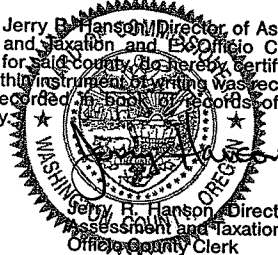


STATE OF OREGON }
County of Washington } SS

I, Jerry B. Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for said County, do hereby certify that the within instrument of writing was received and recorded in the public records of said county.



Jerry B. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 96107197
Rect: 176376 43.00
12/02/1996 03:03:55pm

AFTER RECORDED RETURN TO:

City Manager
City of Sherwood
20 NW Washington St
Sherwood, OR 97140

SANITARY SEWER EASEMENT

BETWEEN

Michael Ney
Jamie Ney
Douglas McClure
Christine McClure
R. James Claus
Susan Lynne Claus

The City of Sherwood
An Oregon
Municipality

Grantors

Grantee

CONSIDERATION: The true and actual consideration for this conveyance by Grantee is the construction of a sewer line by Grantors, at Grantor's sole expense, which benefits Grantee.

KNOW ALL MEN BY THESE PRESENTS that MICHAEL NEY, JAMIE NEY, DOUGLAS MCCLURE, CHRISTINE MCCLURE, R. JAMES CLAUS, and SUSAN LYNNE CLAUS (herein known as "Grantors"), do hereby convey unto Grantee the following described interest in real property in the County of Washington, State of Oregon (with said conveyance being consented to by KENNETH K. MAYER, JAMES E. SULLIVAN, and THOMAS F. FINLAYSON, who are the current fee holders associated with the said real property and who are contract vendors of a certain land sales contract associated with the said real property with Grantors as contract vendees):

A PERMANENT EASEMENT for public sanitary sewer purposes (with Grantors at Grantors' sole expense being responsible for the installation of the said sewer line and maintenance costs associated with the said sewer line for a period not to exceed 60 days from the date of completion), when upon such time, Grantee is totally responsible for the maintenance and repair of the said sewer line which has been constructed in the easement area under the following parcel of land more particularly described on attached Exhibit "A".

The rights and privileges herein granted to the Grantee are subject to the condition that the Grantee, its agents, employees, and contractors shall suffer or do no damage to the said property unless the same is fully repaired and grounds are restored as nearly as possible and reasonable to the pre-existing condition. Grantee shall use said easement in such manner and such extent as to not unduly interfere with the continued use and enjoyment of the property by Grantors for purposes not incompatible with the rights herein granted.

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C

The Grantors hereby warrant that they have a full legal right to grant unto Grantee the easement right and privileges hereinabove set forth, and covenant that they will warrant and defend the easement rights herein granted from all unlawful claims whatsoever.

TO HAVE AND TO HOLD the above described and granted easement unto the Grantee and its assigns forever.

Kenneth K. Maher
KENNETH K. MAHER

James E. Sullivan
JAMES E. SULLIVAN

Thomas F. Finlayson
THOMAS F. FINLAYSON

Michael Ney
MICHAEL NEY

Jamie Ney
JAMIE NEY

Douglas McClure
DOUGLAS MCCLURE

Christine McClure
CHRISTINE MCCLURE

R. James Claus
R. JAMES CLAUS

Susan Lynne Claus
SUSAN LYNNE CLAUS

John Bant
THE CITY OF SHERWOOD

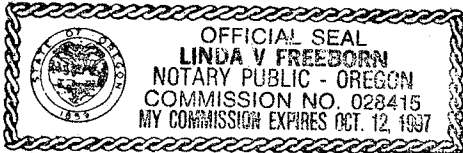
BY: City Manager

City Manager
City of Sherwood
20 NW Washington St
Sherwood, OR 97140

State of Oregon)
County of Yamhill) ss

Personally appeared the above-named R. James Claus and Susan Lynne Claus before me and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 27th day of September, 1996.



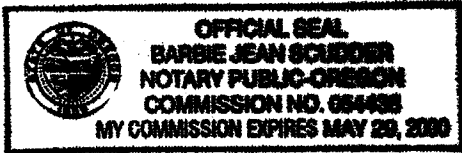
Linda V. Freeborn
Notary Public for Oregon
My commission expires: 10/12/97

City Manager
City of Sherwood
20 NW Washington St
Sherwood, OR 97140

State of Oregon)
County of MULTNOMAH) ss

Personally appeared the above-named Thomas F. Finlayson before me and acknowledged the foregoing instrument to be his voluntary act and deed.

Subscribed and sworn to before me this 1st day of October, 1996.

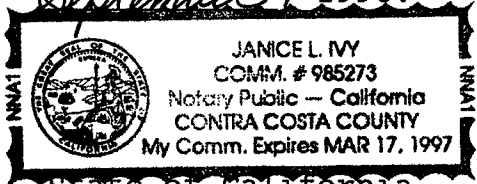


Barbie Jean Scudder
Notary Public for Oregon
My commission expires: May 29, 2000

State of California)
County of Contra Costa) ss

Personally appeared the above-named Michael Ney and Jamie Ney before me and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 23rd day of September, 1996.



Janice L. Ivy
Notary Public for California
My commission expires: 3-17-97

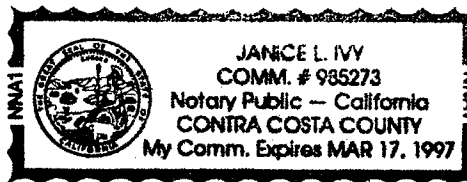
State of California)
County of Contra Costa) ss

Personally appeared the above-named Douglas McClure and Christine McClure before me and acknowledged the foregoing instrument to be their voluntary act and deed.

Subscribed and sworn to before me this 20th day of September, 1996.

Janice L. Ivy
Notary Public for California
My commission expires: 3-17-97

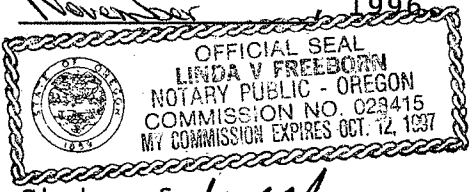
City Manager
City of Sherwood
20 NW Washington St
Sherwood, OR 97140



State of Oregon)
County of Washington) ss

Personally appeared the above-named John Barnett and stated that her was the City Manager of The City of Sherwood and who further stated that he was executing the foregoing instrument with the authority of the City Council and who further acknowledged the foregoing instrument to be his voluntary act and deed.

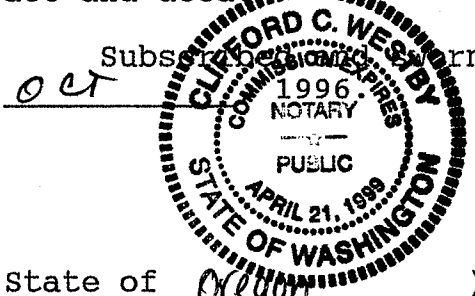
Subscribed and sworn to before me this 24th day of November 1996



Linda V. Freeborn
Notary Public for Oregon
My commission expires 10/12/97

State of Wash)
County of LEWIS) ss

Personally appeared the above-named Kenneth K. Maher before me and acknowledged the foregoing instrument to be his voluntary act and deed.



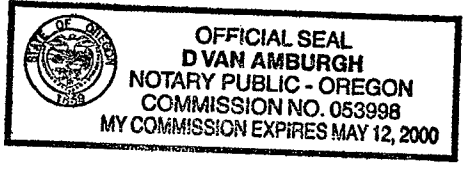
Subscribed and sworn to before me this 24th day of Oct 1996

Clifford C. Westby
Notary Public for Wash.
My commission expires: 4-21-99

State of Oregon)
County of Multnomah) ss

Personally appeared the above-named James E. Sullivan before me and acknowledged the foregoing instrument to be his voluntary act and deed.

Subscribed and sworn to before me this 16 day of October, 1996.



D Van Amburgh
Notary Public for Multnomah Oregon
My commission expires: May 5, 00

City Manager
City of Sherwood
20 NW Washington St
Sherwood, OR 97140

Exhibit 'A'

Being a public sanitary sewer easement, 20 feet wide, over a portion of Parcels 1 & 2 of Partition Plat 1994-053 in the NW 1/4 of Section 32, and a portion of the NE 1/4 of Section 31 in Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, and 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 the section line common to said sections N 00°46'22" W 65.94 feet to the POINT OF BEGINNING of this description:

thence S 66°06'32" E 61.21 feet;

thence N 23°53'28" E 20.00 feet;

thence N 66°06'32" W 124.48 feet;

thence S 26°27'32" W 9.04 feet;

thence S 08°06'03" E 12.94 feet;

thence S 66°06'32" E 56.82 feet to the Point of Beginning;

EXHIBIT "B"

WEST VILLA ROAD

LOCATED IN THE NW 1/4 OF SECTION 32, AND A PORTION OF THE NE 1/4 OF SECTION 31 IN TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

EXISTING SEWER EASEMENT. DOC. NO. 83018771

N 00°46'22" W
302.90'

EXISTING 20' SEWER EASEMENT

NORTH

SCALE: 1" = 40'

S 26°27'32" W
9.04'

S 08°06'03" E
12.94'

N 00°46'22" W
65.94'

N 66°06'32" W

56.82'
S 66°06'32" E

20 FOOT PUBLIC SANITARY SEWER EASEMENT
AREA = 2,458.28 S.F.

124.48'

61.21'
S 66°06'32" E

N 23°53'28" E
20.00'

TRUE POINT OF BEGINNING

31 32

7

