

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK

200116011



\$36.00

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09/11/2001 02:14:33 PM

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\$15.00 \$10.00 \$11.00

AFTER RECORDING RETURN TO:

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

PERMANENT STORM SEWER EASEMENT

In consideration of the sum of \$ 0 and other valuable consideration, Harry V. Hester and Lenda D. Hester 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 public 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 4th day of June, 2001.

Lenda D. Hester
Name

Deceased
Name

P.O. Box 1447
Address

Address

Ash Fork, AZ 86320
City, State, Zip

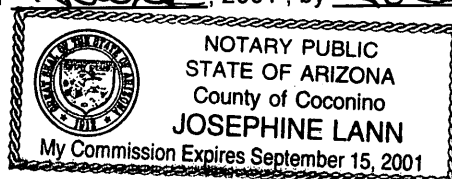
City, State, Zip

STATE OF Arizona)
County of Coconino) s.s.

This instrument was acknowledged before me this 4th day of June, 2001, by Josephine Lann
Notary Public

Notary Public for (state) Arizona

My Commission expires: 9-15-2001



CITY OF NEWBERG

APPROVED AS TO FORM

Duane R. Cole
Duane R. Cole, City Recorder

Terrence D. Mahr
Terrence D. Mahr, City Attorney

Dated: Aug. 31, 2001

Dated: 6/9/01

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 Block 29 of HURLEY AND LARGE'S ADDITION to the City of Newberg, a duly recorded subdivision in the northwest and northeast quarters of 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:

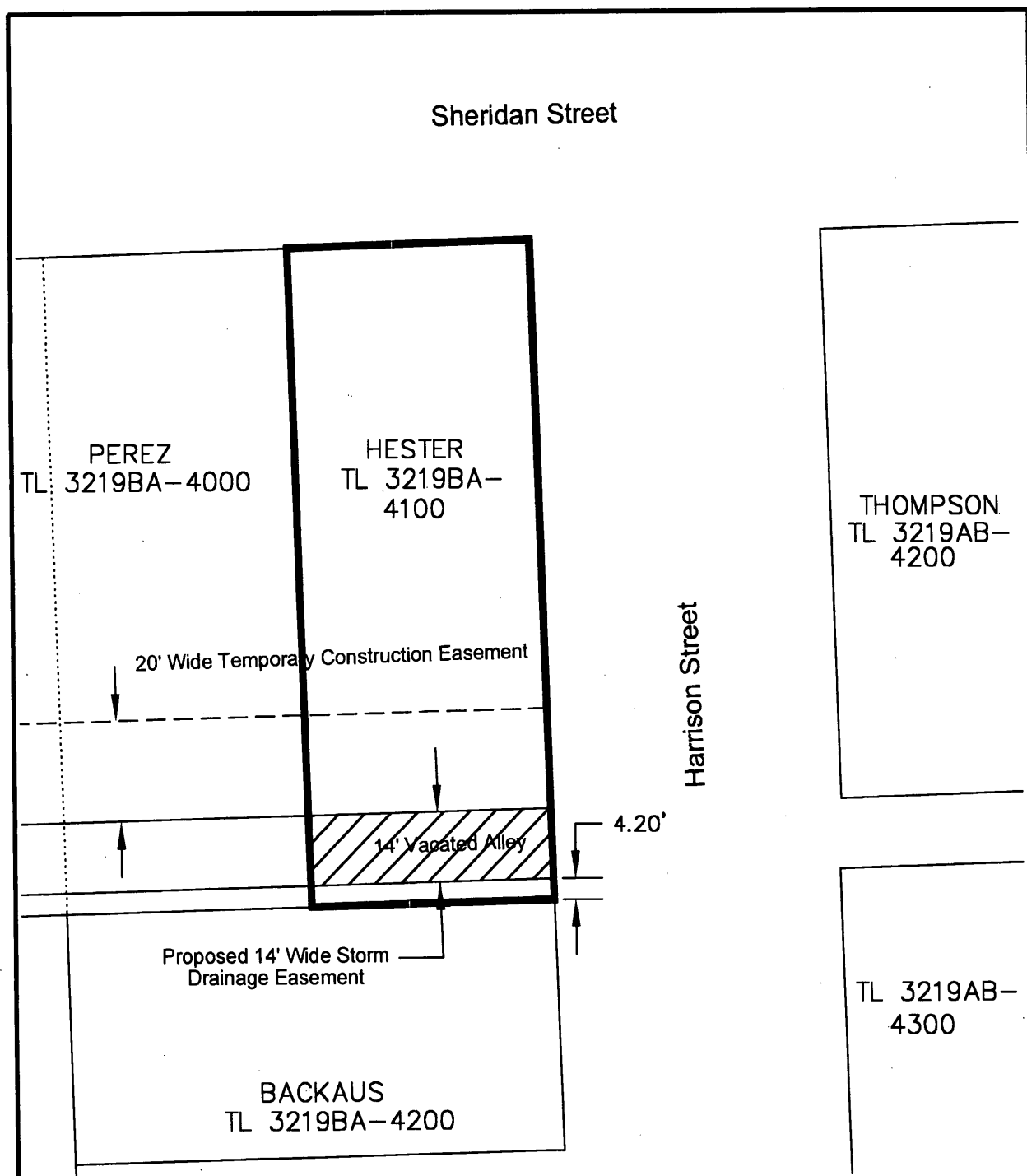
All that part of the now vacated 14.00 foot wide alley in Block 29 of Hurley and Large's Addition to the City of Newberg as platted, lying within that property conveyed by J.A. Hagglund and Marianne Hagglund to Harry V. Hester and Lenda D. Hester by warranty deed recorded July 27, 1979, in Film Volume 142, Page 791 Deed Records for Yamhill County

Containing 700 sq. ft., more or less

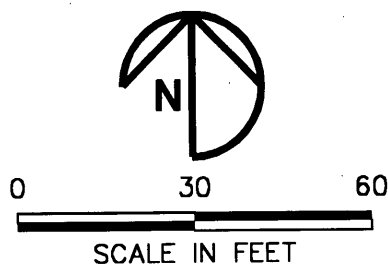
Together with a temporary construction easement described as follows:

The southernmost 20 feet of that property described in Film Volume 142, Page 791 lying north of and adjacent to the north line of the hereinabove described permanent easement.

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.



**EXHIBIT FOR A PROPOSED STORM DRAINAGE EASEMENT
N.W. 1/4 SEC. 19, T38, R2W, WM - YAMHILL COUNTY, OREGON**



DATE:	May, 2001
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