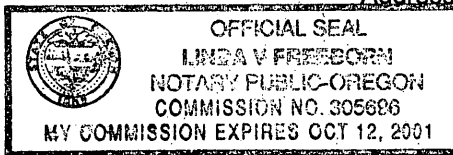
1 TONYA

Total Concept Development, LLC

by: Richard L. Nilles  
Name

Member - LLC  
Title

PO Box 927 Newberg, Oregon 97132  
Address



STATE OF Oregon )  
County of Yamhill ) s.s.

This instrument was acknowledged before me this 18 day of May, 2000, by Richard L. Nilles  
signee name

Linda V. Freeborn  
Notary Public for Oregon  
My Commission expires: 10/12/2001

CITY OF NEWBERG

Duane R. Cole  
Duane R. Cole, City Recorder  
Dated: June 1, 2000

APPROVED AS TO FOR

Terrence D. Mahf  
Terrence D. Mahf, City Attorney  
Dated: 6/1/00

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**EXHIBIT "A"**

Matt Duncel & Assoc.  
3765 Riverside Drive  
McMinnville, Oregon. 97128  
Phone: 472-7904  
Fax : 472-0367

Date: 5 May 2000

**CALKINS - Legal Descriptions for Sanitary Sewer Easements  
TOTAL CONCEPT DEVELOPMENT**

A Sanitary Sewer Easement in Section 20, Township 3 South,  
Range 2 West, Yamhill County, Oregon, the perimeter of which  
is described as follows:

Beginning on the north margin of Hancock Street (30' from  
center line) at the southwest corner of that tract of land  
described in deed from HOLBROOK, NILLES & BRAINARD to TOTAL  
CONCEPT DEVELOPMENT LLC and recorded in Instrument  
No. 199516398, Yamhill County Deed Records; thence  
North 00°14'14" East 331.50 feet along the west line of said  
TOTAL CONCEPT DEVELOPMENT LLC tract; thence East 5.00 feet;  
thence South 00°14'14" West 331.50 feet parallel with the  
west line of said tract to the north margin of Hancock  
Street; thence West 5.00 feet to the point of beginning as  
shown by Exhibit B.

# Exhibit "B"

## Easement Map for: Steve Calkins & City of Newberg

Location: NE cor. Section 20, T. 3 S., R. 2 W., WM.,  
Richard Everest DLC #52,  
Yamhill County, Oregon

Tax Lot: 3220AB - 301 & 202 Date: 5 May 2000

(reduced)  
Scale: 1" = 50'

