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\$5.00 \$10.00 \$11.00

\$26.00

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1830

AFTER RECORDING RETURN TO:

City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

PUBLIC AND PRIVATE UTILITY EASEMENT

In consideration of the sum of \$ - 0 - and other valuable consideration, Wand-Nelson Contractors, Inc., and Oregon Corporation, d. b. a. Willamette Valley Homes, Jerome B. Wand, President, herein called Grantor, in consideration of receiving utility services, which is the whole consideration, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of installation, maintenance, and repair of public and private utilities over, under, and across a strip of land, 5.00 feet wide, parallel and adjoining the West line of Lot 18 of "VALLEY MEADOWS", a subdivision recorded 16 August 2000 in Book12, Page 21, Yamhill County Plat Records.

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.

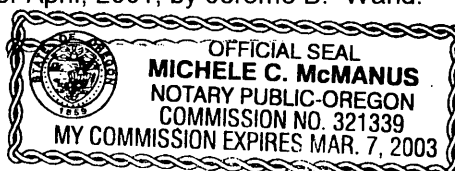
IN WITNESS WHEREOF, the parties have executed this document on this 23 day of April, 2001.


Jerome B. Wand, President
Wand-Nelson Contractors, Inc.
P. O. Box 760
Wilsonville, Oregon 97070

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

This instrument was acknowledged before me this 23 day of April, 2001, by Jerome B. Wand.


Notary Public for Oregon
My Commission expires: March 7, 2003



ACCEPTED ON BEHALF OF THE CITY OF NEWBERG

APPROVED AS TO FORM


Duane R. Cole, City Recorder
Dated: 4/25/2001


Terrence D. Major, City Attorney
Dated: 4/25/01

NORTHWEST TITLE COMPANY - c