

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

CITY OF NEWBERG
CITY RECORDER INDEX NO. 2003

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK

200310576



\$36.00

00124601200300105760030039

05/07/2003 01:16:12 PM

DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

TEMPORARY CONSTRUCTION EASEMENT (TL 3207DB 04300)

WESTERN OREGON CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS *car RB*

In consideration of the sum of \$ 0.00 and other valuable consideration, Newberg Seventh Day Adventist Church, herein called Grantors, do hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a temporary construction easement for the purposes of constructing and installing a sanitary sewer pipeline located along the southern boundary of TL 3207DB 04300.

SEE ATTACHED EXHIBIT "A" AND "B"

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 APRIL, 2003.

WESTERN OREGON CONFERENCE ASSOCIATION OF SEVENTH-DAY ADVENTISTS

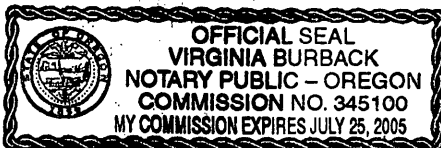
by: C. Randolph Robinson
C. RANDOLPH ROBINSON
Vice President

by: Ronald M. Smith
Signee Name RONALD M. SMITH
Secretary
Title
For Seventh Day Adventist Church *car RB*

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

This instrument was acknowledged before me this 29th day of APRIL, 2003, by C. Randolph Robinson & Ronald M. Smith as
Vice President & Secretary *signee name*
of Newberg Seventh Day Adventist Church, WESTERN OREGON CONFERENCE
type of authority ASSOCIATION OF SEVENTH-DAY ADVENTISTS. *car RB*

Virginia Burback
Notary Public for Oregon
My Commission expires: 7-25-05



CITY OF NEWBERG
ACCEPTED:

James H. Bennett
James H. Bennett, City Recorder
Dated: 4/14/03

APPROVED AS TO FORM

Terrence D. Mahr
Terrence D. Mahr, City Attorney
Dated: 4/14/03

AFTER RECORDING RETURN TO:

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

EXHIBIT "A"

Temporary Construction Easement

A 30.00 foot temporary construction easement located in the James Morris Donation Land Claim No. 46 and the Southeast Quarter of Section 7, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon and being a portion of Tract "B" of The Meadows No. 3 recorded in Yamhill County Instrument No. 199513279 dated October 5, 1995, said easement lying 15.00 feet on both sides of the following described centerline and being limited by the East and West lines of said Tract "B":

BEGINNING at the Southwest corner of said Tract "B";

THENCE Northerly, 35.00 feet along the West line of said Tract "B" to the TRUE POINT OF BEGINNING;

THENCE Easterly along a line parallel to the South line of said Tract "B" to the East line of said Tract "B";

Said easement is intended to lie North of and adjacent to a 20.00 foot public sanitary sewer easement and a 43.00 foot public sanitary sewer and storm sewer easement as shown in said Yamhill County Instrument No. 199513279.

THE MEADOWS NO. 3

LOCATED IN THE JAMES MORRIS DONATION LAND CLAIM, NO. 46
IN THE SOUTHEAST QUARTER OF SECTION 7,
TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN
CITY OF NEWBERG, YAMHILL COUNTY, OREGON

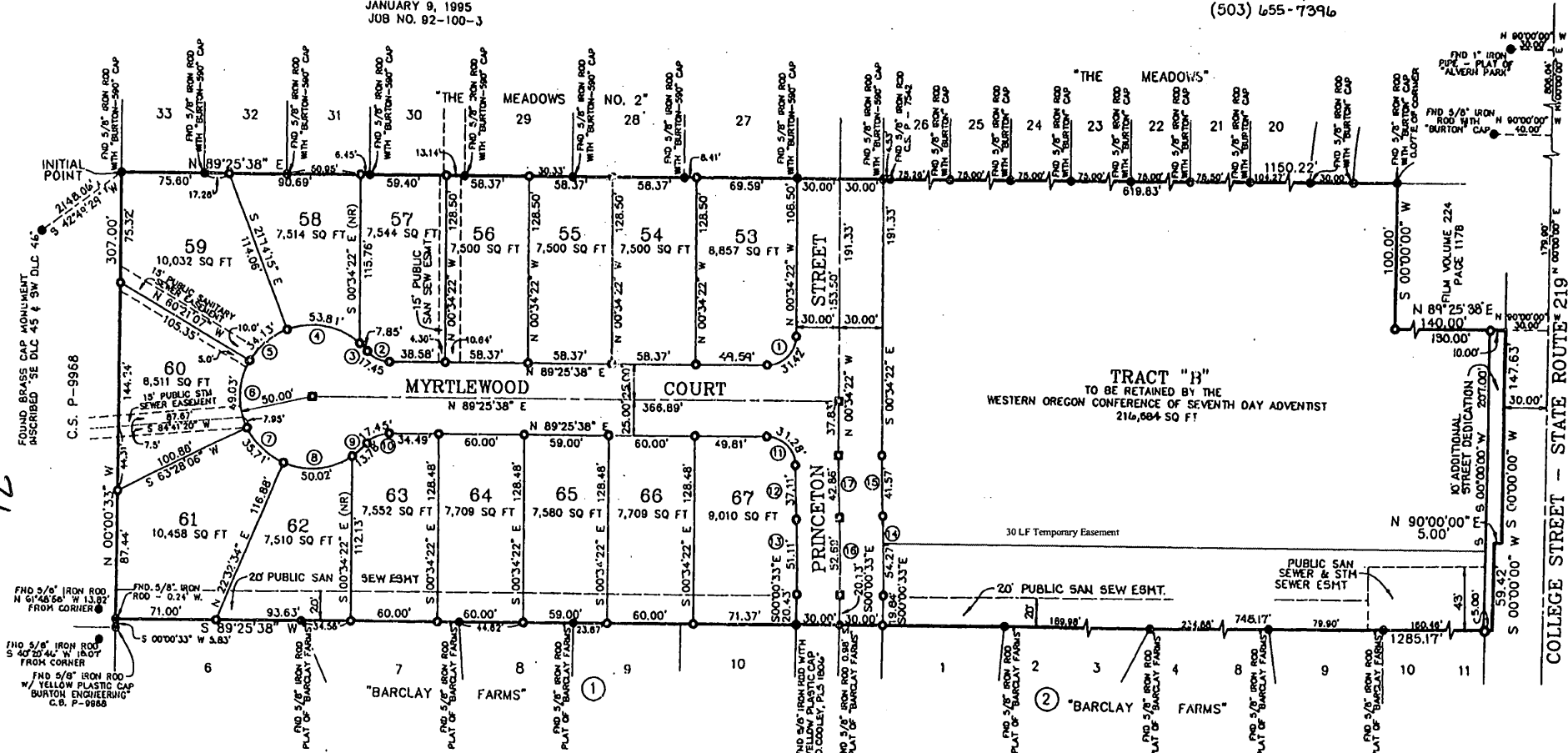
PLATBOOK 4 PAGE 163

I CERTIFY THAT THIS TRACING IS AN EXACT
COPY OF THE ORIGINAL SUBDIVISION PLAT.

Thomas H. Burton
THOMAS H. BURTON, PLS 590

SCALE 1"=50'
JANUARY 9, 1995
JOB NO. 92-100-3

SURVEYED BY:
BURTON ENGINEERING & SURVEYING
15 S.E. 82ND DRIVE
GLADSTONE, OR. 97207
(503) 655-7396



NOTES:

A 13 FOOT PUBLIC UTILITY EASEMENT IS HEREBY GRANTED ALONG ALL FRONT PROPERTY LINES.

A FIVE FOOT PUBLIC UTILITY EASEMENT IS HEREBY GRANTED ALONG ALL SIDE PROPERTY LINES.

A 15 FOOT PUBLIC UTILITY & DRAINAGE EASEMENT IS HEREBY GRANTED ALONG ALL REAR PROPERTY LINES.

SIDE PROPERTY LINES ALONG CURVES ARE RADIAL LINES EXCEPT WHERE NOTED (NR) (NON-RADIAL).

FOUND 5/8" IRON ROD WITH "BURTON" CAP

FOUND 5/8" IRON ROD WITH "BURTON-590" CAP

FOUND 5/8" IRON ROD WITH PLASTIC YELLOW CAP INSCRIBED "BURTON ENGINEERING" PLAT OF "THE MEADOWS"

FOUND 5/8" IRON ROD WITH PLASTIC YELLOW CAP INSCRIBED "BURTON ENGINEERING - PLS 590" PLAT OF "THE MEADOWS, NO. 2"

LEGEND

● FOUND MONUMENT AS SHOWN

■ SET 5/8" X 30" IRON ROD WITH PLASTIC YELLOW CAP INSCRIBED "BURTON ENGINEERING - PLS 590" IN SURVEY MONUMENT BOX

● SET 5/8" X 30" IRON ROD WITH PLASTIC YELLOW CAP INSCRIBED "BURTON ENGINEERING - PLS 590"

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Thomas H. Burton
OREGON
JANUARY 14, 1993
THOMAS H. BURTON
PLS 590

EXPIRES 12/31/99

EXHIBIT

B