

UTILITY EASEMENT

Richard K. Brown & Kenneth A. Coe

In consideration of the sum of \$ 0 and other valuable consideration, Richard K. Brown & Kenneth A. Coe, 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 portion of that certain tract of land as described in Film Volume 297 Page 660 Yamhill County, Oregon Deed Records and more particularly depicted on the herein attached 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 24th day of April, 1995.

Kenneth A. Coe
Kenneth A. Coe

Richard K. Brown
Richard K. Brown

7340 SW Hunzinger Suite 205
Tigard, Oregon 97223

STATE OF Oregon

) ss.

County of Washington

THIS CERTIFIES that on this 24th day of April, 1995, before me, the above signed, personally appeared Kenneth A. Coe & Richard K. Brown and acknowledged the foregoing instrument to be A voluntary act and deed.

Kenneth A. Coe & Richard K. Brown

Carol A. Summers
Notary Public For Oregon
My Commission expires: Aug. 23, 1998



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

Dated this 1 day of May, 1995

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

20.00

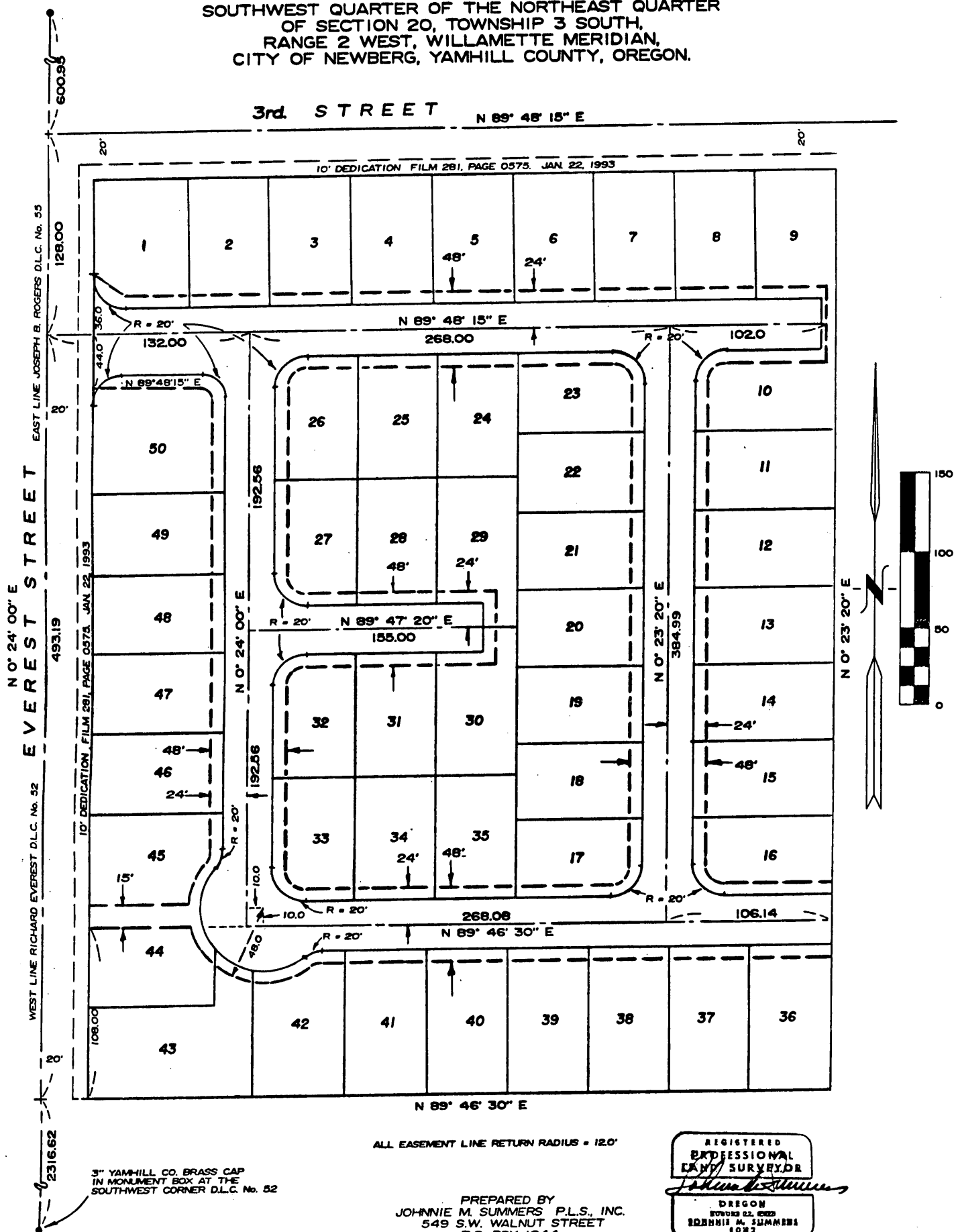
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1 0 D13 2 10.00 10.00 0.00 0.00 0.00 0.00

EXHIBIT "A"
PUBLIC UTILITY EASEMENT IN THE
SOUTHWEST QUARTER OF THE NORTHEAST QUARTER
OF SECTION 20, TOWNSHIP 3 SOUTH,
RANGE 2 WEST, WILLAMETTE MERIDIAN,
CITY OF NEWBERG, YAMHILL COUNTY, OREGON.

3rd. STREET N 69° 48' 15" E

10' DEDICATION FILM 281, PAGE 0575. JAN. 22, 1993



ALL EASEMENT LINE RETURN RADIUS = 12.0'

PREPARED BY
JOHNNIE M. SUMMERS P.L.S., INC.
549 S.W. WALNUT STREET
P.O. BOX 1044
HILLSBORO, OREGON 97123
(503) 648-2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JUNE 22, 1962
RONNIE M. SUMMERS
1962

2/2

4/24/95