

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

200213612



\$31.00

00094584200200136120020029

07/15/2002 09:26:08 AM

DMR-EDMR Cnt=1 Stn=2 CITY OF NEWBERG

\$10.00 \$10.00 \$11.00 CITY RECORDER INDEX NO. 1950

TRAFFIC SIGNAL POLE EASEMENT

In consideration of the sum of \$ 0.00 and other valuable consideration, Kathleen M. Davis, herein called Grantor(s), 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 a traffic signal pole over the following described real property, also a temporary construction easement for the installation of a traffic signal pole:

SEE ATTACHED EXHIBIT "A"

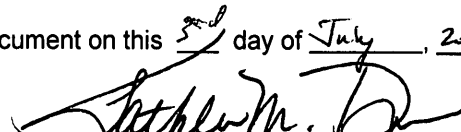
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

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.

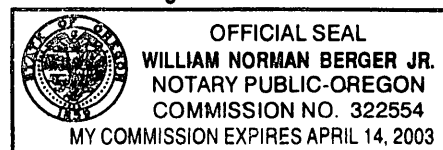
IN WITNESS WHEREOF, the parties have executed this document on this 3rd day of July, 2002.


Kathleen M. Davis
617 Donald Lane
Newberg, Oregon 97132

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

This instrument was acknowledged before me this 3rd day of July, 2002, by Kathleen M. Davis.

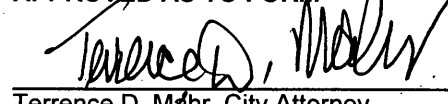

Notary Public for Oregon
My Commission expires: 4/14/2003



CITY OF NEWBERG


James H. Bennett, City Recorder
Dated: 7/8/02

APPROVED AS TO FORM


Terrence D. Mahr, City Attorney
Dated: June 27, 2002

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EXHIBIT "A"

Permanent Easement

A parcel of land located in the Southeast quarter of Section 7, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more specifically located in the Southeast corner of Lot 10 of Block 3 in Buckley's Mountainview Park described as follows:

Beginning at a point on the North line of Mountainview Drive N 89° 48' 40" E 80.36 feet from an iron rod located at the Southwest corner of said Lot, thence N 89° 48' 40" E 5.00 feet to a point, thence Northeasterly along the arc of a 10.00 foot radius curve to the left 15.71 feet (Long Chord bears N 44° 48' 40" E 14.14 feet); thence North along the West line of North College Street 2.00 feet to a point; thence S 51° 08' 57" W 19.21 feet to the point of beginning.

Temporary Construction Easement

A parcel of land located in the Southeast quarter of Section 7, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more specifically located in the Southeast corner of Lot 10 of Block 3 in Buckley's Mountainview Park described as follows:

Beginning at a point on the North line of Mountainview Drive N 89° 48' 40" E 75.36 feet from an iron rod located at the Southwest corner of said Lot, thence N 89° 48' 40" E 10.00 feet to a point, thence Northeasterly along the arc of a 10.00 foot radius curve to the left 15.71 feet (Long Chord bears N 44° 48' 40" E 14.14 feet); thence North along the West line of North College Street 10.00 feet to a point; thence S 89° 48' 40" W 20.00 feet; thence S 0° 11' 20" E 20.00 feet to the point of beginning.

Said temporary construction easement to expire on completion and acceptance of the installation of the traffic signal pole by the City of Newberg and the Oregon Department of Transportation or December 31, 2002, whichever occurs first.