

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

200218036



\$31.00

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09/12/2002 02:21:43 PM

DMR-EDMR Cnt=1 Stn=2 ANITA

\$10.00 \$10.00 \$11.00

STORM SEWER EASEMENT

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1958

In consideration of the sum of \$ 0 and other valuable consideration, Larry C. Rice, 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 a storm sewer, also a temporary construction easement for the installation of the storm sewer 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 29 day of August.

Larry C. Rice
Larry C. Rice
23550 NE Hagey Road
Dundee, Oregon 97132

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

This instrument was acknowledged before me this 29 day of August, 2002 by Larry Rice.

Janet L Winder
Notary Public for Oregon
My Commission expires: 5/6/05



CITY OF NEWBERG

James H. Bennett
James H. Bennett, City Recorder
Dated: 6/19/02

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

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

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EXHIBIT "A"

Permanent Easement

A strip of land 15 feet in width being 7.50 feet on both sides of the following described centerline:

A parcel of land located in the Northeast quarter of the Northwest quarter of Section 19 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon described as follows: Beginning at a point that is North 29.61 feet from the Southwest corner of Lot 1 of Block 9 of Hurley and Larges Addition to the City of Newberg; thence S 89°58' E 108 feet to a point; thence S 40° 10' E 16 feet more or less to the Northwesterly right of way line of the Southern Pacific Railroad right-of-way.

Temporary Construction Easement

A strip of land 40 feet in width being 20 feet on both sides of the following described centerline:

A parcel of land located in the Northeast quarter of the Northwest quarter of Section 19 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon described as follows: Beginning at a point that is North 29.61 feet from the Southwest corner of Lot 1 of Block 9 of Hurley and Larges Addition to the City of Newberg; thence S 89°58' E 108 feet to a point; thence S 40° 10' E 16 feet more or less to the Northwesterly right of way line of the Southern Pacific Railroad right of way.

The temporary construction easement shall be automatically extinguished on the date of completion and acceptance of the storm sewer within it or on December 29, 2002.

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