

8/9/95

UTILITY EASEMENT

In consideration of the sum of \$1.00 and other valuable consideration, AMT RESOURCES, an Oregon Corporation, 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 utility easement over, under, and across the following described real property:

See Exhibit "A" Attached

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.

IN WITNESS WHEREOF, I have executed said document on this 9th day of August, 1995.

AMT RESOURCES
BY:

STATE OF OREGON

County of Multnomah, ss.

THIS CERTIFIES that on this 9th day of August, 1995, before me, the above signed, personally appeared Michael J. Hanks as President of AMT RESOURCES, a Corporation.



ANNE-LISE BERTRAND
NOTARY PUBLIC-OREGON
COMMISSION NO. 024079
MY COMMISSION EXPIRES APRIL 27, 1997

Anne-Lise Bertrand
Notary Public for Oregon
My Commission expires 4-27-97

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

Dated this 14th day of August, 1995.

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

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



40.00

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NORTHWEST TITLE COMPANY

sh - 434.9615

R66 -

LIDA - Paul (625)

Elen

Exhibit A

Being an easement for public utility purposes over a portion of the J.B. Rogers Donation Land Claim No. 55 and David Ramsey Donation Land Claims Nos. 40 & 59 in the NE 1/4 of section 19, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon, the boundary being more particularly described as follows:

Beginning at a 5/8" iron rod with yellow plastic cap marked "G & L PLS 1989" at the most easterly corner of Partition Plat 1995-032, Yamhill County Records thence along the north line of said Partition N 85°08'20" W 126.03 feet;

thence N 00°01'38" W 4.49 feet;

thence N 85°24'39" W 108.27 feet;

thence leaving the north line of said Partition S 22°47'26" W 36.37 feet;

thence S 84°45'30" E 227.91 feet along the southerly line of the roadway easement shown in Survey No. 7456 to the west line of Dayton Avenue being 60 feet wide;

thence N 34°30'00" E 35.47 feet to the Point of Beginning.

Containing 7,445 square feet more or less.

dr