

PUBLIC SIDEWALK EASEMENT

In consideration of the mutual promises contained herein, THE COMMERCIAL BANK, an Oregon banking corporation ("Grantor") does hereby grant to the CITY OF NEWBERG, a municipal corporation ("Grantee") a permanent, nonexclusive easement for public sidewalk purposes along and over the sidewalk that will be built from the Northern to the Southern property lines and within the Westernly six (6) feet of the following described real property (the "Premises"):

See *Exhibit "A"* attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD said easement to said Grantee, for the purpose herein described.

IT IS FURTHER UNDERSTOOD THAT:

1. The rights granted herein shall not be construed to interfere with or restrict the use of the Premises by Grantor, its heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the public sidewalk easement.

IN WITNESS WHEREOF, this Public Sidewalk Easement was executed on this 1 day of March, 1996.

THE COMMERCIAL BANK, an Oregon
banking corporation

By: *Douglas L. Lee*
Sr. Vice Pres.

Accepted as to Form By the City of Newberg and By the City Attorney

Dated this 31st day of March, 1996

Duane R. Cole
Duane R. Cole, City Manager

Dated this 28th day of March, 1996.

Terry Mahr
Terry Mahr, City Attorney

AFTER RECORDING RETURN TO:

Mr. John Knight
City of Newberg
719 East First Street
Newberg, OR 97132

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



25.00

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SIDEWALK EASEMENT

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CITY OF NEWBERG
CITY RECORDER INDEX NO. 1486

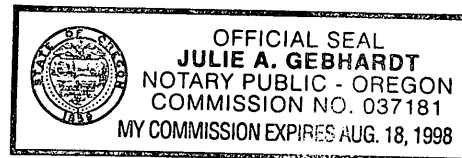
NORTHWEST TITLE COMPANY

State of Oregon)
) ss.
County of Marion)

On this 18th day March, 1996 personally appeared Douglas K. Hill, who being duly sworn, did say that he is Senior Vice President of The Commercial Bank, an Oregon banking corporation, and that the foregoing instrument was signed on behalf of said bank, and acknowledged said instrument to be its voluntary act and deed.

Before me:

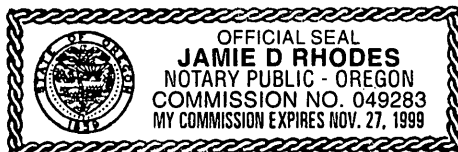
Julie A. Gebhardt
Notary Public for Oregon
My Commission Expires: 8-18-98



State of Oregon)
) ss.
County of Yamhill)

On this 31 day of March, 1996 personally appeared DUANE R. COLE, who did say that he is the City Manager of the City of Newberg, and that the foregoing instrument was signed on behalf of the City of Newberg, and acknowledged said instrument to be its voluntary act and deed.

Before me:



Jamie D. Rhodes
Notary Public for Oregon
My Commission Expires: November 27, 1999

EXHIBIT A

A parcel of property in the Sebastian Brutscher Donation Land Claim in Section 16, Township 3 South, Range 2 West, Willamette Meridian in Yamhill County, Oregon, described as follows:

COMMENCING at the Northwest corner of said Brutscher Donation Land Claim;
THENCE South 00° 43' 22" West, along the West line of said Brutscher Donation Land Claim, 276.55 feet to the Northeast corner of the Everest Donation Land Claim;

THENCE South 00° 55' 25" West, along said West line, 2749.19 feet;

THENCE South 89° 04' 35" East, 46.42 feet to the East line of Springbrook Road as conveyed to the State of Oregon deed recorded in Volume 23, at Page 400 of Yamhill County Records

THENCE South 89° 04' 35" East, 181.58 feet;

THENCE South 22° 55' 23" East, 346.71 feet;

THENCE North 67° 04' 37" East, 1087.74 feet;

THENCE North 22° 55' 22" West, 453.02 feet

THENCE North 01° 40' 12" West, 26.82 feet;

THENCE North 67° 04' 37" East, 249.29 feet;

THENCE North 20° 11' 09" West, 19.40 feet; to a point on a 570.00 foot radius curve to the right;

THENCE around said 570.00 foot radius curve to the right a distance of 13.79 feet; said point being the TRUE POINT OF BEGINNING;

THENCE around said 570.00 foot radius curve to the right a distance of 12.40 feet

THENCE North 17° 33' 13" West 228.94 feet to the South right-of-way line of Highway 99 West;

THENCE following said right-of-way line the following courses:

THENCE North 64° 12' 53" East 36.64 feet;

THENCE North 70° 44' 37" East 150.78 feet;

THENCE North 63° 00' 41" East 29.63 feet;

THENCE leaving the South line of said Highway 99W, South 04° 03' 33" West 269.50 feet;

THENCE South 67° 04' 37" West, 116.94 feet to the TRUE POINT OF BEGINNING.

CONTAINING 40477 square feet, more or less.

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