

CORRECTION OF SEWER EASEMENT

MARC WILLCUTS & DOUG PETERSON, 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 sanitary sewer over, under, and across the following described real property:

The Easterly 15 feet of that certain property of land conveyed to Nick Secund and Setsuko Secund recorded*in Film Vo. 88 Page 2275, Deed records of Yamhill County, Oregon. *AS PARCEL 2 of that certain document recorded in

THIS EASEMENT IS IN CORRECTION TO EASEMENT RECORDED SEPTEMBER 11, 1978 IN FILM VOLUME 132 PAGE 1262.

TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose hereinabove 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 construction and maintenance of said easement.
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 hereinabove 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.

THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT SCRIVENER'S ERROR IN LEGAL DESCRIPTION AS PREVIOUSLY RECORDED ON APRIL 17, 1997 AS INSTRUMENT NO. 199706082, DEED AND MORTGAGE RECORDS OF YAMHILL COUNTY, OREGON.

Recorded in Yamhill County, Oregon
CHARLES STERN, COUNTY CLERK



20.00

199706082 2:00pm 04/17/97

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



20.00

199707830 2:34pm 05/15/97

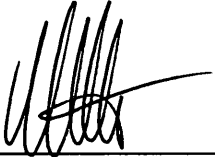
001 047726 10 04 000200
1 0 D13 2 10.00 10.00 0.00 0.00 0.00 0.00

001 046256 09 05 000200
1 0 D13 2 10.00 10.00 0.00 0.00 0.00 0.00

1/2

PAGE TWO - SANITARY SEWER EASEMENT

IN WITNESS WHEREOF, I have executed said document on this 3 day of April, 1997.



signature

NAME

ADDRESS



signature

STATE OF Oregon)
County of Yamhill) ss.

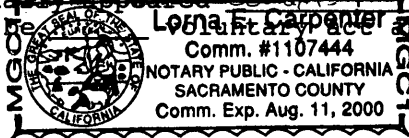
THIS CERTIFIES that on this 3 day of April, 1997, before me, the above signed, personally appeared MARC WILLIAMS and acknowledge the foregoing instrument to be his voluntary act and deed.



Janet L. Winder
Notary Public for Oregon
My Commission expires: 5-6-97

STATE OF California)
County of Sacramento) ss.

THIS CERTIFIES that on this 7th day of April, 1997, before me, the above signed, personally appeared Duane R. Cole and acknowledge the foregoing instrument to be his voluntary act and deed.



Lorna E. Carpenter
Notary Public for California
My Commission expires: Aug 11, 2000

Accepted as to form and intent by the City of Newberg, a Municipal Corporation of the State of Oregon.

Dated this 16th day of April, 1997.

Duane R. Cole
Duane R. Cole, City Manager

After Recording return to:
City of Newberg
c/o City Attorney
414 E. First Street
Newberg, Oregon 97132