

615 S. Springbrook

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1824

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK



\$36.00

00054279200100052490030032

200105249

1:33:33 PM 4/11/2001

DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

AFTER RECORDING RETURN TO:

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

PUBLIC WATERLINE EASEMENT

In consideration of the sum of \$ 0 and other valuable consideration, **Cohen & Cohen Limited Liability Company**, 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 water line 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 3 day of April, 2001.

Cohen & Cohen, Limited Liability Co.

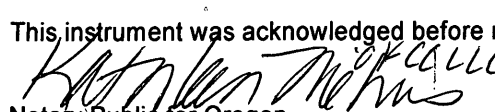
By: 

Title member of LLC

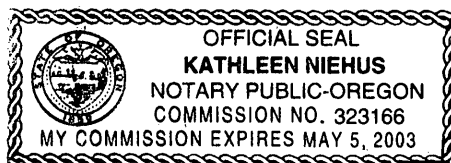
Address PO Box 86

City, State, Zip Dundee OR 97115

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

This instrument was acknowledged before me this 4th day of April, 2001, by Neil R. Cohen, member
 signee name

Notary Public for Oregon
My Commission expires: 5-5-2003

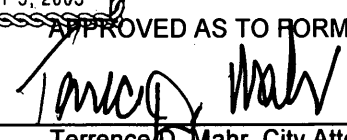


CITY OF NEWBERG


Duane R. Cole, City Recorder

Dated: 4/6/2001

APPROVED AS TO FORM


Terrence D. Mahr, City Attorney

Dated: 4/6/01

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

Exhibit A

LEGAL DESCRIPTION – Access and Utility Easement and Public Waterline Easement
Located in SE ¼, Section 17, T3S, R2W
City of Newberg, Yamhill County, Oregon

Prepared by Larry Anderson, PE, PLS
For Neil Cohen, Cohen & Cohen L.L.C.
April 3, 2001

Parcel 1

A tract of land in Section 17, Township 3 South, Range 2 West, of the Willamette Meridian in Yamhill County, Oregon, being that certain tract of land conveyed to Cohen & Cohen Limited Liability Company by deed recorded as Instrument No. 199700746, Yamhill County Deed Records.

Save and except Parcel 2 as described herein.

Parcel 2

The north 50.00 feet, as measured perpendicular with the north line, of that tract of land conveyed to Cohen & Cohen Limited Liability Company by deed recorded as Instrument No. 199700746, Yamhill County Deed Records.

Access and Utility Easement to Parcel 2

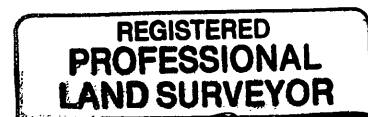
A permanent, non-exclusive easement, 25.00 feet in width, for the purpose of vehicular and pedestrian access and utility access over, under and across said Parcel 1 for the benefit of said Parcel 2, and being more particularly described as follows:

The easternmost 25.00 feet of said Parcel 1.

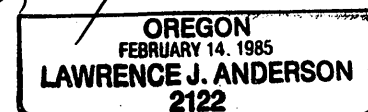
Public Waterline Easement

A permanent easement, 15.00 feet in width, for the purpose of installing, maintaining and operating a public water line over, under and across the following described parcel:

The easternmost 15.00 feet of said Parcel 1.



Larry Anderson



Exp. 12-31-01

Exhibit A

LEGAL DESCRIPTION – Access and Utility Easement
Located in SE ¼, Section 17, T3S, R2W
City of Newberg, Yamhill County, Oregon

Prepared by Larry Anderson, PE, PLS
For Neil Cohen, Cohen & Cohen L.L.C.
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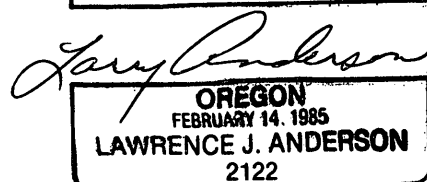
Parcel 2

The north 50.00 feet, as measured perpendicular with the north line, of that tract of land conveyed to Cohen & Cohen Limited Liability Company by deed recorded as Instrument No. 199700746, Yamhill County Deed Records.

Access and Utility Easement to Parcel 2

A permanent, non-exclusive easement, 25.00 feet in width, for the purpose of vehicular and pedestrian access and utility access over, under and across said Parcel 1 for the benefit of said Parcel 2, and being more particularly described as follows:

The easternmost 25.00 feet of said Parcel 1.



Exp. 12-31-01