

UTILITY EASEMENT

In consideration of the sum of \$ -0- and other valuable consideration, Westridge Construction Company 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 and B

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 30 day of January, 1995



Westridge Construction Company

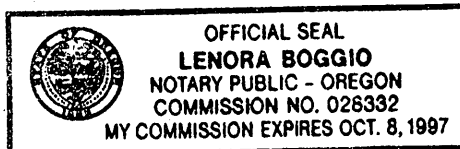
1607 SW Stephenson Street

Portland, Oregon 97219

STATE OF OR)
County of Multnomah) ss.

THIS CERTIFIES that on this 30 day of Jan, 1995, before me, the above signed, personally appeared Steinar R. Christiansen and acknowledged the foregoing instrument to be his voluntary act and deed.


Notary Public For Oregon
My Commission expires: Oct 8, 1997



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

Dated this 6th day of February, 1995


Duane R. Cole, City Manager

After Recording return to:
City of Newberg
c/o Engineering Department
414 E. First Street
Newberg, Oregon 97132

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK

 25.00

199501541 11:06am 02/08/95

001 011239 12 03 000200

1 0 D13 3 15.00 10.00 0.00 0.00 0.00 0.00



LEONARD A. RYDELL, P.E., P.L.S. Consulting Civil Engineer - Land Surveyor

601 PINEHURST DRIVE, NEWBERG, OREGON 97132

(503) 538-5700 FAX 538-9167

EXHIBIT "A"

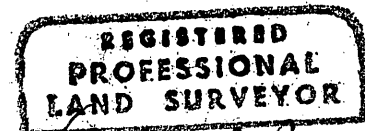
LEGAL DESCRIPTION - Public Water Easement
Prepared for Westridge Construction Company

W.O. No. 9216
6 January 1995

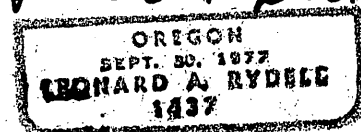
A 15.00 foot wide non-exclusive Public Water Easement across a tract of land described in Commercial Deed of Trust recorded 1 February 1994 in Film Volume 302, Page 1599, Yamhill County Deed Records and located in the Northwest Quarter of the Southwest Quarter of Section 16, Township 3 South, Range 2 West of the Willamette Meridian, City of Newberg, Yamhill County, Oregon, and being more fully described based on County Survey P-8656 as follows:

Beginning at a 3/4-inch iron pipe at the Southeast corner of said Tract; thence South 89° 57' 00" West 304.73 feet to the True Point of Beginning of a 15.00 foot wide public water easement; thence North 00° 17' 52" West 62.79 feet; thence North 14° 28' 52" East 142.09 feet to the Terminus Point.

Said easement containing 3073 square feet.



Leonard A. Rydell



Renewal Date 12-31-96

**PLANNED DEVELOPMENTS • RESIDENTIAL SUBDIVISIONS
WATER, SANITARY SEWER AND STORM DRAINAGE SYSTEMS
LAND SURVEYS • SOLAR-CONSERVATION HOMES**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Leonard A. Rydell

OREGON
SEPTEMBER 30, 1977
LEONARD A. RYDELL
1437

RENEWAL DATE 12/31/96

FOUND 5/8"
IRON REBAR
CSP-8656

LEGEND:

() BEARING/DISTANCE
OF RECORD

10 11 12 13
SPRINGBROOK ACRES

FOUND 5/8"
IRON REBAR

(N89°52'50"E 371.11' CSP-8656)

(N00°13'45"E 295.58' CSP-8656)

TERMINUS
POINT 15'
WATER
EASEMENT

SPRINGBROOK
APARTMENTS

N14°28'52"E
142.09'

20' UTILITY EASEMENT
TO CITY OF NEWBERG
FILM VOLUME 199, PAGE 169

N00°17'52"W
62.79'

77.01'

S89°57'00"E 304.73'
(N89°57'00"E 381.74')
CSP-8656

POINT OF
BEGINNING
15' WATER
EASEMENT

FOUND 3/4"
IRON PIPE
CSP-8656

SPRINGBROOK ROAD

DWG 9216-EAS.DWG

SPRINGBROOK APARTMENTS
City of Newberg, Yamhill County, Oregon

EXHIBIT "B"

PUBLIC WATER EASEMENT MAP

Scale: 1" = 60'

Date: 5 Jan. 1995

Drawn

Leonard A. Rydell

Prepared for: Westridge Construction Company
1607 S. W. Stephenson Street, Portland, Oregon 97219 Phone 245-1424

PREPARED BY:
LEONARD A. RYDELL, PE. PLS, WRE
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Newberg, Oregon 97132
Phone: (503) 538-5700
W.O. No. 9216