

**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. 1847

**PERMANENT STORM SEWER EASEMENT**

In consideration of the sum of \$ 0 and other valuable consideration, Michael S. Schwinof and Nanette S. Schwinof 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 16 day of May, 2001.

MICHAEL S. SCHWINOF  
Name

10655 SW WATKINS PLACE  
Address

TIGARD OR 97223  
City, State, Zip

Nanette S. Schwinof  
Name

10655 SW WATKINS PL  
Address

Tigard, OR 97223  
City, State, Zip

STATE OF Oregon )  
County of Yamhill ) s.s.

This instrument was acknowledged before me this 16 day of May, 2001, by Michael S. Schwinof  
signee name  
Nanette S. Schwinof  
Signee Name

Notary Public for Oregon  
My Commission expires:

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: July 18, 2001

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## 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:

A strip of land, 14.00 feet in width, being all of the now vacated alley in Block 29 of HURLEY AND LARGE'S ADDITION to the City of Newberg as platted, lying within that property conveyed to Michael S. Schwino and Nanette S. Schwino by Statutory Warranty Deed recorded November 9, 1995 in Document No. 199514739, 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 Document No. 199514739 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.

Sheridan Street

Morton Street

Lot 8

Lot 7

Lot 6

SCHWINOF  
TL 3219BA-3900

PEREZ  
TL 3219BA-4000

**BLOCK 29**

20' Temporary Construction Easement

3.00'

VACATED ALLEY

50'

Proposed 14' Wide Storm  
Drainage Easement

RATHKEY  
TL 3219BA-3800

E  
TL

**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: June, 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](mailto:andeng@open.org)

Ph. 503-537-1110

Fax 503-537-0910