

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. 1754

PUBLIC STORM SEWER EASEMENT

In consideration of the sum of \$ 0 and other valuable consideration, ROSS ISLAND SAND AND GRAVEL, CO., an Oregon Corporation 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 a public storm sewer line across and under 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 8th day of SEPT., 2000.

ROSS ISLAND SAND AND GRAVEL, CO.

Robert B. Pamplin
By
PRESIDENT
Title

STATE OF OREGON
County of MULTNOMAH } s.s.

This instrument was acknowledged before me this 8th day of September, 2000, by ROBERT A PAMPLIN JR. on behalf of ROSS ISLAND SAND AND GRAVEL, CO.



Notary Public for Oregon
My Commission Expires

Marilyn C Stewart

CITY OF NEWBERG

Duane R. Cole
Duane R. Cole, City Recorder

Dated: Sept 8, 2000

APPROVED AS TO FORM

Terrence D. Mahr
Terrence D. Mahr, City Attorney

Dated: Sept 12, 2000

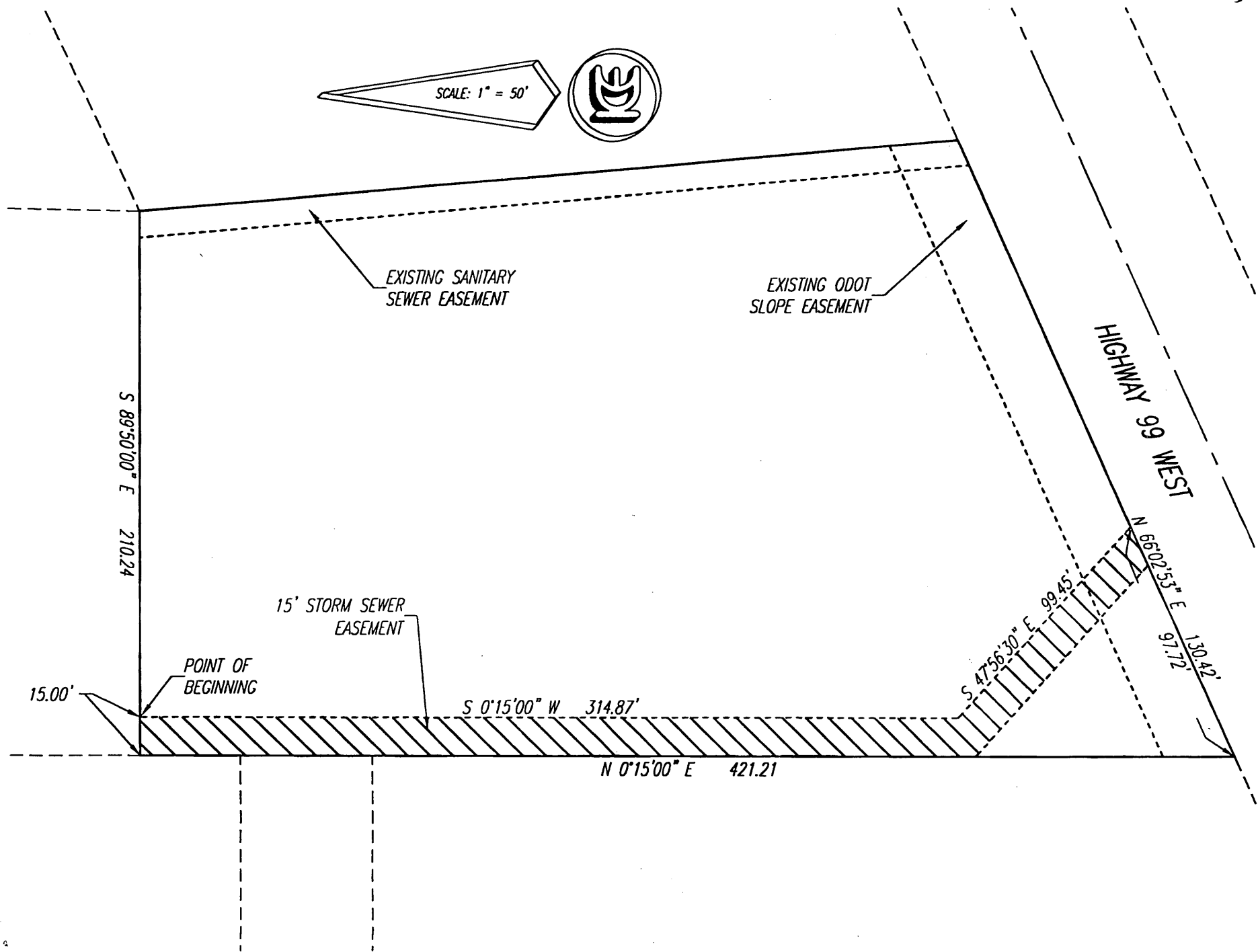
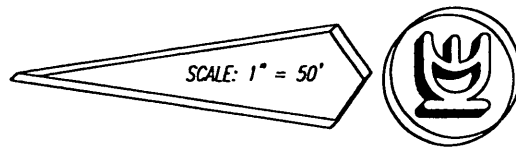
EXHIBIT 'A'

LEGAL DESCRIPTION – STORM SEWER EASEMENT

A strip of land, 15.00 feet in width, lying within a portion of the North half of the Original Donation Land Claim of Richard Everest and Jane Everest, Notification No. 1474, Claim No. 52, in Section 17, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, the Easterly line of said strip of land being more particularly described as follows:

Commencing at the Northwesterly corner of that certain tract of land described in Film Volume 135, Page 1292, Yamhill County Deed Records; Thence, along the Northerly boundary of said tract, South 89°50'00" East 15.00 feet to the True Point of Beginning; Thence, parallel to the Westerly boundary of said tract, South 0°15'00" East 314.87 feet; Thence South 47°56'30" East 99.45 feet to the Southerly line of said tract, and the Point of Terminus.

The sidelines of said strip of land being lengthened or shortened so as to terminate in the Northerly and Southerly boundary of said tract.



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Rose Island Sand & Gravel 21451 NE Bull Road Sherwood, OR 97140 Storm Sewer Easement Exhibit B				DATE 8/21/00 FILE P9703 CHECK 000 9703.000.000	SCALE 1" = 50' 130.42' 97.72'	11 OF
KLEIN CONSULTING ENGINEERS, INC. Civil Engineering & Water Resources Consultants 1000 NE 10th Street Portland, OR 97232 PHONE 503-241-1000 FAX 503-241-1001				DATE 8/21/00 FILE P9703 CHECK 000 9703.000.000	11 OF	11 OF

R. B. PAMPLIN CORPORATION
900 SOUTHWEST FIFTH AVENUE
PORTLAND, OR 97204-1259
(503) 248-1133

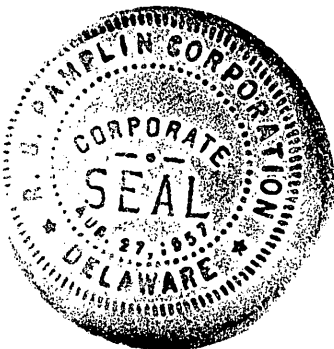
September 5, 2000

TO WHOM IT MAY CONCERN:

I hereby certify that Dr. Robert B. Pamplin, Jr. is President, Chief Executive Officer, and Secretary of Ross Island Sand & Gravel Co., a wholly owned subsidiary of R. B. Pamplin Corporation, and as such he has full authority to sign documents on behalf of Ross Island Sand & Gravel Co.

by Marilyn C. Stewart
Marilyn C. Stewart, Assistant Secretary
for R. B. Pamplin Corporation and
for Ross Island Sand & Gravel Co.

SEAL:



Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



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2:17:05 PM 09/12/2000

DMR EDMR 1 - 2 ANITA
20.00 10.00 11.00

41.00

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