

AFTER RECORDING RETURN TO:

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

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

TEMPORARY CONSTRUCTION EASEMENT

~~CITY OF NEWBERG~~
CITY RECORDER INDEX NO. 970

In consideration of the sum of \$ 0.00 and other valuable consideration, S. P. Newsprint, 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 storage of materials and construction access to that property referenced as the Newberg Water Treatment Plant:

SEE ATTACHED EXHIBIT "A"

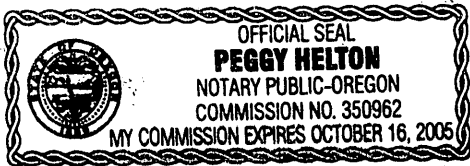
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

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.
4. Said temporary construction easement to be extinguished September 1, 2003

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 4th day of Nov, 2002.



Mark Bawlings
Authorized Representative's Name
For SP Newsprint
1301 Wynoski St.
Address
Newberg OR 97132
City, State, Zip

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

This instrument was acknowledged before me this 4 day of Nov, 2002, by MARK BAWLINGS
signee name

Peggy Helton
Notary Public for Oregon
My Commission expires: 10/16/05

CITY OF NEWBERG
ACCEPTED:
James H. Bennett
James H. Bennett, City Recorder
Dated: 11/7/02

APPROVED AS TO FORM
Terrence D. Mahr
Terrence D. Mahr, City Attorney
Dated: 11/6/02

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK

00106035200200225460030032

200222546 3:51:26 PM 11/14/2002

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

\$36.00

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EXHIBIT "A"

A part of the Wynooski subdivision of the Samuel D. Snowden Donation Land Claim in Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point at the Northeast corner of the land conveyed to Claris D. Shores and Fern E. Shores by deed recorded June 5, 1948 in Book 149 Page 16 Yamhill County Deed Records at a point 145 feet East of the Northwest corner of Lot 7 of said subdivision, said point being the True Point of Beginning; thence East 175 feet to an iron pipe; thence North 20 feet to the centerline of the vacated portion of Wynooski Street; thence West, parallel to the South line of Wynooski Street 175 feet; thence South 20 feet to the point of beginning.

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July 16, 2002

SP Newsprint Co.

Re: Delegation of Authority
SP Newsprint Co., Newberg, Oregon Newsprint Mill

SP Newsprint Co. owns and operates a newsprint mill in Newberg, Oregon. SP Newsprint Co. is a general partnership, which is composed of the following general partners: Virginia Paper Manufacturing Corp., KR Newsprint Company, Inc., and CEI Newsprint, Inc. As an officer of one of the general partners of SP Newsprint Co., I am authorized to execute and certify documents to be submitted to governmental agencies with regulatory authority over SP Newsprint Co.'s Newberg mill including those agencies with regulatory authority relating to environmental, health and safety issues. Such documents may include, but are not limited to, periodic reports, notifications, permit applications, permits and permit modifications or amendments.

I hereby delegate this authority to the Senior Vice President of Manufacturing for SP Newsprint Co., currently held by Mr. Mark Rawlings, so that any necessary documentation that must be filed with a governmental agency concerning SP Newsprint Co.'s Newberg mill can be timely reviewed and approved by such local company personnel familiar with the plant operations. Mr. Rawlings may be reached at P.O. Box 1169, Dublin, Georgia, and contacted by telephone at (478) 275-6381.

Please call me if you have any questions regarding this delegation of authority.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Marshall N. Morton', written over a horizontal line.

Marshall N. Morton

C: Mr. Mark Rawlings