

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

200210192 4:12:02 PM 5/22/2002
DMR-EDMR Cnt=1 Stn=3 SUSAN
\$15.00 \$10.00 \$11.00

PUBLIC UTILITY EASEMENT

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1925

In consideration of the sum of \$ 0 and other valuable consideration, Newberg Christian Church, 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 underground utilities and street lighting fixtures

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 15TH day of May, 2002

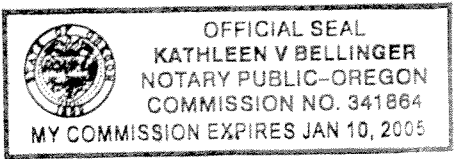
Jim Hirte for Newberg Christian Church
Name
2315 Villa Road
Address
Newberg, OR 97132
City, State, Zip

THIS IS AN ACCOMMODATION RECORDING ONLY
IT HAS NOT BEEN EXAMINED AS TO ITS CONTENT
BY THE WEST TITLE COMPANY

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

This instrument was acknowledged before me this 15th day of May, 2002 by Jim Hirte, Chair of Elders

Kathleen V Bellinger
Notary Public for Oregon
My Commission expires: January 10, 2005



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Public Utility Easement between City of Newberg and Newberg Christian Church.

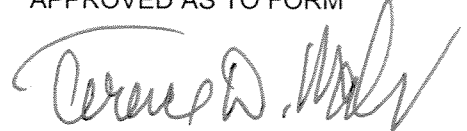
CITY OF NEWBERG

APPROVED AS TO FORM



J. H. Bennett, City Recorder

Dated: May 15, 2002



Terrence D. Mahr, City Attorney

Dated: May 15, 2002

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EXHIBIT "A"

Parcel 1:

A parcel of land in Section 17, Township 3 South, Range 2 West of the Willamette Meridian in the City of Newberg, Yamhill County, Oregon, and described as follows:

Beginning at a point that is N 89° 43' 40" E 1407.43 feet and S 0° 16' 20" E 60.00 feet from the Northwest corner of Section 17 in said Township and Range; thence N 89° 43' 40" E along the South line of Mountainview Drive 94.05 feet; thence Northeasterly along the arc of a 330 foot radius curve to the left 85.44 feet (Long Chord bears N 82° 18' 37" E 85.21 feet; thence Northeasterly along the arc of 270 foot radius curve to the right 69.91 feet (Long Chord bears N 82° 18' 37" E 69.71 feet); thence N 89° 43' 40" E 9.75 feet; thence Southeasterly along the arc of a 20 foot radius curve to the right 31.52 feet to the West line of Villa Road (Long Chord bears S 45° 07' 49" E 28.35 feet); thence N 89° 59' 18" W 10.00 feet; thence Northwesterly along the arc of a 10 foot radius curve to the left 15.67 feet to a point 10.00 feet South of the South line of Mountainview Drive(Long Chord bears N 45° 07'49" W 14.18 feet); thence S 89° 43' 40" W 9.75 feet; thence along the arc of a 260 foot curve to the left 67.32 feet (Long Chord bears S 82° 18' 37" W 67.13 feet); thence Southwesterly along the arc of a 340 foot radius curve to the right 88.03 feet (Long Chord bears S 82° 18' 37" W 87.79 feet); thence S 89° 43' 40" W 166.85 feet to a point on a 270 foot radius curve right; thence Northeasterly along said curve 73.71 feet (Long Chord bears N 81° 54' 25" E 73.48 feet) to the point of beginning.