

OFFICIAL YAMHILL COUNTY RECORDS
KERI HINTON, COUNTY CLERK

202401223

AFTER RECORDING RETURN TO:
City of Newberg – Engineering Division
PO Box 970 - 414 E. First Street
Newberg, OR 97132



00666046202400012230040044

\$96.00

02/14/2024 01:05:05 PM

DMR-EDMR Cnt=1 Stn=1001 FELTYC
\$20.00 \$5.00 \$11.00 \$60.00

UTILITY EASEMENT

In consideration of the sum of \$0.00 and other valuable consideration, Rouke Development, LLC, Grantor, conveys to the City of Newberg, a municipal corporation, Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining utilities and appurtenant structures as described in the attached Exhibit A and shown on the map attached as Exhibit B.

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

It is further understood that:

1. The Grantor hereby releases the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage not controlled by Grantee's 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 authorized by this easement.
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.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the parties have executed this document on this 15 day of February, 2023.

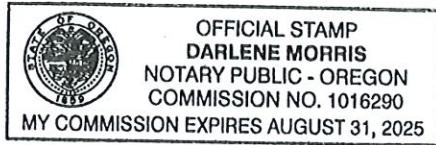
[Signature]
Rourke Development LLC,
an Oregon limited liability company
By: S. William Rourke Jr
It's Member

1201 E Fulton St Apt 15
Address
NEWBERG OR 97132
City, State, Zip

STATE OF OREGON)
) ss
County of Yamhill)

This instrument was acknowledged before me this 15 day of February, 2023, by S. William Rourke Jr member of Rourke Development, LLC.

Notary Public for Oregon
My Commission expires: 8/31/2025



CITY OF NEWBERG
ACCEPTED:
Rachel C. Thomas
Sue Ryan, City Recorder
Rachel Thomas
Dated: 2/01/2024

APPROVED AS TO FORM:
[Signature]
City Attorney
Dated: 2/5/24

EXHIBIT A

Utility Easement

A portion of Lots 10 and 11 of the duly recorded plat of "Rourke Development", located in the Northwest One-Quarter of Section 8, Township 3 South, Range 2 West, Willamette Meridian, City of Newberg, Yamhill County, Oregon, and being more particularly described as follows:

Commencing at the northwesterly corner of Lot 10 of the plat "Rourke Development", Yamhill County Plat Records, also being on the easterly right-of-way line of N College Street (37.00 feet from centerline); thence along said easterly right-of-way line on a non-tangent curve to the right (with a radial bearing of North 77°30'15" West) with a Radius of 991.94 feet, a Central Angle of 7°10'29", an Arc Length of 124.21 feet, and a Chord of South 16°04'59" West 124.13 feet to the Point of Beginning; thence leaving said southeasterly right-of-way line, South 69°53'46" East 14.69 feet to the westerly right-of-way line of E Rork Court (variable width right-of-way, 42.50 feet from radius point); thence along said westerly right-of-way line on a non-tangent curve to the left (with a radial bearing of South 86°49'55" East) with a Radius of 42.50 feet, a Central Angle of 23°10'23", an Arc Length of 17.19 feet, and a Chord of South 08°25'06" East 17.07 feet; thence leaving said westerly right-of-way line, North 69°53'46" West 22.84 feet to said easterly right-of-way line of N College Street (37.00 feet from centerline); thence along said easterly right-of-way line on a non-tangent curve to the right (with a radial bearing of North 69°27'47" West) with a Radius of 991.94 feet, a Central Angle of 0°51'59", an Arc Length of 15.00 feet, and a Chord of North 20°06'14" East 15.00 feet to the Point of Beginning.

The above described tract of land contains 271 square feet, more or less.

10/18/2023

REGISTERED
PROFESSIONAL
LAND SURVEYOR

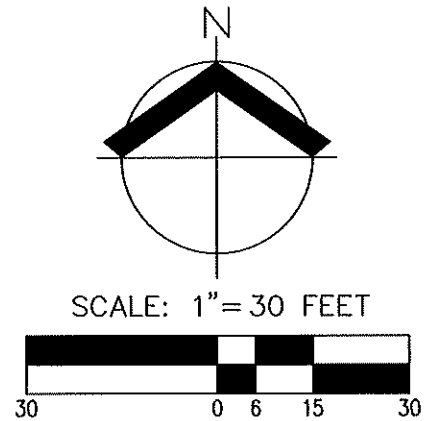
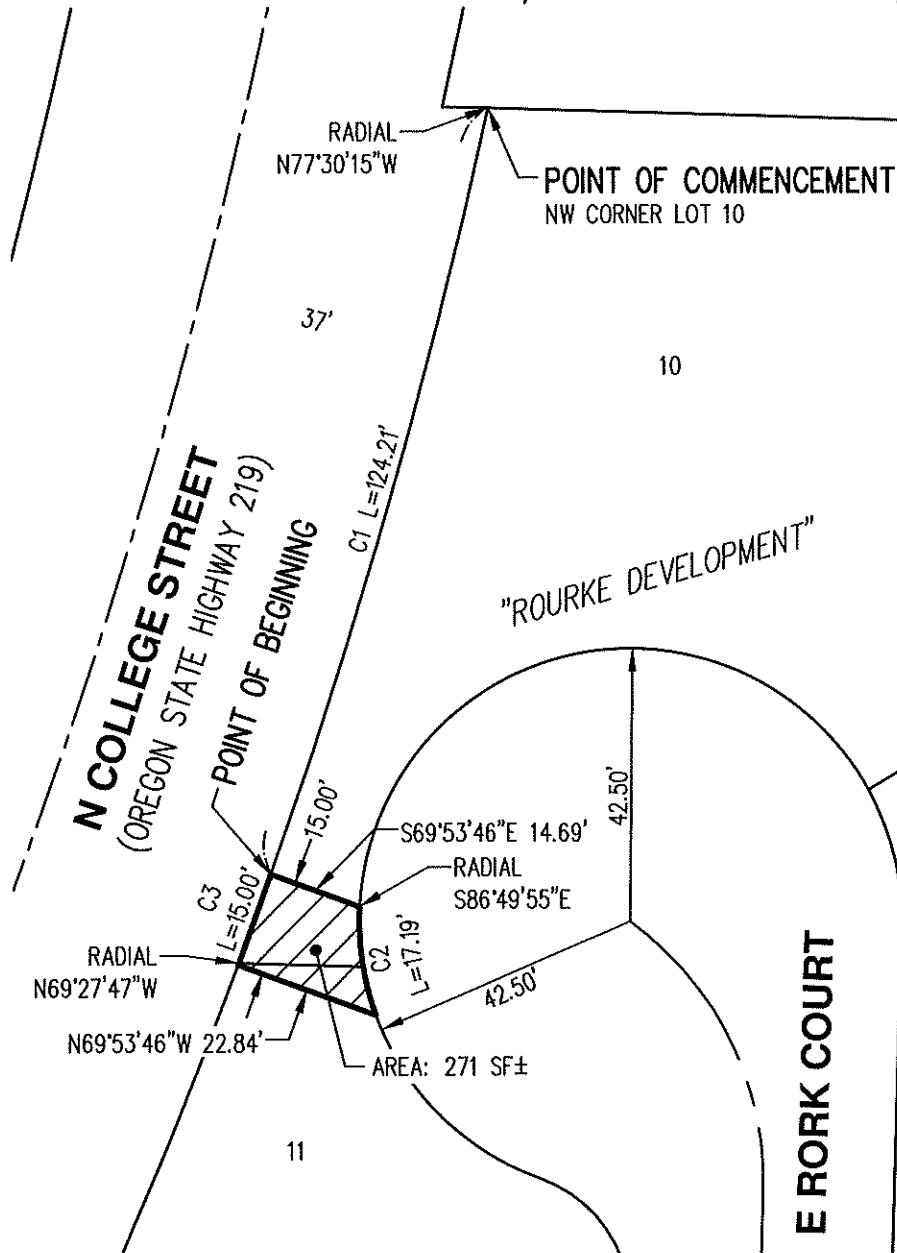
Michael S. Kalina

OREGON
JANUARY 12, 2016
MICHAEL S. KALINA
89558PLS

RENEWS: 6/30/25

EXHIBIT B

A PORTION OF LOTS 10 AND 11 OF "ROURKE DEVELOPMENT"
 LOCATED IN THE NW 1/4 OF SEC. 8, T3S, R2W, W.M.,
 CITY OF NEWBERG, YAMHILL COUNTY, OREGON



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	991.94'	7°10'29"	124.21'	S16°04'59"W 124.13'
C2	42.50'	23°10'23"	17.19'	S08°25'06"E 17.07'
C3	991.94'	0°51'59"	15.00'	N20°06'14"E 15.00'

10/19/2023

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

Michael S. Kalina

**OREGON
 JANUARY 12, 2016
 MICHAEL S. KALINA
 89558PLS**

RENEWS: 6/30/25

AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
 503.563.6151 WWW.AKS-ENG.COM



UTILITY EASEMENT

DATE:	
DRWN: ELN	CHKD: MSK
AKS JOB: 4612	EXHIBIT B