



\$56.00

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\$20.00 \$10.00 \$11.00 \$15.00

**AFTER RECORDING RETURN TO:**  
City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132

**STORM DRAINAGE EASEMENT**

In consideration of the sum of \$0.00 and other valuable consideration, Springbrook Properties Inc., 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 storm drainage line across the following described real property:

A 30.00-foot wide strip of land being a portion of that tract of land described in deed to Springbrook Properties, Inc., recorded as Instrument No. 200625137, Official Yamhill County Records on Oct. 31, 2006, said strip of land being more particularly described in Exhibit "A" and shown in Exhibit "B".

**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.
4. Design and construction of storm drainage within the said easement shall be approved by Springbrook Properties Inc. and the City of Newberg. Permitting will be the responsibility of the City of Newberg. The City of Newberg will hold Springbrook Properties Inc. harmless for the design, construction and maintenance of storm drainage. Said easement shall be vacated at the time when Springbrook Properties Inc. develops said tract of land or redesigns the drainage system.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Active Acco 151022

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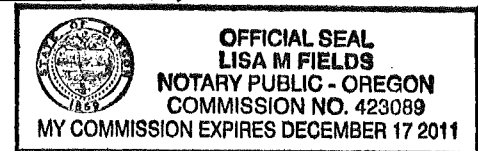
IN WITNESS WHEREOF, the parties have executed this document on this 2 day of August, 2010.

[Signature]  
Authorized Representative of Springbrook  
Properties, Inc.

P.O. Box 1060  
Address  
Newberg OR 97132  
City, State, Zip

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

This instrument was acknowledged before me this 2 day of August, 2010, by Authorized Representative of Springbrook Properties, Inc.



Lisa M Fields  
Notary Public for Oregon  
My Commission expires: December 17, 2011

CITY OF NEWBERG  
ACCEPTED:

Norma I. Alley  
Norma I. Alley, City Recorder

Dated: August 26, 2010

APPROVED AS TO FORM

Terrence D. Mahr

By: DMW  
Terrence D. Mahr, City Attorney

Dated: 08/26/10

# EXHIBIT "A"

## STORM DRAINAGE EASEMENT

Being a 30.00-foot-wide storm drainage easement located in the Northwest Quarter of Section 7 of Township 3 South Range 2 West of the Willamette Meridian in Yamhill County, Oregon and being a portion of that property labeled Parcel 41 in deed to Springbrook Properties Inc. recorded as Instrument No. 200625137, in Official Yamhill County Records on Oct. 31, 2006, being more particularly described as follows;

Beginning of said 30.00-foot strip at the Southwest corner of said Parcel 41.

Thence Easterly along the South line of said Parcel 41, a distance of 430.00 feet to a point;

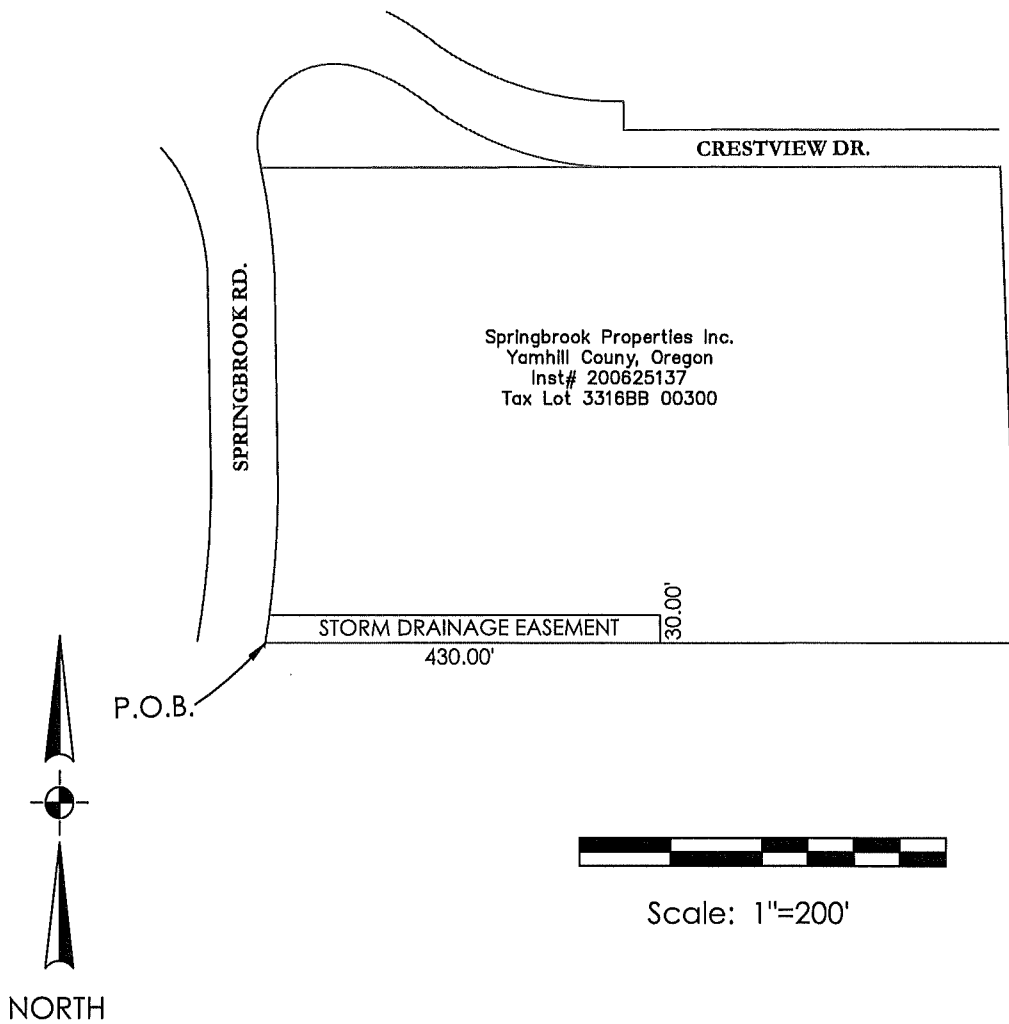
Thence Northerly along a line that is perpendicular to said South line, a distance of 30.00 feet to a point;

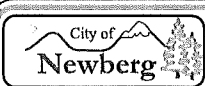
Thence Westerly along a line that is parallel to said South line, to a point on the West line of said Parcel 41;

Thence Southerly along said West line to the Point Of Beginning.

# EXHIBIT B

NE QUARTER OF SECTION 16  
TOWNSHIP 3 SOUTH, RANGE 2 WEST  
WILLAMETTE MERIDIAN  
YAMHILL COUNTY  
OREGON



 City of <b>Newberg</b>	<b>Public Works Department</b> <b>Land Information Section</b> Revised 1/25/10    Brian Kershaw
	Project: Springbrook Properties Inc. Storm Drainage    Date: 2/04/10
File Path: O:\Engineering\land\PROJECTS\Springbrook Properties Storm Easement	
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