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to correct Grantors

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK



\$41.00

200521231 2:26:46 PM 9/27/2005
DMR-EDMR Cnt=1 Stn=1 KAREN
\$20.00 \$10.00 \$11.00

AFTER RECORDING RETURN TO:

Applicant to return to
City of Newberg - Public Works Department c/o Jerry Dale
PO Box 970 - 414 E. First Street
Newberg, OR 97132

PUBLIC UTILITIES EASEMENT

in consideration of the sum of \$ 0.00 and other valuable consideration, Jerry Dale **and Airpark Properties LLC
Whitney Family Properties, Limited Partnership, and Sam Whitney
Family Trust, Lessie W. Dale, Trustee, 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 public utilities and access by emergency vehicles, including waterline and fire hydrant usage, across the following described real
property:

SEE ATTACHED EXHIBITS "A", "B" & "C"

TO HAVE AND TO HOLD said easements 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.

NWT-C

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 16th day of September, 2005.

Jerry Dale
Jerry Dale, Member
Airpark Properties, LLC

Jerry Dale
Jerry Dale, President, for Sportsman Airpark, Inc.
General Partner

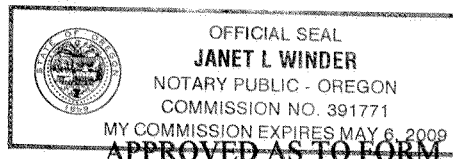
Lessie W. Dale
Lessie W. Dale, Trustee, for
Sam Whitney Family Trust

PO Box 248 - Newberg, Oregon 97132

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

This instrument was acknowledged before me this 16 day of September 2005, by Jerry Dale & Lessie Dale.

Janet L. Winder
Notary Public for Oregon
My Commission expires: 5/6/09



CITY OF NEWBERG
ACCEPTED:
James H. Bennett (Acting CM)
James H. Bennett, City Recorder
Dated: 9/26/05

Terrence D. Mahr
Terrence D. Mahr, City Attorney
Dated: 9/26/05

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

This instrument was acknowledged before me this 21st day of November, 2005, by Jerry Dale.

Melody Buchholz
Notary Public for Oregon
My Commission expires: April 10, 2007



APPROVED AS TO FORM AND CONTENT

Terrence D. Mahr

Terrence D. Mahr
City Attorney

Dated: 11/22/05

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200526487



\$66.00

00218492200500264870050054

11/23/2005 10:24:21 AM

DMR-EDMR Cnt=1 Stn=2 ANITA
\$25.00 \$10.00 \$20.00 \$11.00

EXHIBIT A

Matt Dunckel & Assoc.
3765 Riverside Drive
McMinnville, Oregon. 97128
Phone: 472-7904
Fax: 472-0367

Date: 1 Aug. 2005

**AIRPARK PROPERTIES, LLC – Legal Description of P.U.E. and
Emergency Vehicles Easement**

A water line easement in Section 20, Township 3 South, Range 2 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the southwest corner of Parcel 2 of Yamhill County Partition Plat No. 90-21; thence North 89°21'07" West 30.55 feet; thence South 00°36'05" West 38.85 feet; thence South 28°44'40" East 57.36 feet; thence South 89°38'08" East 30.14 feet to the west line of Lot 1 of Block 1 of AIRPARK BUSINESS COMPLEX; thence North 00°32'53" East 58.69 feet along said west line and the northerly extension of said line to the south line of that tract of land described in deed from CLIMAX PORTABLE MACHINE TOOLS, INC to The CITY OF NEWBERG and recorded in Film Volume 267 Page 827, Yamhill County Deed Records; thence North 89°21'07" West 32.25 feet to the southwest corner of said tract; thence North 09°29'13" East 30.34 feet along the west line of said tract to the point of beginning as shown by Exhibit "C".

EXHIBIT B

Matt Dunckel & Assoc.
3765 Riverside Drive
McMinnville, Oregon. 97128
Phone: 472-7904
Fax: 472-0367

Date: 1 Aug. 2005

**AIRPARK PROPERTIES, LLC – Legal Description of Water Line
Easement**

A water line easement in Section 20, Township 3 South, Range 2 West, Yamhill County, Oregon, being more particularly described as follows:

Beginning at the southwest corner of Parcel 2 of Yamhill County Partition Plat No. 90-21; thence North 89°21'07" West 30.55 feet to the TRUE POINT OF BEGINNING; thence North 89°21'07" West 16.52 feet; thence North 09°21'45" East 313.33 feet; thence South 80°38'19" East 37.93 feet; thence North 09°21'45" East 15.00 feet; thence North 80°38'19" West 37.93 feet; thence North 09°21'45" East 76.49 feet; thence North 89°46'21" West 15.19 feet; thence South 09°21'45" West 424.94 feet; thence South 89°19'23" East 34.78 feet; thence North 00°36'05" East 20.02 feet to the TRUE POINT OF BEGINNING as shown by Exhibit "C".

