

S-17-96

Original
to Peggy Hall

UTILITY EASEMENT

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1492

In consideration of the sum of \$ 0 and other valuable consideration, J.R. & T. Limited Liability Co., 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 public utilities over, under, and across the following described real property:

SEE 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.

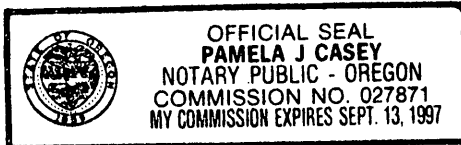
IN WITNESS WHEREOF, I have executed said document on this 1 day of MAY, 1996

Jeff Kizer for J.R. & T. LLC
Name
18581 Brentwood Ln
Address
McMinnville, Ore 97128
City, State, Zip

STATE OF OREGON)
County of Yamhill) ss.

THIS CERTIFIES that on this 1ST day of MAY, 1996, before me, the above signed, personally appeared JEFF KIZER and acknowledged the foregoing instrument to be HIS voluntary act and deed.

Pamela J Casey
Notary Public for OREGON
My Commission expires: SEPT 13, 1997



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

Dated this 2nd day of May, 1996

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

Matt Dunkel
3765 Riverside DR
McMinnville, OR
97128

Recorded in Yamhill County, Oregon
CHARLES STERN, COUNTY CLERK



25.00

199607604 3:56pm 05/15/96

001 9015702 09 05
1 0 D13 3 15.00 10.00 0.00 0.00 0.00 0.00

EXHIBIT A

Matt Dunckel & Assoc.
19010 Baker Creek Road
McMinnville, Oregon. 97128
Phone: 472-7904
Fax : 472-0367

Date: 21 April 1996

J.R. & T. LLC - LEGAL DESCRIPTION OF EASEMENTS

EASEMENT 1 - A 15 foot wide easement in Section 20, Township 3 South, Range 2 West, City of Newberg, Yamhill County, Oregon, the centerline of which is described as follows:

Beginning on the north margin of Hancock Street at a point that in North 89°44'22" East 246.04 feet from the southwest corner of that tract of land described in deed from JESSE WALKER to J.R. & T. LIMITED LIABILITY COMPANY and recorded in Instrument No. 119508540, Yamhill County deed records, (basis of bearing CS-10538); thence North 15°44'25" East 283.41 feet to the end of said centerline.

EASEMENT 2 - A 20 foot wide easement in Section 20, Township 3 South, Range 2 West, City of Newberg, Yamhill County, Oregon, the centerline of which is described as follows:

Beginning on the north margin of Hancock Street at a point that in North 89°44'22" East 246.04 feet from the southwest corner of that tract of land described in deed from JESSE WALKER to J.R. & T. LIMITED LIABILITY COMPANY and recorded in Instrument No. 119508540, Yamhill County deed records, (basis of bearing CS-10538); thence North 15°44'25" East 273.02 feet to the TRUE POINT OF BEGINNING; thence South 89°59'24" West 253.36 feet; thence North 00°02'17" West 333.53 feet to the end of said centerline

J.R. & T. - L .L. CO.
& City of Newberg

Location: NE 1/4 Section 20, T. 3 S., R. 2 W., WM.,
John Everest DLC #52, City of Newberg,
Yamhill County, OR

Tax Lot: 3220AA – 3220AA – 1000, 3220AB – 100

Date: 21 April 1996

Narrative

The purpose of this map is to show the location of the sanitary sewer easement as shown. All dimensions are based on CS-10538.

