



Resolution No. 99-820

**A RESOLUTION DIRECTING THE CITY MANAGER PRO TEM TO EXECUTE
AN EXTINGUISHMENT OF EASEMENT AGREEMENT FOR A SEWER
EASEMENT NO LONGER REQUIRED BY THE CITY.**

WHEREAS, a sewer easement was created in favor of the City within the area known as Wildlife Haven subdivision, with its specific location described in Attachment A of this document; and

WHEREAS, the City no longer needs this sewer easement,

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

The City Manager Pro Tem is hereby directed to execute an extinguishment of easement agreement for the property described in Attachment "A".

Approved by the City Council this 14th day of September 1999.

A handwritten signature in cursive script that reads "Walt Hitchcock".

Walt Hitchcock, Mayor

Attest:

A handwritten signature in cursive script that reads "C.L. Wiley".

C.L. Wiley, City Recorder

EASEMENT EXTINGUISHMENT

The City of Sherwood, an Oregon municipality, hereby releases, quitclaims to the fee title holder, and extinguishes all its right, title and interest in and to the following described portion of that easement described of record in Document No. 96107197, the easement area to be extinguished hereby being more particularly described as follows:

Commencing at a 3 1/4" aluminum disk at the 1/4 corner common to Sections 31 and 32 of said township and range; thence along said section line common to said sections N00°46'22" W 65.94 feet to a point; thence S66°06'32" E 6.81 feet to the TRUE POINT OF BEGINNING; thence S66°06'32" E 54.40 feet to a point; thence N23°53'28" E 20.00 feet to a point; thence N66°06'32" W 65.94 feet to a point; thence S06°04'56" E 23.09 feet to the TRUE POINT OF BEGINNING. Please see Exhibit "A".

This extinguishment is given in consideration of an easement provided in a different location.

Dated this 16th day of September, 1999.

Lee Weislogel

Lee Weislogel City Manager *AW TEX*
City of Sherwood

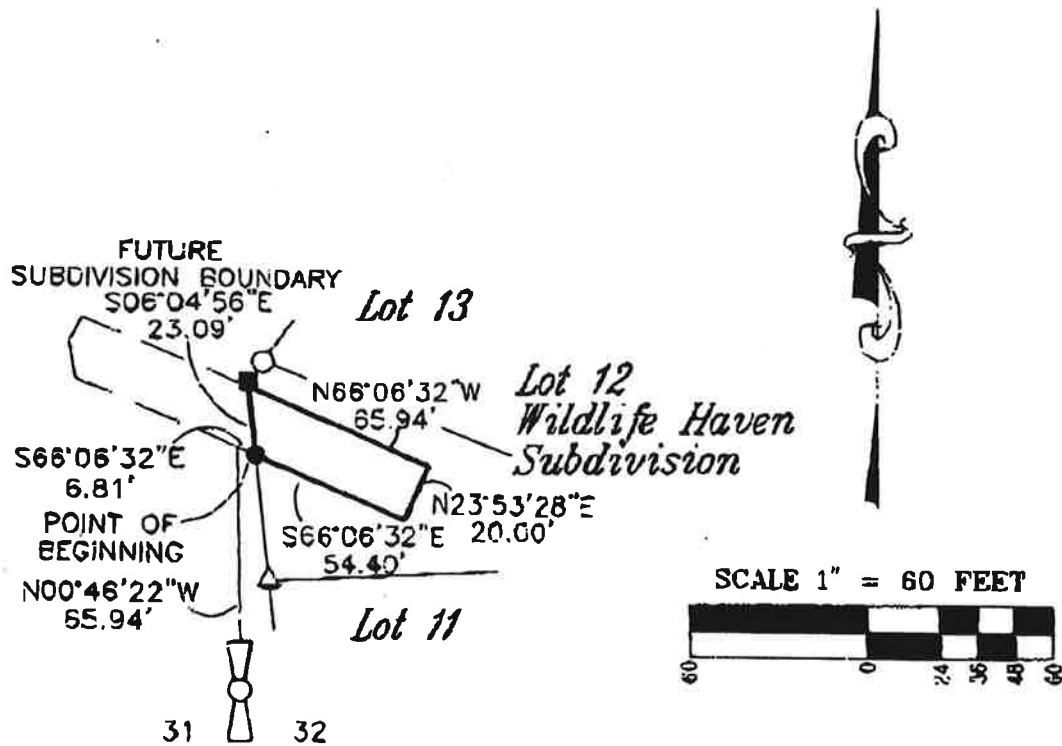
STATE OF OREGON)
) ss.
County of Washington)

The foregoing instrument was acknowledged before me this 16th day of September, 1999, by Lee Weislogel, as City Manager for the City of Sherwood.



Lisa M. Layne
Notary Public for Oregon
My Commission Expires: 4-23-02

Exhibit "A"



Resolution 99-820
September 14, 1999
Attachment A

NS



R. JAMES CLAUS
 SUSAN LYNNE CLAUS

Grantor's Name and Address
 ROBERT J CLAUS
 SUSAN L. CLAUS

Grantee's Name and Address
 After recording, return to (Name, Address, Zip):
 Robert J. & Susan L. Claus
 22211 SW Pacific Hwy.
 Tigard, OR 97223

Until requested otherwise, send all tax statements to (Name, Address, Zip):
 No Change

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, } ss.
County of _____

I certify that the within instrument was received for record on the ____ day of _____, 19____, at _____ o'clock ____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy.

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS that R. JAMES CLAUS & SUSAN LYNNE CLAUS AKA ROBERT J. CLAUS & SUSAN L. CLAUS

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and forever quitclaim unto ROBERT J. CLAUS & SUSAN L. CLAUS, Husband and Wife, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of the grantor's right, title and interest in that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Washington County, State of Oregon, described as follows, to-wit:

The intent of the this deed is to extinguish a private sewer easement affecting a portion of Parcel 2 of Partition Plat No. 1996-99 which was created in said plat for the benefit of Parcel 3.

ALSO to extinguish and terminate an eaement for ingress and egress affecting Parcel 3 of partition Plat no. 1996-99 and as recorded December 13, 1996 as Fee No. 96110898.

The above easements are no longer needed and hereby relinquished.

Parcels 2 and 3 of Partition Plat No. 1996-99, in the City of Sherwood County of Washington and State of Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none. However, the actual consideration consists of or includes other property or value given or promised which is part of the whole and which consideration. (The sentence between the symbols Ø, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument this 20th day of August, 1999; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Handwritten signatures of R. James Claus and Susan Lynne Claus over their printed names.

STATE OF OREGON, County of Yamhill) ss.
This instrument was acknowledged before me on August 20, 19 99,
by R. James Claus & Susan Lynne Claus
This instrument was acknowledged before me on _____, 19____,
by _____
as _____



Handwritten signature of Notary Public for Oregon, My commission expires 5/6/01

Resolution 99-820
September 14, 1999
Attachment A
Pg 3 of 4 pgs

Original: Northwest Title Co.
Jim Claus
Ken Bauer/Surveyor
Cc: Nicki Colliander
Chris Wiley

After Recording,
Please Return To:

[For Recorder Information]

R. James Claus
Susan L. Claus
22211 SW Pacific Hwy
Sherwood OR 97140

Until Further Notice,
All Tax Statements Should
Be Sent To:

(same as above)

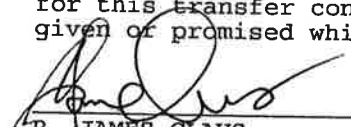
QUITCLAIM DEED/RELEASE AND RECONVEYANCE AGREEMENT
RE: SANITARY SEWER EASEMENT

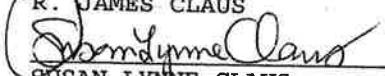
KNOW ALL MEN BY THESE PRESENTS, that the CITY OF SHERWOOD, an Oregon Municipality in the County of Washington, hereinafter Grantor, for the consideration hereinafter stated, does hereby grant, release and quitclaim unto R. JAMES CLAUS and SUSAN LYNNE CLAUS, hereinafter Grantees, and unto Grantees' heirs, successors and assigns, all the Grantor's following described interest in real property in the County of Washington, State of Oregon, to wit:

A permanent easement for public sanitary sewer purposes located in, on or across the parcel of land described in Exhibit "A" attached, and further described in the "Sanitary Sewer Easement" recorded as Doc #96107197 on December 2, 1996, in Washington County Deed Records.

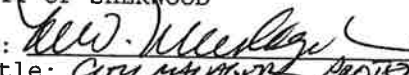
To Have and to Hold the same unto Grantees and Grantees' heirs, successors and assigns forever. The Grantor hereby covenants that it has full legal right to grant such unto Grantees and will warrant and defend the property granted herein from all unlawful claims whatsoever.

The true and actual consideration for this transfer in terms of dollars is NONE (\$ 0.00); by their signatures hereinbelow, the parties mutually agree and warrant that the actual consideration for this transfer consists of or includes other property or value given or promised which is the whole consideration.



R. JAMES CLAUS


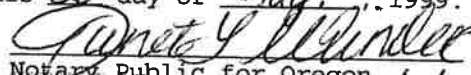
SUSAN LYNNE CLAUS

CITY OF SHERWOOD
By: 
Title: CITY MANAGER PROTEM

STATE OF OREGON, County of Yamhill) ss.

Personally appeared, before me, the above-named R. James Claus and Susan Lynne Claus and acknowledged the foregoing instrument to be their voluntary act and deed, this 20 day of Aug, 1999.



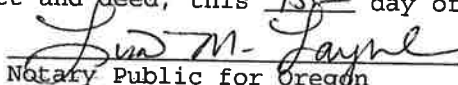


Notary Public for Oregon
My Commission Expires: 5/6/01

STATE OF OREGON, County of Washington) ss.

Personally appeared, before me, the above-named Lee D. Weislogel and stated that He was the City Manager Pro Tem of the CITY OF SHERWOOD, and who further stated that He was executing the foregoing instrument with the authority of the CITY COUNCIL of the CITY OF SHERWOOD, and who further acknowledged the foregoing instrument to be His voluntary act and deed, this 15th day of September, 1999.





Notary Public for Oregon
My Commission Expires: 4-23-02