

CITY OF SHERWOOD, OREGON

(Utility Easement)

83006374

KNOW ALL MEN BY THESE PRESENTS, that Stewart Terrace Apartments, Oreg. Ltd., an Oregon Limited Partnership, termed "Grantor", in consideration of the benefit to their property which is to be served by the utility lines in the easement by this instrument granted, do hereby grant to the CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON, its successors and assigns, referred to herein as "CITY OF SHERWOOD", a permanent right and easement to construct, operate and maintain water and utility lines and all necessary related facilities in, on, over, under and across the following described land:

A tract of land located in the Southwest one-quarter of Section 29 of Township 2 South, Range 1 West of the Willamette Meridian in the County of Washington and State of Oregon.

Beginning at an iron rod that bears South 0° 12' 52" East 1656.9 feet on Section line, and South 89° 35' 34" East 440.02 feet from an iron pipe marking the Northwest corner of the Southwest one-quarter of Section 29 of Township 2 South, Range 1 West of the Willamette Meridian. The said iron rod is also the Northeast corner of that tract of land sold on contract to Elmer F. Baron and Donna Jean Baron, husband and wife, and David A. Sprecher and Janice L. Sprecher, husband and wife, by instrument recorded November 13, 1979 as Washington County Recorder's Fee No. 79046742; thence South 0° 12' 52" East 228.94 feet along the Easterly boundary of the said tract to an iron rod; thence South 89° 47' 08" West 94.00 feet to an iron rod; thence South 0° 12' 52" East 108.27 feet to an iron rod on the Northerly boundary of North Sherwood Boulevard; thence North 44° 23' 45" West 183.39 feet along said road boundary to an iron rod; thence North 45° 36' 15" East 95.00 feet to an iron rod; thence North 44° 23' 45" West 198.93 feet to the Northerly boundary of the mentioned Baron-Sprecher tract; thence South 89° 35' 34" East 292.34 feet to the point of beginning.

(As per survey prepared by Davis and Pike Surveying on June 28, 1982, referred to as Parcel I)

Limiting however the scope of this easement* to that portion of land that now contains the existing water lines, fire protection lines, sanitary sewers and storm drainage lines which have been installed to serve the Stewart Terrace Apartments and adjoining properties. The limits of these installations are shown on the survey prepared by Davis and Pike Surveying dated December 8, 1982 and attached hereto as Exhibit "A". * A strip of land 7½' on each side of pipe centerline

HWJ

TO HAVE AND TO HOLD the above described easement unto said CITY OF SHERWOOD its successors and assigns, forever.

THE CITY OF SHERWOOD, shall fill all excavations as soon as practicable after opening; dispose of all brush and debris; and replace in like condition all improvements, tress, ornamental shrubs and crops as soon as possible after damage or destruction.

City of Sherwood, Public Works
PO 167
Sherwood, OR 97140

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Grantor (s) reserve the right to use the surface of the land for walkways, fences, driveways, plantings and related purposes; and all utility lines shall be maintained at a depth consistent with these purposes.

The undersigned hereby represent and covenant to and with the said CITY OF SHERWOOD that undersigned are the owners of the above-described real property and that undersigned have a good and lawful right to convey the same, or any part hereof, and that undersigned will warrant and defend the utility purposes against the claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, we have subscribed our names this 4th day of February 1983.

STEWART TERRACE APARTMENTS, OREG. LTD.,
an Oregon Limited Partnership

Hans W. Juhr
Hans W. Juhr, General Partner

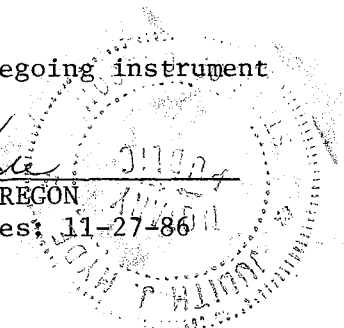
Kenneth J. Juhr
Kenneth J. Juhr, General Partner

STATE OF OREGON, County of Multnomah ss

PERSONALLY APPEARED Hans W. Juhr and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME:

Judith J. Hyde
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-27-86

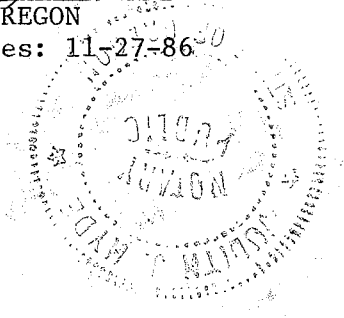


STATE OF OREGON, COUNTY OF Multnomah 33

PERSONALLY APPEARED Kenneth J. Juhr and acknowledged for foregoing instrument to be his voluntary act and deed.

BEFORE ME:

Judith J. Hyde
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-27-86



STATE OF OREGON }
County of Washington } SS

I, Donald W. Mason, Director of Assessment
and Taxation, and Ex-Officio Recorder of Con-
veyances for said county, do hereby certify that
the within instrument of writing was received
and recorded in book of records of said county.

Donald W. Mason, Director of
Assessment and Taxation, Ex-
Officio Chief Deputy Clerk

PV
18

1983 FEB 24 PM 2:22

REGISTERED
PLAT BOOK
LAND RECORDS
1983
1/28/83

AS BUILT SURVEY OF
STEWART TERRACE APARTMENTS
SHERWOOD OMB-HOB-181
LOCATION: SE 1/4 SECTION 28 T.34N. R.24E. W.2E.
DATE: DECEMBER 8, 1982.
THIS SURVEY SHOWS THE LOCATION OF THE APARTMENT BUILDINGS AND THE
1895 SURVEY RECORDS FROM A PREVIOUS SURVEY OF THE
SITE. THE SURVEY WAS MADE BY THE COUNTY SURVEYOR'S OFFICE
JUHR CONSTRUCTION INC.
1555 SE OREGON, PORTLAND, OREGON 97202
PHONE: 255-5155
OWNER: JHR and SOH
SUMNER'S CERTIFICATION:
ON DECEMBER 8, 1982, I found an improvement as shown by improvement of the
shown by improvement of the map. I have examined the plat and the
and in accordance with the provisions of the laws of this state and the
of Oregon, I have approved the plat and the improvement shown thereon.

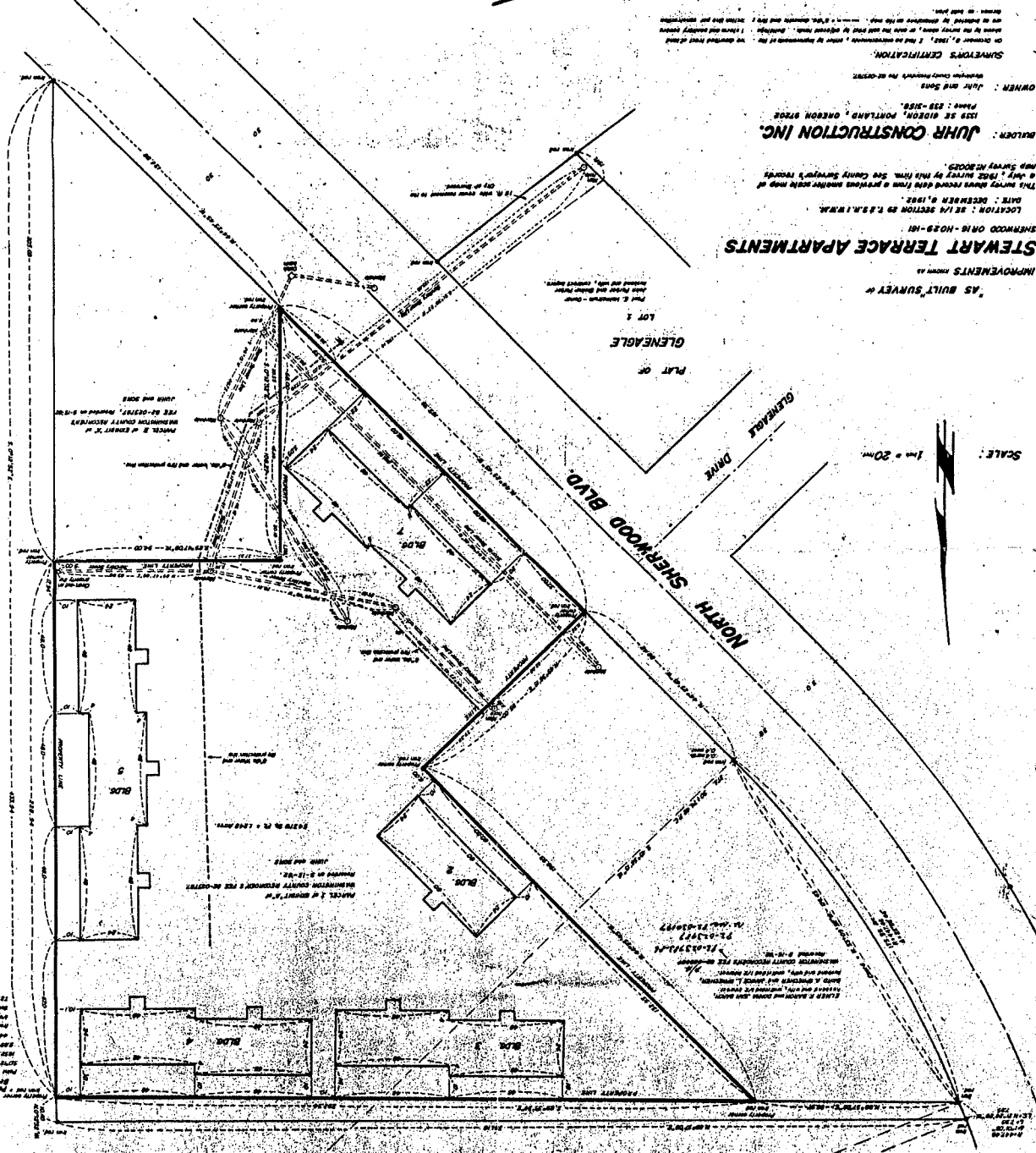


EXHIBIT 'A'

SHIRLEY RECEIVED AND
FORWARDED TO THE
COUNTY CLERK'S OFFICE
ON 2/24/83
AT 1:15 PM
BY: [Signature]