

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

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK



\$36.00

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200210193

4:12:02 PM 5/22/2002

DMR-EDMR Cnt=1 Stn=3 SUSAN
\$15.00 \$10.00 \$11.00

SLOPE & PUBLIC UTILITIES EASEMENT

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1917

In consideration of the sum of \$ 0 and other valuable consideration, George K. Austin and Joan D. Austin, herein called Grantors, do 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 an embankment and for constructing, installing, using, repairing underground utilities across 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 2nd day of May, 2002.

Joan D. Austin

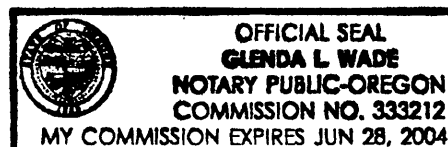
George K. Austin, Jr.
Name PO Box 209
Address Newberg, OR 97132
City, State, Zip

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

This instrument was acknowledged before me this 2nd day of May, 2002, by George K. Austin, Jr.
George K. Austin

Glenda L. Wade
Notary Public for Oregon
My Commission expires: June 28, 2004

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



AFTER RECORDING RETURN TO:

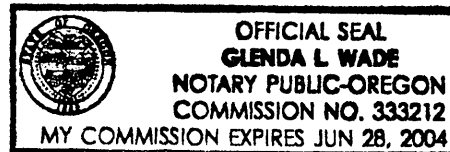
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

Slope and Utility Easement between City of Newberg and George and Joan Austin.

This instrument was acknowledged before me this 2nd day of May, 2002, by Joan D. Austin
Joan D. Austin

Glenda L. Wade
Notary Public for Oregon

My Commission expires: June 28, 2004



CITY OF NEWBERG

J. H. Bennett
Dated: 5/20/02

APPROVED AS TO FORM

Terrence D. Mahr
Terrence D. Mahr, City Attorney
Dated: 5/17/02

AFTER RECORDING RETURN TO:
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EXHIBIT "A"

Parcel 1

A tract of land being 15 feet wide located in the North half of Sections 17 and 18 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon described as follows:

Beginning at a point on the East line of Highway 219, said point being 119.94 feet South and 5.0 feet East of an iron pipe at the East line of said highway and the South line of Section 7 in said Township and Range; thence Northeasterly along the arc of a 50 foot radius curve to the right 78.48 feet (Long Chord bears N44°45'45"E 70.67 feet); thence following the South line of Mountainview Drive N89°43'40"E 358.82 feet to an iron rod; thence Northeasterly along the arc of a 251.90 foot radius curve left 50.28 feet (Long Chord bears N84°00'36"E 50.19 feet) to an iron rod; thence Northeasterly along the arc of a 251.90 foot radius curve right 50.28 feet (Long Chord bears N84°00'36"E 50.19 feet) to an iron rod; thence N89°43'40"E, along the south line of said street, 1628.91 feet more or less to an iron rod; thence Southwesterly along the arc of a 270 foot radius curve to the left, 92.97 feet (Long Chord bears S79°51'49"W 92.51 feet) to a point that is 15 feet South of the South line of said street; thence S89°43'40"W 1540.2 feet more or less to a point; thence Southwesterly along the arc of a 236.90 foot radius curve to the left 47.29 feet (Long Chord bears S84°00'36"W 47.20 feet); thence Southwesterly along the arc of a 266.9 foot radius curve to the right 53.27 feet (Long Chord bears S84°00'36"W 53.18 feet); thence S89°43'40"W 358.82 feet to a point; thence along the arc of a 35 foot radius curve left 54.94 feet (Long Chord bears S45°14'12"W 49.47 feet); thence N89°47'50"W 15 feet to the point of beginning.

Parcel 2

A tract of land being 10 feet wide located in the South half of Section 8 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon described as follows:

Beginning at a point that is N89°43'40"E 145.6 feet from the Southwest corner of Section 8 in said Township and Range, said point also being the Southeast corner of Lot 15 of Green Valley subdivision, thence North along the East line of said Lot 15 10.00 feet; thence N89°43'40"E, parallel to the North line of Mountainview Dr. 1356.6 feet more or less to a point; thence Northeasterly along the arc of a 260 foot radius curve left 69.91 feet (Long Chord bears N82°18'37"E 67.13 feet); thence Northeasterly along the arc of a 340 foot radius curve to the right 85.44 feet (Long Chord bears N82°18'37"E 87.79 feet); thence N89°43'40"E 30 feet more or less to the Northerly extension of the West line of Villa Road; thence South along the West line of Villa Road 30 feet to the North line of Mountainview Drive; thence West along the North line of Mountainview Drive 30 feet more or less to an iron rod; thence Southwesterly along the arc of a 330 foot radius curve left 85.44 feet (Long Chord bears S82°18'37"W 85.21 feet); thence Southwesterly along the arc of a 270 foot radius curve right 69.91 feet (Long Chord bears S82°18'37"W 69.71 feet) to an iron rod; thence S89°43'40"W 1356.6 feet more or less along the North line of Mountainview Drive to the point of beginning.