

AFTER RECORDING RETURN TO:

City of Newberg - Community Development
PO Box 970 - 719 E. First Street
Newberg, OR 97132

Recorded in Official Yamhill County Records
CITY OF NEWBERG CHARLES STERN, COUNTY CLERK
CITY RECORDER IN THE NO. 1733



26.00

200007276

9:35:22 AM 05/30/2000

TEMPORARY CONSTRUCTION

DMR EDMR 1 - 2 ANITA
5.00 10.00 11.00

In consideration of the sum of \$0.00 and other valuable consideration, **STACEY M. SHERWOOD, HARVEY E. CLARK AND EDITH M. CLARK**, herein called Grantors, do hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a temporary construction easement, 20 feet in width along and abutting the southerly and westerly sides of the herein described property, for the purposes of constructing a new gravity sewer, pump station and force mains on the following described property, to-wit:

Beginning at the northeast corner of that real property as described by deed recorded in Film Volume 1999, Page 5340 of Yamhill County Deed Records, Yamhill County, Oregon; thence southerly 19 feet along the east line of said property; thence westerly 30 feet along a line parallel to the north line of said property; thence northerly 19 feet along a line parallel to the east line of said property; thence easterly 30 feet along the north line of said property to the point of beginning.

TO HAVE AND TO HOLD said temporary construction easement to said Grantee, for the use and purpose herein above described, UNTIL JUNE 30, 2001, for construction purposes.

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 19 day of April, 2000.

Stacey M. Sherwood
STACEY M. SHERWOOD

Harvey E. Clark
HARVEY E. CLARK

Edith M. Clark
EDITH M. CLARK

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



This instrument was acknowledged before me this 19 day of April, 2000 by

Stacey M. Sherwood
STACEY M. SHERWOOD

Harvey E. Clark
HARVEY E. CLARK

Edith M. Clark
EDITH M. CLARK

Michele C. McManus
Notary Public for Oregon
My Commission expires: March 7, 2003

CITY OF NEWBERG
Duane R. Cole
Duane R. Cole, City Recorder
Dated: May 23, 2000

APPROVED AS TO FORM
Terrence D. Mahr
Terrence D. Mahr, City Attorney
Dated: 5/3/00