

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. 1868

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK



\$31.00

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200119903

2:28:05 PM 11/08/2001

DMR-EDMR Cnt=1 Stn=3 SUSAN
\$10.00 \$10.00 \$11.00

TEMPORARY CONSTRUCTION EASEMENT

In consideration of the sum of \$0.00 and other valuable consideration, Stephen Merrill Roberts, herein called Grantor, does hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a temporary construction easement, for the purposes of replacing a building sewer to the following described real property:

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 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 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.

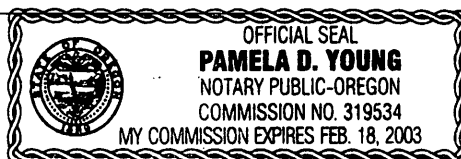
IN WITNESS WHEREOF, the parties have executed this document on this 25th day of October, 2001.

Stephen Merrill Roberts
Signature
814 E. HANCOCK ST
Address
NEWBERG OR 97132
City, State, Zip

STATE OF OREGON)
County of YAMHILL) s.s.

This instrument was acknowledged before me this 25th day of October, 2001 by Stephen Merrill Roberts
signee name

Pamela D. Young
Notary Public for Oregon
My Commission expires: 2-18-03



CITY OF NEWBERG

Terrence D. Mahr
Duane R. Cole, City Recorder
Dated: 11/05/01

APPROVED AS TO FORM

Terrence D. Mahr
Terrence D. Mahr, City Attorney
Dated: 11/05/01

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EXHIBIT "A"

Parcel 1:

A tract of land located in Section 19, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon said tract also being located in Block 15 over Lots 1 and 2 of Deskens Second Addition to the City of Newberg in Yamhill County, Oregon described as follows:

Beginning at a point that is West 43 feet from the original Northeast corner of Lot 15 in said subdivision thence South 20 feet more or less to a point.

Said temporary construction easement to be 10 feet on each side of the above described centerline.

Said temporary construction easement shall expire at the time of the City's final approval of construction of the Hancock Street Sanitary Sewer Replacement but in no case no later than August 2, 2002.

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