

AFTER RECORDING RETURN TO:
City Attorney's Office
City of Newberg
P.O. Box 970
Newberg, OR 97132

CITY OF NEWBERG
CITY RECORDER INDEX NO. 2164

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200517153



\$41.00

00207865200500171530040049

08/09/2005 01:38:26 PM

DMR-EDMR Cnt=1 Stn=2 ANITA

\$20.00 \$10.00 \$11.00

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

WATER LINE EASEMENT

In consideration of the payment of \$10,000.00, the receipt of which is hereby acknowledged, PERRY ARANA, hereinafter called Grantor, does 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 water line 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 rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor, his 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.
2. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, within thirty (30) days of completion of the construction.
3. The Grantor hereby releases 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.

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Larry Anderson, PE, PLS
112 N. Springbrook Road
Newberg, Oregon 97132

Date: May 3, 2005

LEGAL DESCRIPTION - Permanent public water line easement across Tax Lot 3219BA-5200

A 15.00 foot wide public water line easement across that property conveyed to Perry A. Arana and Lovena A. Arana on February 8, 1996 by deed recorded in Instrument 199602329 Deed Records of Yamhill County, being a part of Lot 27 of HURLEY'S FRUITLAND SUBDIVISION in Section 18, Township 3 South, Range 2 West, Yamhill County, Oregon, and being more particularly described as follows:

Beginning at an iron rod in the northwest corner of Lot 27 of HURLEY'S FRUITLAND SUBDIVISION; thence South 89°24'00" East along the north line of said Lot 27, 240.00 feet to an iron rod at the northwest corner of TRACT 2 of partition survey CSP-5233 recorded on September 16, 1971, Yamhill County Survey Records and also being the northwest corner of said deed recorded in Instrument 199602329, Yamhill County Deed Records, said iron rod being the TRUE POINT OF BEGINNING of the 15.00 foot wide easement;

Thence South 0°16'00" West along the west line of said Instrument 199602329, 191.14 feet to an iron rod in the north line of Canyon Lane (deed calls for 192.14 feet); thence southeasterly along the north line of Canyon Lane on a 50 foot radius curve right (long chord bears South 59°12'34" East 17.41 feet) an arc distance of 17.50 feet to a point; thence North 0° 16' 00" East 199.90 feet to a point on the north line of said Lot 27, thence North 89°24'00" West 15.00 feet to the point of beginning.

Containing 2,924 sq. ft. more or less.

Exhibit A

60'

Location: SW 1/4 Section 18, T. 3 S., R. 2 W., WM.,
in Lot 27, HURLEY'S FRUITLAND SUBDIVISION
Yamhill County, OR

Tax Lot: 3218BA- 5200

Date: 11 May 2005

ASPEN ESTATES

TRACT A
ROADWAY AND PUBLIC
UTILITY EASEMENT

12

13

14

40'

TRACT A

S89°24'00"E

I.R.

S89°24'00"E

240.00'

N89°24'00"W
15.00'

IRON ROD AT
NORTHWEST CORNER
LOT 27, HURLEY'S
FRUITLAND SUBDIVISION

WEST LINE LOT 26
HURLEY'S FRUITLAND
SUBDIVISION

ARANA
Instr.#199602329
PARTITION SURVEY
CSP-5233

TL 5203

TL 5200

27

S0°16'00"W

191.14' (192.14 DEED)

N0°16'00"E 199.90'

R=50.00'
L=17.50'
Δ=23°03'23"
Chord=17.41'
S59°12'34"E

26

15' PUBLIC WATER
LINE EASEMENT

TL 5202

I.R.

TL 5204

North

R=50'

N20°14'36"E

N40°17'59"E

Canyon

Lane

30'

30'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Larry Anderson

OREGON
February 14, 1985
LAWRENCE J. ANDERSON
2122

Renewable 31 December 2005

0173

By : Anderson Engineering, Inc.
112 N. Springbrook Road
Newberg, Oregon 97132
Phone : 503-537-1110
Fax: 503-537-0910
Email: andengi@comcast.net

Scale: 1" = 50'

EXHIBIT A

DATE

2. 00 2

4/4