

RECEIVED

HYDRANT/WATERLINE EASEMENT

MAR 17 2003

PUBLIC WORKS

DATED: January 31, 2003

AFTER RECORDING RETURN TO:

City of Sherwood
Engineering Department
400 SE Willamette St.
Sherwood, OR. 97140

00269704200300276660050051
I, Jerry Hanson, Director of Assessment and Taxation
and Ex-Officio County Clerk for Washington County,
Oregon, do hereby certify that the within instrument of
writing was received and recorded in the book of
records of said county.
Jerry R. Hanson, Director of Assessment and Taxation,
Ex-Officio County Clerk



BETWEEN:

Grantors:

Tualatin Valley Fire and Rescue
20665 SW Blanton St.
Aloha, OR 97007

Grantee:

City of Sherwood
400 SE Willamette St.
Sherwood, OR 97140

KNOW ALL MEN BY THESE PRESENTS, that Tualatin Valley Fire and Rescue, 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 storm drainage, sanitary sewer and utility purpose 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 a Hydrant/Waterline Easement 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 storm drainage, sanitary sewer and utility easement unto said Grantee in accordance with the conditions and covenants as follows:

1. The permanent Hydrant/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 storm drainage, with all appurtenances incident thereto or necessary therewith, and across the said premises, and to cut and remove from said right-of-way any trees and other obstructions which may endanger the safety or interfere with the use

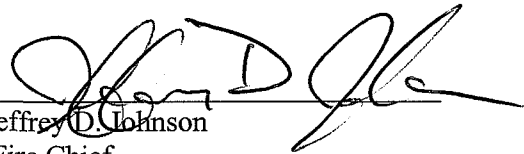


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- of said pipelines, appurtenances attached to or connected therewith. No building shall be constructed over the easement right-of-way.
2. Grantee will indemnify and hold harmless the Grantors, his/her, their heirs, successors and/or assigns from claims 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.

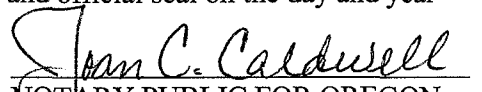
IN WITNESS WHEREOF, the undersigned grantor has executed this easement this 21 day of January, 2003.

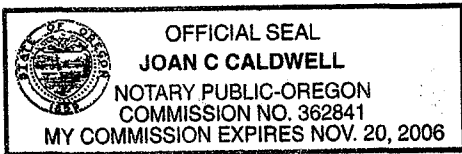
GRANTORS: 
 Jeffrey D. Johnson
 Fire Chief

STATE OF OREGON)
)ss
 County of Washington)

On this 31 day of January 2003, before me, a notary public in and for said County and State, personally appeared Jeffrey D. Johnson 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.


 NOTARY PUBLIC FOR OREGON
 My Commission Expires: 11/20/06

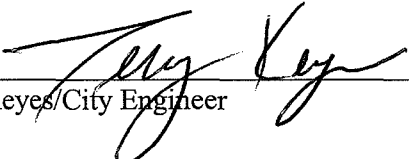




GRANTEE:

Accepted on behalf of The City of Sherwood.

This 11th day February of, 2003.



Terry Keyes/City Engineer



Ross Schultz/City Manager

CASWELL / HERTEL SURVEYORS, INC.

Professional Land Surveyors
caswellhertel@msn.com

6150 S.W. 124th Avenue
Beaverton, Oregon 97008-4724

Telephone 503/644-3179
Fax 503/644-3190

November 14, 2002
Job No. 6317-2.LGL

LEGAL DESCRIPTION FOR WATER LINE EASEMENTS

Two tracts of land in Lot 9 Block 2 "SHERWOOD ACRES" a duly recorded subdivision in the Northwest quarter of the Northeast quarter of Section 32, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon being more particularly described as follows:

Tract 1:

Commencing at the Northeast corner of said Lot 9; thence South, along the East line of said Lot 9, a distance of 31 feet to the True Point of Beginning of said Easement; thence West 11 feet; thence South 10 feet; thence East 11 feet to the East line of said Lot 9; thence North 10 feet to the True Point of Beginning.

Tract 2:

Commencing at the Northeast corner of said Lot 9; thence South, along the East line of said Lot 9, a distance of 256 feet to the True Point of Beginning of said Easement; thence West 14 feet; thence South 10 feet; thence East 14 feet to the East line of said Lot 9; thence North 10 feet to the True Point of Beginning.



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EXHIBIT MAP

FOR TUALATIN VALLEY FIRE AND RESCUE
(SHERWOOD STATION)

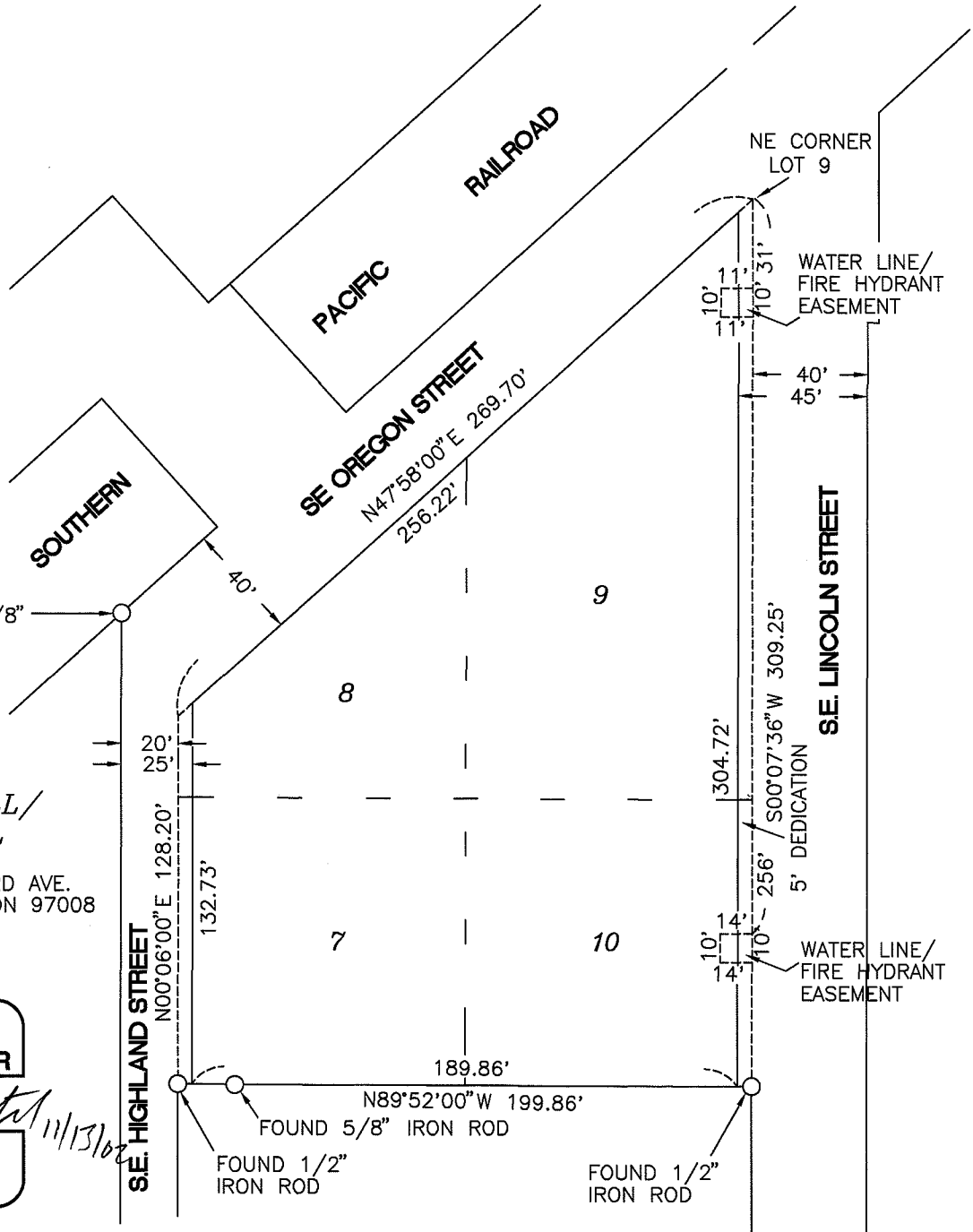
IN LOTS 7-10 BLOCK 2 "SHERWOOD ACRES"

IN THE NW 1/4 OF THE NE 1/4 OF SECTION 32, T. 2 S., R. 1 W., W.M.

CITY OF SHERWOOD
WASHINGTON COUNTY

SCALE 1" = 60'

OREGON
NOVEMBER 22, 2002



**CASWELL/
HERTEL**

SURVEYORS INC.
6120 S.W. LOMBARD AVE.
BEAVERTON, OREGON 97008
(503) 644-3179

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Albert Hertel 11/13/02
OREGON
JULY 18, 1880
ALBERT HERTEL
1896

EXPIRES 6/30/03