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1:08:27 PM 6/05/2001

DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

\$36.00

AFTER RECORDING RETURN TO:

City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1835

PERMANENT STORM SEWER EASEMENT

In consideration of the sum of \$ 0 and other valuable consideration, NEWBERG AREA HABITAT FOR HUMANITY, an Oregon Non-Profit Corporation, 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 a pubic storm sewer line across and under the following described real property and a temporary access easement for the construction of said sewer line:

SEE ATTACHED EXHIBIT "A"

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

It is further understood that:

1. The Grantor(s) hereby release(s) the Grantee, its agents and employees, assigns and successors of any and all liability for damages not controlled by their actions or resulting from this conveyance.
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 herein above 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, the parties have executed this document on this 30th day of May, 2001.

NEWBERG AREA HABITAT FOR HUMANITY

By: [Signature]

Roy Gathercol, Executive Director
PO Box 118
Newberg, Oregon 97132



STATE OF OREGON)
COUNTY OF YAMHILL) s.s.

This instrument was acknowledged before me this 30 day of May, 2001, by Annette M. Haynie
Notary Public for Oregon

Notary Public for Oregon
My Commission expires: July 28, 2003

CITY OF NEWBERG

[Signature]
Duane R. Cole, City Recorder

Dated: May 30, 2001

APPROVED AS TO FORM

[Signature]
Terrence D. Mahr, City Attorney

Dated: 5/30/01

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

EXHIBIT "A"

PERMANENT EASEMENT FOR PUBLIC STORM SEWER

A part of that property conveyed to Newberg Area Habitat for Humanity by deed recorded December 29, 2000, as Instrument No. 200018540 in Deed Records for Yamhill County, and situated in Tracts 23 and 24 of HURLEY'S FRUITLAND SUBDIVISION, in Section 19, Township 3 South, Range 2 West, of the Willamette Meridian, in the City of Newberg, Yamhill County, Oregon and more particularly described as follows:

All that part of said Instrument No. 200018540 lying 10.00 feet on each side of the following described centerline and its northwesterly and southeasterly projections:

Beginning on the east line of said Instrument No. 200018540, at a point 21.00 feet south of the northeast corner thereof; thence N.87°19'21"W., 188.00 feet, more-or-less to the northwest corner of said Instrument No. 200018540.

Containing 3270 square feet more or less

Together with a temporary construction easement described as follows:

The northernmost 60.00 feet of said Instrument No. 200018540 as measured perpendicular to the north line thereof.

The temporary easement is automatically extinguished on the date of completion and acceptance of the storm drain or on December 29, 2002, whichever date is first.

Sheridan Street

FLOCK
TL 3219BA-2300

Existing 20' Public Utility Easement
County Survey No. P95-37

N87°18'21"W
188.00'

2100'

Easement end at
NW Property Corner

Proposed 20' Wide Storm
Drainage Easement

Temporary 60'
Construction Easement

HABITAT FOR HUMANITY
TL 3219BA-2200
INSTRUMENT NO. 200018540

EXHIBIT FOR A PROPOSED STORM DRAINAGE EASEMENT
N.W. 1/4 SEC. 19, T3S, R2W, WM - YAMHILL COUNTY, OREGON



0 30 60
SCALE IN FEET

DATE:

DRAWN BY: G. HAFFNER

CHECKED BY: L. ANDERSON

REVISIONS

JOB NO.



Anderson Engineering

Civil Engineering Land Surveying Mapping

112 N. Springbrook Road
Newberg, Oregon 97132

Email: andeng@open.org

Ph. 503-537-1110

Fax 503-537-0910