

UTILITY EASEMENT

In consideration of the sum of \$ -0- and other valuable consideration, George Suniga, 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 underground utilities over, under, and across the following described real property:

SEE ATTACHED EXHIBIT A

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 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 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 12th day of January, 1995.

George R. Suniga

Name

1100 Liberty St. S. E., Suite 3

Address

Salem, Or. 97302

City, State, Zip

Signature

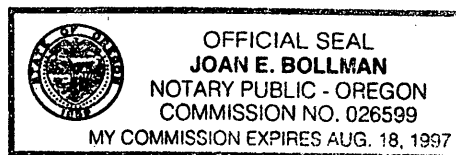
STATE OF Oregon)

) ss.

County of Marion

THIS CERTIFIES that on this 12th day of January, 1995 before me, the above signed, personally appeared George R. Suniga and acknowledged the foregoing instrument to be his voluntary act and deed.

Joan E. Bollman
Notary Public For STATE OF OREGON
My Commission expires: August 18, 1997



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

Dated this 12th day of January, 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

20.00

199500665 10:45am 01/19/95

001 010641 12 06 000200

1 0 D13 2 10.00 10.00 0.00 0.00 0.00 0.00

WATER EASEMENT

THIS INDENTURE WITNESSETH, that George Suniga (Grantors) for the consideration of no Dollars to them paid, and of the mutual covenants herein contained, do hereby grant and convey unto the City of Newberg, a municipal corporation (Grantee) a right-of-way and easement for a water line over and across the following described real property:

Beginning at the Northeast corner of that tract a of land conveyed to James Steven Pettit and Donna Rae Pettit by deed recorded in Film 294, Page 0586, Records for Yamhill County, Oregon which point is recorded as being 60.00 feet South and 215.00 feet West of the Southeast corner of Block 57 of EDWARDS ADDITION to the Town of Newberg and being situated in the Southeast Quarter of Section 19, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon; thence North 89°48'41" East along the South right-of-way line of East Ninth Street, a distance of 12.50 feet; thence South 0°12'33" East parallel with the East line of said Pettit tract, a distance of 500.00 feet; thence South 89°48'41" West 15.00 feet; thence North 0°12'33" West 405.00 feet to a point on the South line of said Pettit tract; thence North 89°48'41" East along said South line a distance of 2.50 feet to the Southeast corner thereof; thence North 0°12'33" West along the East line of said Pettit tract a distance of 95.00 feet to the point of beginning.

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