

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK



\$31.00

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9:28:26 AM 5/02/2001

DMR-EDMR Cnt=1 Stn=3 SUSAN
\$10.00 \$10.00 \$11.00

AFTER RECORDING RETURN TO:

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

UTILITY EASEMENT

In consideration of the sum of \$0.00 and other valuable consideration, Woods, Newberg, 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 fire hydrant and supply line over the following described 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 3rd day of April, 2001.

Name

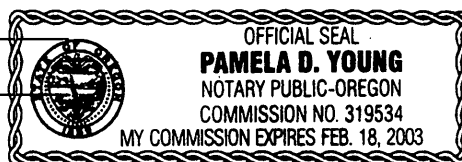
Address

City, State, Zip

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

This instrument was acknowledged before me this 3rd day of April, 2001, by Robert A. Woods signee name

Pamela D. Young
Notary Public for Oregon
My Commission expires: 2-18-03



CITY OF NEWBERG

APPROVED AS TO FORM

Duane R. Cole
Duane R. Cole, City Recorder
Dated: April 3, 2001

Terrence D. Mahr
Terrence D. Mahr, City Attorney
Dated: April 3, 2001

NORTHWEST TITLE COMPANY - C

AFTER RECORDING RETURN TO:

City of Newberg - Community Development

PO Box 970 - 414 E. First Street

Newberg, OR 97132

EXHIBIT "A"

A parcel of land in Section 17, Township 3 South, Range 2 West of the Willamette Meridian in the City of Newberg, Yamhill County, Oregon, and described as follows:

Beginning at the southeast corner of Parcel 2 of Partition Plat 97-83 thence N 65°50'56"E, along the North line of Highway 99W 40.00 feet; thence N 24°09'04"W, perpendicular to said highway right of way, 24.45 feet; thence N 89° 43' 11"W, feet to the West line of Parcel 2; thence S 0°16'49"W 38.80 feet to the North line of the highway.