Hanson Director of ssessment and faxation, Ex-

AFTER RECORDING RETURN TO:

City of Sherwood **Engineering Department** 20 NW Washington St. Sherwood, OR. 97140



Doc: 2001104094 Rect: 289657

42.00

10/11/2001 03:03:56pm

Officio County Clerk

I, Jerry R. Hanson Director of Assessment and Taxation and Ex Officio County Clerk for said county do hereby certify that the within instrument within was received

and recorded in book of records

BETWEEN:

Grantors:

The Archdiocese of Portland in Oregon 2838 E. Burnside Street Portland, Oregon

Grantee:

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

county.

KNOW ALL MEN BY THESE PRESENTS, that The Archdiocese of Portland in , hereinafter referred to as "Grantor", for the consideration hereinafter stated, does forever grant unto the CITY OF SHERWOOD, a municipal corporation, hereinafter referred to as "Grantee", a permanent public waterline easement over, under, through, across and along the full width and length of the premises described as follows, to wit:

- 1. Legal description is set forth in EXHIBIT "A", Page 1 attached hereto, and incorporated by reference herein.
- 2. A map of the above legal description is set forth in EXHIBIT "B", Page 2 and incorporated by reference herein.

Together with a permanent working easement as follows: For installation of an 8" water mainline in proposed permanent easement.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$00.00.

TO HAVE AND TO HOLD the above described permanent waterline easement unto said Grantee in accordance with the conditions and covenants as follows:

- The permanent waterline easement shall include the right, privilege, and authority, to the said City of Sherwood, to excavate for, and to construct, build, install, lay, patrol, operate, maintain, and repair an underground water mainline, with all appurtenances incident thereto or necessary therewith, and across the said premises, and to cut and remove from said rightof-way any trees and other obstructions which may endanger the safety or interfere with the use of said pipelines, appurtenances attached to or connected therewith. No building shall be constructed over the pipeline easement right-of-way.
- 2. Grantee will indemnify and hold harmless the Grantors, his/her, their heirs, successors and/or assigns from claims for injury to person or property as a result of the negligence of

- the Grantee, its agents or employees in the construction, operation, or maintenance of said pipeline.
- 3. The City of Sherwood, upon the initial installation, and upon each and every occasion that the same be repaired, replaced, renewed, added to, or removed, shall restore the premises of the Grantors, and any improvements disturbed by the City, to as good condition as they were prior to any such installation work, including, but not limited to, the restoration of any topsoil, lawn and nursery stock of like kind and quality subject to reasonable substitution as may be necessitated by obstruction of interference with the use granted herein.
- 4. Grantors may, at his/her/their option and expense, relocated said waterline easement and associated public appurtenances and titles, provided such relocation is accepted by the City as complying with applicable codes and standards, land use laws and regulations.
- 5. Grantors reserves the right to use the easement to construct driveways, paving, landscaping, and fill, provided that Grantor shall not construct or maintain any building or structure which would interfere with the rights herein granted.

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 FREE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LOSS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

	ersigned grantor has executed this easement thisday of
Septembe r, 2001. October A	GRANTORS: > Thomas McCostly 5
	A Maucis Chrid
	× Sherawa, 92 97140
STATE OF OREGON)	

On this day of September, 2001, before me, a notary public in and for said County and State, personally appeared how Michael McCarly, known to me to be their person whose names subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

OFFICIAL SEAL
LISA M. LAYNE
NOTARY PUBLIC - OREGON
COMMISSION NO. 311896
MY COMMISSION EXPIRES APRIL 23, 2002

NOTARY PUBLIC FOR OREGON
My Commission Expires: 4-23-02

County of Washington)

GRANTEE:

ACCEPTED on behalf of the City of Sherwood, Oregon

this _// day of September, 2001.

Ront. Schulty

City Manager

City of Sherwood, Oregon



Exhibit A

ENGINEERING

SURVEYING

PLANNING

Phone: 503 684-0652

Fax: 503 624-0157

Grayco Resources Westerly 40' T.L. 200 Project No. 744-04-98 October 4, 2001

PROPERTY DESCRIPTION

A tract of land situate in the SW 1/4 of Section 29 and the NW 1/4 of Section 32, both Township 2 South, Range 1 West, Willamette Meridian, in the City of Sherwood, being a portion of that tract of land conveyed to the Roman Catholic Archbishop in Oregon by Deed recorded December 12, 1966 in Book 626, Page 127, Washington County Deed Records, and being more particularly described as follows:

Beginning at the northwest corner of said Deed, also being the northeast corner of Parcel 2, Partition Plat No. 1997-042;

thence, along the north line of said Deed North 89° 45' 00" East, 40.00 feet to a point on a line which is parallel with and 40.00 feet east of the east line of said Parcel 2;

thence, along said parallel line, South 00° 34' 48" East, 904.41 feet, to the northerly right-of-way line of N.E. Oregon Street;

thence, along said northerly right-of-way line, South 66° 28' 24" West, 43.44 feet to a point on the west line of said Deed;

thence, along said west line, North 00° 34' 48" West, 921.58 feet to the point of beginning.

Containing 0.837 acres, more or less.

GRA: 10/4/01

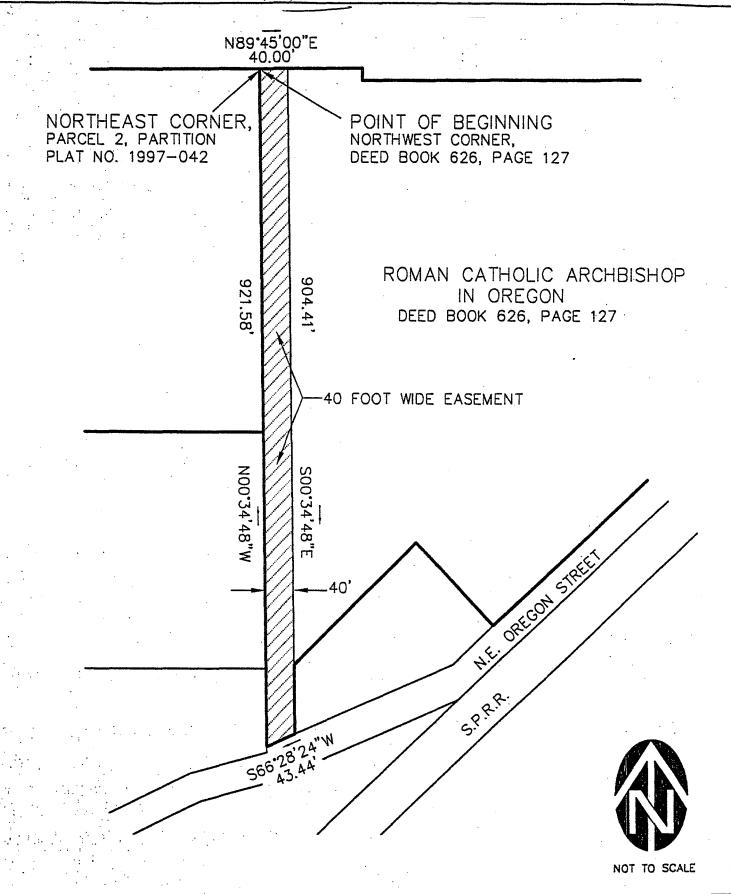
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REGISTERED PROFESSIONAL LAND SURVEYOR

> OREGOM/ JANUARY 21, 1992 CHAEL A. HARGRAVE

EXP 6/30/03

Exhibit B



EASEMENT EXHIBIT MAP

SW 1/4, SECTION 29, T 2 S, R 1 W, WM CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

DATE 06/03/98	
DRAWN BY PAS	
CHECKED BY GRA	
REVISIONS	
JOB NO	

WESTLAKE CONSULTANTS INC.

ngineering • Surveying

◆ PLANNING

PACIFIC CORPORATE CENTER 18116 S.W. SEQUOIA PARKWAY, SUITE 150 (508) 684-06