

Ret to: Janet Fox Jacobs
associate

MAHLUM architects

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Portland, OR 97209
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305 224-4032
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Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



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4:16:30 PM 09/13/2000

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CITY OF NEWBERG

PUBLIC SIDEWALK EASEMENT

CITY RECORDER INDEX NO. 762

In consideration of the sum of \$0.00 and other valuable consideration, Providence Health System in Oregon dba Providence Newberg Hospital ("Providence Newberg Hospital"), 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 concrete sidewalk across the following described real property:

SEE ATTACHED EXHIBIT AND LEGAL DESCRIPTION

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 22 day of

August, 2000.

Mark Merner
Name Mark

Chief Executive
Title

for Providence Newberg Hospital

501 Villa Road
Address

Newberg, Oregon 97132
City, State, Zip

STATE OF OREGON

COUNTY OF YAMHILL

This instrument was acknowledged before me this 22nd day of August, 2000 by
Mark Meinert, on behalf of Providence Newberg Hospital.
signer name

Katherine L. Wildman
Notary Public for Oregon

My commission expires: April 15, 2002

CITY OF NEWBERG

Terrence D. Mahr
~~Duane R. Cole, City Recorder~~ **TERRENCE D. MAHR**
ACTING MANAGER

Dated: September 12, 2000



APPROVED AS TO FORM

Terrence D. Mahr
Terrence D. Mahr, City Attorney

Dated: September 12, 2000

Legal Description
Sidewalk Easement

A strip of land in the Daniel D. Deskins D.L.C. No. 54 located in the Northwest One-Quarter of Section 20, Township 3 South, Range 2 West, of the Willamette Meridian, City of Newberg, Yamhill County, Oregon, more particularly described as follows:

Commencing at a brass disk monumenting the Northeast Corner of the Daniel D. Deskins D.L.C. No. 54; thence along the East line of said D.L.C. S 00°17'29" W 1788.70 feet to a point, said East line being coincident with the centerline of Villa Road (County Road No. 208); thence N 89°42'31" W 20.00 feet to the **Point of Beginning**, said point being on the westerly right-of-way line of said road when measured 20.00 feet at a right angle from the centerline; thence along said right-of-way line S 00°17'29" W 74.06 feet to a point; thence N 89°36'47" W 12.50 feet to a point; thence N 00°17'29" E 73.99 feet parallel with the said right-of-way line to a point; thence S 89°57'05" E 12.50 feet to the **Point of Beginning**.

Containing 925 square feet, more or less



EXHIBIT SIDEWALK EASEMENT

LOCATED IN THE DANIEL D. DESKINS D.L.C. NO. 54
BEING WITHIN THE NW 1/4 OF SECTION 20
T. 3 S., R. 2 W., WILLAMETTE MERIDIAN
CITY OF NEWBERG,
YAMHILL COUNTY, OREGON

BRASS DISK
NE COR DESKINS
DLC NO. 54

1788.70'

POINT OF
BEGINNING

S89°57'05"E
12.50'

N89°42'31"W
20.00'

3307.20'

NORTH STREET (VACATED)

20'

DOC. NO. 199922091

SIDEWALK
EASEMENT
AREA=925 S.F.

N00°17'29"E
73.99'

S00°17'29"W
74.06'

N89°36'47"W
12.50'

VILLA ROAD (C.R. 208)



SCALE: 1"=30'

JOB NO. MAN022



10450 SW NIMBUS AVE., PORTLAND, OREGON 97223

☎ (503) 603-9933

FAX: (503) 603-9944

PLANNERS ■ ENGINEERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS

BRASS DISK
SE COR DESKINS
DLC NO. 54

20'

20'