

SEND ORIGINALS TO P8664

interoffice

MEMORANDUM



to: Larry Anderson, Engineering Manager
cc: File
from: John J. Raineri
re: Springbrook Estates Mobile Home Park easements
date: May 16, 1995

After review of the easements for the above referenced it appears that the intent of the descriptions follows the intent of the location of the utilities in the park as per the plans.

Actual location of this easement has not been verified on the ground and may differ from the precise location of the utilities on site since the descriptions are not monumented.

Future descriptions should have an augmenting clause of the intent of how the easement is supposed to lay in relation to the utility.

from the desk of...

John J. Raineri
Engineering Technician II
City of Newberg
414 East First Street
Newberg, Oregon 97132

537-1237
Fax: 537-1272

3/30/95

UTILITY EASEMENT

In consideration of the sum of \$____ and other valuable consideration, ~~SPRINGBROOK ESTATES~~ ^{*MXX.} 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: *LIMITED PARTNERSHIP, an Oregon Limited Partnership
See Attached Descriptions

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 30th day of March, 19 95

SPRINGBROOK ESTATES, LTD.

BY: OPB Bunnaf, General Partner

Name

P.O. Box 2059

Address

Portland, OR 97208

City, State, Zip

STATE OF OREGON)

) ss.

County of Yamhill

**EASEMENT 1
WATERLINE EASEMENT
MOBILE HOME PARK**

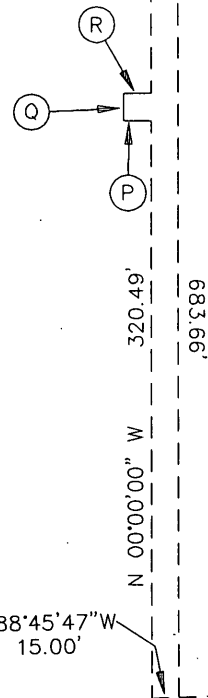
Being part of the Richard Everest D.L.C. in Section 21, Township 3 South, Range 2 West, of the Willamette Meridian in Yamhill County Oregon and being more particularly described as follows:

Commencing at the Southeast corner of said Everest claim;
Thence along the east line of said claim, N 00°00'00" E, 715.47 feet to a point;
Thence leaving said east line N 89°46'00" E, 64.50 feet to the Point of Beginning;
Thence N 89°46'00" E, 445.56 feet to a point; Thence S 75°50'25" E, 21.08 feet to a point;
Thence N 00°00'00" W, 69.45 feet to a point; Thence S 90°00'00" W, 8.67 feet to a point;
Thence N 00°00'00" W, 15.00 feet to a point; Thence N 90°00'00" E, 8.67 feet to a point;
Thence N 00°00'00" W, 131.29 feet to a point; Thence N 89°46'00" E, 15.00 feet to a point;
Thence S 00°00'00" E, 219.59 feet to a point; Thence S 75°50'25" E, 86.05 feet to a point;
Thence N 90°00'00" E, 16.07 feet to a point; Thence S 00°00'00" E, 15.00 feet to a point;
Thence S 90°00'00" W, 17.93 feet to a point; Thence N 75°50'25" W, 84.12 feet to a point;
Thence S 00°00'00" E, 86.45 feet to a point; Thence N 89°46'00" E, 99.50 feet to a point;
Thence S 00°00'00" E, 15.00 feet to a point; Thence S 89°46'00" W, 99.50 feet to a point;
Thence S 00°00'00" E, 683.66 feet to a point; Thence S 88°45'47" W, 15.00 feet to a point;
Thence N 00°00'00" W, 320.49 feet to a point; Thence S 90°00'00" W, 15.43 feet to a point;
Thence N 00°00'00" W, 15.00 feet to a point; Thence N 90°00'00" E, 15.43 feet to a point;
Thence N 00°00'00" W, 320.68 feet to a point; Thence S 90°00'00" W, 8.19 feet to a point;
Thence N 00°00'00" W, 15.00 feet to a point; Thence N 90°00'00" E, 8.19 feet to a point;
Thence N 00°00'00" W, 12.76 feet to a point; Thence S 89°46'00" W, 339.41 feet to a point;
Thence S 00°14'00" E, 10.46 feet to a point; Thence S 89°46'00" W, 15.00 feet to a point;
Thence N 00°14'00" W, 10.46 feet to a point; Thence S 89°46'00" W, 96.59 feet to a point;
Thence S 00°00'00" E, 11.28 feet to a point; Thence S 89°52'24" W, 29.50 feet to a point;
Thence N 00°00'00" W, 26.23 feet to a point; Thence N 89°46'00" E, 480.50 feet to a point;
Thence N 00°00'00" W, 90.29 feet to a point; Thence N 75°50'25" W, 22.97 feet to a point;
Thence S 89°46'00" W, 428.73 feet to a point; Thence N 00°00'00" W, 15 feet to the Point of Beginning

**EASEMENT 2
WATERLINE EASEMENT
MOBILE HOME PARK**

Being part of the Richard Everest D.L.C. in Section 21, Township 3 South, Range 2 West, of the Willamette Meridian in Yamhill County Oregon and being more particularly described as follows:

Commencing at the Southeast corner of said Everest claim;
Thence along the east line of said claim, N 00°00'00" E, 715.47 feet to a point;
Thence leaving said east line N 89°46'00" E, 64.50 feet to the Point of Beginning;
Thence S 00°00'00" E, 111.00 feet to a point; Thence S 89°46'00" W, 19.11 feet to a point;
Thence N 00°07'36" W, 43.32 feet to a point; Thence N 89°52'24" E, 1.20 feet to a point;
Thence N 00°00'00" W, 67.69 feet to a point; Thence N 89°46'00" E, 15.00 feet to the Point of Beginning.



LINE	DIRECTION	DISTANCE
T	N 00°00'00" W	15.00'
U	N 90°00'00" E	8.19'
V	N 00°00'00" W	12.76'
W	S 00°14'00" E	10.46'
X	S 89°46'00" W	15.00'
Y	N 00°14'00" W	10.46'
Z	S 89°46'00" W	96.59'
AA	S 00°00'00" E	11.28'
BB	S 89°52'24" W	29.50'
CC	N 00°00'00" W	26.23'
DD	N 00°00'00" W	90.29'
EE	N 75°50'25" W	22.97'
FF	N 00°00'00" W	15.00'
GG	S 89°46'00" W	19.11'
HH	N 00°07'36" W	43.32'
II	N 89°52'24" E	4.20'
JJ	N 00°00'00" W	67.69'
KK	N 89°46'00" E	15.00'

UTILITY EASEMENT

In consideration of the sum of \$_____ and other valuable consideration, SPRINGBROOK ESTATES, LTD. 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: *LIMITED PARTNERSHIP, an Oregon Limited Partnership

See Attached 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.

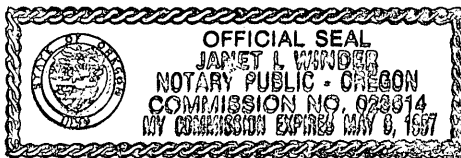
IN WITNESS WHEREOF, I have executed said document on this 30th day of March, 1995.

SPRINGBROOK ESTATES, LTD.
BY: [Signature]
Name
P.O. Box 6059
Address
Portland, OR 97208
City, State, Zip

STATE OF OREGON)
) ss.
County of Yamhill

THIS CERTIFIES that on this 30th day of March, 1995, before me, the above signed, personally appeared A. Paul and acknowledged the foregoing instrument to be his voluntary act and deed.

[Signature]
Notary Public For Oregon
My Commission expires: 5/6/97



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

Dated this 2 day of April, 1995

[Signature]
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



25.00

199504218 3:46pm 04/05/95

001 013030 11 03 000200
1 0 D13 3 15.00 10.00 0.00 0.00 0.00 0.00

15' Sanitary Sewer Easement
Mobile Home Park

Being part of the Richard Everest D.L.C. in Section 21, Township 3 South, Range 2 West, of the Willamette Meridian in Yamhill County Oregon and being more particularly described as follows:

Commencing at the Southeast corner of said Everest claim;

Thence North along the east line of said claim, 592.50' to a point on the northline of that certain tract of land conveyed to Raymond C. Buckley and Verna M. Buckley as recorded in Volume 94, Page 1558, in the Yamhill County Deeds and Records, this point also being on the southerly line of that certain tract conveyed to Cecil M. Brown and Clara C. Brown as recorded in Film Volume 225, page 436 in the Yamhill County Deeds and Records;

Thence along the common line of said Buckley and Brown Tracts N 89°54'08" W, 40.00 feet to the Point of Beginning;

Thence continuing along said common line N 89°54'08" W, 351.96 feet to the easterly right-of-way line of the Newberg- St. Paul Highway;

Thence leaving said common line and along said easterly right-of-way line S 22°54'36" E, 16.30 feet to a point;

Thence leaving said right-of-way line S 89°54'08" E, 345.62 feet to a point;

Thence North, 15.00 feet to the Point of Beginning.

EASEMENT EXHIBIT

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
FOR SANITARY SEWER EASEMENTS LOCATED IN A
PORTION OF THE NE 1/4 AND SW 1/4 OF
SECTION 20. T3S, R2W, WM.
CITY OF NEWBERG, YAMHILL COUNTY.

STATE HIGHWAY 219

SPRINGBROOK RD.

EXHIBIT "A"

N89°53'36"E

1203.71'

640.26'

S00°07'36"W

S89°55'18"E

362.43'

15'

S89°55'18"E

355.90'

N89°53'36"E

359.00'

UTILITY EASEMENT

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See Descriptions attached

TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose hereinabove described.

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IN WITNESS WHEREOF, I have executed said document on this 30th day of March, 1995

SPRINGBROOK ESTATES, LTD.

BY: [Signature] General Partner

Name

P.O. Box 6059

Address

Portland, OR 97208

City, State, Zip

STATE OF OREGON)

) ss.

County of Yamhill

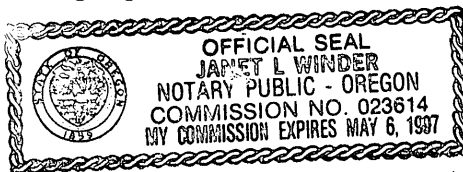
THIS CERTIFIES that on this 30th day of March, 1995, before me, the above signed, personally appeared A. Paul and acknowledged the foregoing instrument to be his voluntary act and deed.

Brenneke, Managing Partner

[Signature]

Notary Public For Oregon

My Commission expires: 5/6/97



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

Dated this 2 day of April, 1995.

[Signature]
Duane R. Cole, City Manager

After Recording return to:
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Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



30.00

199504217 3:45pm 04/05/95

001 013029 11 03 000200

1 0 D13 4 20.00 10.00 0.00 0.00 0.00 0.00

NORTHWEST TITLE COMPANY - C

114

EASEMENT 1
PUBLIC UTILITY EASEMENT
MOBILE HOME PARK

Being part of the Richard Everest D.L.C. in Section 21, Township 3 South, Range 2 West, of the Willamette Meridian in Yamhill County Oregon and being more particularly described as follows:

Commencing at the Southeast corner of said Everest claim;

Thence along the east line of said claim, N 00°00'00" E, 715.47 feet to a point;
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Thence N 89°46'00" E, 445.56 feet to a point; Thence S 75°50'25" E, 21.08 feet to a point;
Thence N 00°00'00" W, 69.45 feet to a point; Thence S 90°00'00" W, 8.67 feet to a point;
Thence N 00°00'00" W, 15.00 feet to a point; Thence N 90°00'00" E, 23.67 feet to a point;
Thence S 00°00'00" E, 88.23 feet to a point; Thence S 75°50'25" E, 86.05 feet to a point;
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Thence S 00°00'00" E, 363.50 feet to a point; Thence S 90°00'00" W, 30.43 feet to a point;
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EASEMENT EXHIBIT

SKETCH TO ACCOMPANY LEGAL DESCRIPTION
FOR PUBLIC UTILITY EASEMENTS LOCATED IN
A PORTION OF THE NE 1/4 AND SW 1/4 OF
SECTION 20. T3S, R2W, WM.
CITY OF NEWBERG, YAMHILL COUNTY.

LINE	DIRECTION	DISTANCE
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D	N 00°00'00" W	15.00'
E	N 90°00'00" E	23.67'
F	S 00°00'00" E	88.23'
G	S 75°50'25" E	86.05'
H	N 90°00'00" E	16.07'
I	S 00°00'00" E	15.00'
J	S 90°00'00" W	17.93'
K	N 75°50'25" W	84.12'
L	S 00°00'00" E	86.45'
M	N 89°46'00" E	99.50'
N	S 00°00'00" E	15.00'
O	S 89°46'00" W	99.50'
P	S 90°00'00" W	30.43'
Q	N 00°00'00" W	15.00'
R	N 90°00'00" E	15.43'
S	S 90°00'00" W	8.19'
T	N 00°00'00" W	15.00'
U	N 90°00'00" E	8.19'
V	N 00°00'00" W	12.76'
W	S 00°14'00" E	10.46'
X	S 89°46'00" W	15.00'
Y	N 00°14'00" W	10.46'
Z	S 89°46'00" W	96.59'
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