UTILITY EASEMENT

In consideration of the sum of \$_O_ and other valuable consideration, <u>Western Oregon Conference Association</u>, 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:

A strip of land lying in the Southeast quarter of Section 7, Township 3 South, Range 2 West, Willamette Meridian lying in that parcel described in Film Volume 202, Page 332, Yamhill County deed records, said strip of land is 15 feet in width lying 7.5 feet on each side of the following described centerline:

Beginning at a point on the South line of The Meadows, a duly recorded subdivision plat in Yamhill County records, said point lies South 89°25'38" West 44.26 feet from the most Westerly corner of Tract A in The Meadows Subdivision; thence South 69.28 feet; thence South 89°25'38" West 254.03 feet to the end of said center line description.

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 16th day of December, 1994.

	Western Oregon Conference Association 13455 SE 97th Avenue Clackamas, Oregon 97015-9798
signature	signature signature
STATE OF WASHINGTON)) ss. County of CLACKAMAS)	

THIS CERTIFIES that on this 16thday of December, 1994 before me, the above signed, personally appeared HERALD FOLLETT and acknowledged the foregoing instrument to be his voluntary act and deed.

OFFICIAL SEAL
VIRGINIA BURBACK
NOTARY PUBLIC - OREGON
COMMISSION NO.026391
MY COMMISSION EXPIRES JULY 25, 1997

Notary Public For OREGON

My Commission expires: 07-25-97

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

Dated this 18th day of January, 1925.

Duane R. Cole, City Manager

After Recording return to: City of Newberg c/o Community Dev. Office 414 E. First Street Newberg, Oregon 97132

Recorded in Official Yamhill County Records CHARLES STERN, COUNTY CLERK

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BURTON ENGINEERING & SURVEYING 11945 S.W PACIFIC HIGHWAY #302 TIGARD, OREGON 97223 (503) 639-6116

