

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. 2007

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK



\$36.00

00132620200300167860030038

200316786

1:52:28 PM 7/11/2003

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

PUBLIC UTILITY EASEMENT (Pipeline)

In consideration of the sum of \$ 0.00 and other valuable consideration, Bob G. Mitchell and James R. Mitchell, herein called Grantors, do hereby convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, a temporary construction easement for the purpose of constructing and installing a sanitary sewer, within a perpetual and permanent public utility easement at the northern most portion of TL 3207DC 11104.

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 30 day of April, 03.

Bob G. Mitchell
Bob G. Mitchell

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

This instrument was acknowledged before me this 30 day of April, 2003, by Bob G. Mitchell.

Michelle Padilla
Notary Public for Oregon
My Commission expires: 4/10/04



IN WITNESS WHEREOF, the parties have executed this document on this 12 day of May, 2003.

James R. Mitchell
James R. Mitchell

STATE OF OREGON, }
County of Yamhill } ss.

FORM No. 23—ACKNOWLEDGMENT.
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BE IT REMEMBERED, That on this 12 day of May, 2003, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named James R. Mitchell

known to me to be the identical individual..... described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Kathleen Niehus
Notary Public for Oregon
My commission expires 5-5-07

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

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Newberg, OR 97132

EXHIBIT "A"

Temporary Construction Easement

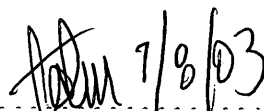
A 20.00-foot temporary construction easement located in the southeast quarter of Section 7, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon being a portion of Lot 33 of Cottonwood Meadows No. 2, a subdivision recorded in Volume 12, Page 38, dated June 8th, 2001, Yamhill County Deed Mortgage Records, said easement being more particularly described as follows;

The most northerly 20.00 feet of said Lot 33 being South of and adjacent to a 10.00-foot permanent public utility easement adjacent to the North line of said Lot 33 as shown in said Yamhill County Volume 12, Page 38.

ACCEPTED:



James H. Bennett
City Manager



Terrence D. Mahr
City Attorney

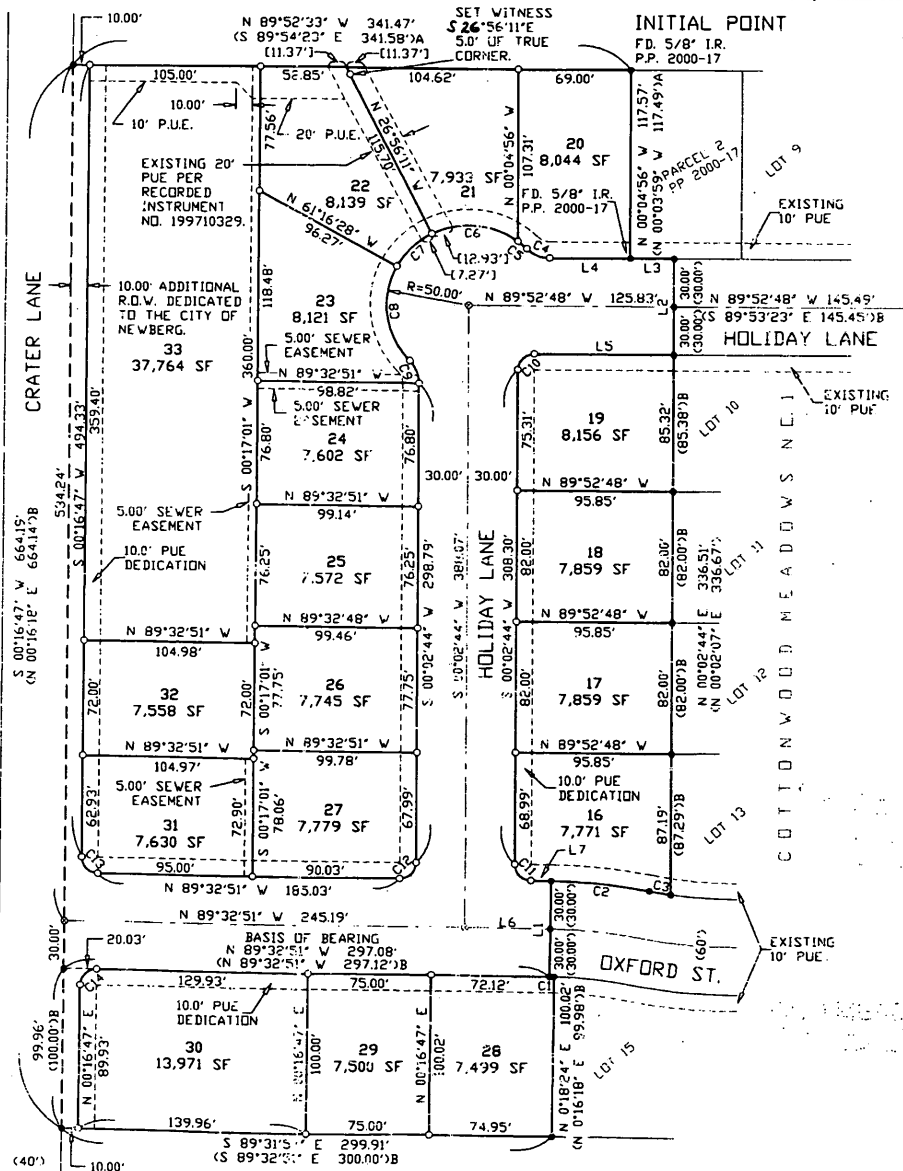
COTTONWOOD MEADOWS NO. 2

A REPLAT OF PARCEL 1 OF YAMHILL COUNTY PARTITION PLAT 2000-17
SE 1/4 SECTION 7, TOWNSHIP 3 SOUTH, RANGE 2 WEST, W.M.
CITY OF NEWBERG, YAMHILL COUNTY, OREGON

APRIL 6, 2001

VOLUME 12 PAGE 38

PLATBOOK PAGE



LEGEND

- MONUMENT FOUND AS PER COTTONWOOD MEADOWS NO. 1 UNLESS NOTED OTHERWISE
- MONUMENT SET 5/8"x30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED: JIM UDELL RLS 1366
- MONUMENT SET 5/8"x30" IRON ROD WITH ALUMINUM CAP STAMPED: JIM UDELL RLS 1366
- FD FOUND
- C.S. COUNTY SURVEY
- PUE PUBLIC UTILITY EASEMENT
- () DATA OF RECORD PER PARTITION PLAT 2000-17 UNLESS NOTED OTHERWISE
- [] REFERENCE SURVEY: PARTITION PLAT 2000-17, COTTONWOOD MEADOWS NO. 1 (B)
- [] CALCULATED DATA
- IR IRON ROD
- IP IRON PIPE

LINE	BEARING	LENGTH
L1	N00°27'09"E	60.00
L2	(N00°27'09"E)	(60.00)
L3	N00°07'44"E	76.00
L4	(S89°52'48"W)	(27.00)
L5	(S89°52'48"W)	(27.00)
L6	N89°32'51"W	51.98
L7	N89°32'51"W	12.26

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	270.00	0°36'39"	2.88	N89°14'32"W	(2.88)
C2	330.00	10°33'36"	60.82	N84°16'03"W	(60.74)
C3	270.00	0°36'39"	2.88	S89°14'32"W	(2.88)
C4	20.00	44°24'15"	15.50	N82°09'43"W	(15.12)
C5	50.00	8°03'06"	7.03	N49°29'09"W	(7.02)
C6	50.00	63°23'37"	55.32	N85°12'30"W	(52.54)
C7	50.00	34°22'44"	30.00	S45°54'19"W	(29.55)
C8	50.00	73°05'11"	63.78	S07°49'37"E	(59.54)
C9	20.00	44°24'15"	15.50	N82°09'43"W	(15.12)
C10	10.00	90°04'28"	15.72	S45°04'58"W	(14.15)
C11	10.00	89°23'35"	15.64	S44°45'03"E	(14.09)
C12	10.00	90°24'23"	15.78	N45°14'57"E	(14.19)
C13	10.00	89°44'38"	15.68	S44°38'02"E	(14.12)
C14	10.00	9°19'22"	15.74	S45°21'58"W	(14.16)

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

J. Udell
JIM UDELL

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
September 23, 1977
JIM UDELL
1366
EXPIRES 06-30-2002

ENGINEER
8072
SURVEYOR
1366
JAMES F. UDELL
ENGINEERING & SURVEYING
63 EAST ASH ST.
LEBANON, OREGON
97355
PH. (541) 451-5125
FAX (541) 451-1366

Received 06-11-01
County Surveyor

3/3/01