

UTILITY EASEMENT

In consideration of the sum of \$0.00 and other valuable consideration, Orville W. Sprague and Carol L. Sprague, 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:

The South 15 feet and the East 259 feet except the most easterly 104 feet of that property described in Volume 74 Page 435 of Yamhill County Deed Records; Yamhill County, Oregon.

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 May, 1994.

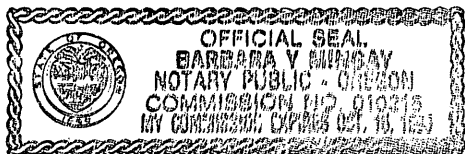
NAME Orville & Carol Sprague
ADDRESS 611 E. First St.
Newberg, OR 97132

Orville & Carol Sprague
signature

signature

STATE OF Oregon)
County of Yamhill) ss.

THIS CERTIFIES that on this 6th day of May, 1994, before me, the above signed, personally appeared Orville & Carol Sprague and acknowledged the foregoing instrument to be his voluntary act and deed.



Barbara Y. Minjary
Notary Public for City of Newberg
My Commission expires: 10-10-95

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

Dated this 9th day of May, 1994.

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



15.00

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NORTHWEST TITLE COMPANY