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5  
1

EASEMENTS

DATED: ~~October~~ <sup>November</sup> 12, 2002

AFTER RECORDING RETURN TO:

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

Washington County, Oregon 2003-034153  
03/07/2003 02:58:47 PM  
D-E Cnt=2 Stn=11 C WHITE  
\$30.00 \$5.00 \$6.00 \$11.00 - Total = \$52.00



00278252200300341530060065

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 Hanson*

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



BETWEEN:

Grantor  
Sherwood School District 88J  
c/o Ms. Bonita L. Maplethorpe  
Deputy Clerk/Fiscal Manager  
23295 S. Sherwood Boulevard  
Sherwood, Oregon 97140

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

KNOW ALL MEN BY THESE PRESENTS, that Sherwood School District 88J, 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", two permanent public waterline easements over, under, through, across and along the full width and length of the two parcels described as follows, to wit:

1. Legal descriptions are set forth in EXHIBIT "W-1", Pages 1 and 2 attached hereto, and incorporated by reference herein.
2. A map of the above legal descriptions is set forth in EXHIBIT "W-2", Page 3 attached hereto, and incorporated by reference herein.

Together with permanent working easements as follows: For installation of waterlines in proposed permanent easements.

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 easements unto said Grantee in accordance with the conditions and covenants as follows:

1. The waterline easements 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 water pipelines, with all appurtenances incident thereto or necessary therewith, across the said premises, and to cut and remove from said rights-of-way any trees and other obstructions which may endanger the safety or interfere with the use of said pipelines,



2003-34153

appurtenances attached to or connected therewith. No building shall be constructed over the easement rights-of-way.

2. Grantee will indemnify and hold harmless the Grantor and its successors and 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 pipelines.
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 Grantor, 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. Grantor may, at its option and expense, relocate said easements 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. Grantor reserves the right to use the easements 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 12<sup>th</sup> day of ~~October~~, 2002.

*November*

SHERWOOD SCHOOL DISTRICT 88J, Grantor

by: *Wayne Lowry*  
Chairperson, Board of Education

by: *Rob S. Saxton*  
Superintendent

STATE OF OREGON )  
                                  )ss  
County of Washington )

On this 12<sup>th</sup> day of ~~October~~ *November*, 2002, before me, a notary public in and for said County and State, personally appeared *Wayne Lowry* and *Rob S. Saxton* known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

WATERLINE EASEMENTS



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



*Patricia J Arrigoni*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 11-18-2002

GRANTEE:

ACCEPTED on behalf of the City of Sherwood, Oregon

this 17<sup>TH</sup> day of FEB, 2002.

*Ray E. Shultz*  
City Manager  
City of Sherwood, Oregon



2003-34153

**EXHIBIT "W-1"**  
**TWO 15.00 FOOT WIDE WATERLINE EASEMENTS**

**WATERLINE EASEMENT #1**

A 15.00 foot wide strip of land located in the Northwest quarter of Section 32, Township Two South, Range One West, Willamette Meridian, City of Sherwood, Washington County, Oregon, being more particularly described as follows:

Beginning at a 3 1/3" Aluminum Cap marking the section corner common to Sections 29,30, 31 and 32, Township Two South, Range One West; thence following the north line of said Section 32, North 89°45'00" East a distance of 950.71 feet to the intersection of the north line of said Section 32 with the easterly right-of-way line of North Sherwood Boulevard (being 30.00 feet from centerline); thence following the said easterly right-of-way line of North Sherwood Boulevard, along the arc of a 603.79 foot radius curve to the right 209.95 feet (chord bears South 18°45'55" East 208.89 feet) to station 17+16.84, 30.00 feet right (as shown on Washington County Survey No. 25,676); thence South 08°48'48" East a distance of 150.44 feet to the "TRUE POINT OF BEGINNING"; thence leaving said easterly right-of-way line, South 89°48'14" East a distance of 51.06 feet; thence North 00°00'00" East a distance of 70.14 feet; thence North 90°00'00" East a distance of 271.56 feet; thence South 00°00'00" East a distance of 15.00 feet; thence North 90°00'00" West a distance of 256.56 feet; thence South 00°00'00" East a distance of 70.19 feet; thence North 89°48'14" West a distance of 63.74 feet to the said easterly right-of-way line of North Sherwood Boulevard; thence following said easterly right-of-way line of North Sherwood Boulevard, North 08°48'14" West a distance of 15.19 feet to the "TRUE POINT OF BEGINNING"; having an area of 5874 square feet, 0.13 acre, more or less.

an area of 6,702 square feet, 0.15 acres, more or less.

**WATERLINE EASEMENT #2**

A 15.00 foot wide strip of land located in the Northwest quarter of Section 32, Township Two South, Range One West, Willamette Meridian, City of Sherwood, Washington County, Oregon, being more particularly described as follows:

Beginning at a 3 1/3" Aluminum Cap marking the section corner common to Sections 29,30, 31 and 32, Township Two South, Range One West; thence following the north line of said Section 32,



**EXHIBIT "W-1"**

**WATERLINE EASEMENTS/ Page 2 of 2**

North 89°45'00" East a distance of 950.71 feet to the intersection of the north line of said Section 32 with the easterly right-of-way line of North Sherwood Boulevard (being 30.00 feet from centerline); thence following the said easterly right-of-way line of North Sherwood Boulevard, along the arc of a 603.79 foot radius curve to the right 209.95 feet (chord bears South 18°45'55" East 208.89 feet) to station 17+16.84, 30.00 feet right (as shown on Washington County Survey No. 25,676); thence South 08°48'48" East a distance of 413.79 feet to the "TRUE POINT OF BEGINNING"; thence leaving said easterly right-of-way line, thence North 90°00'00" East a distance of 32.66 feet; thence South 00°00'00" East a distance of 15.00 feet; thence North 90°00'00" West a distance of 30.34 feet to a point on the said easterly right-of-way line of North Sherwood Boulevard; thence following said easterly right-of-way line of North Sherwood Boulevard, North 08°48'14" West a distance of 15.18 feet to the "TRUE POINT OF BEGINNING"; having an area of 473 square feet, 0.11 acre, more or less.

Bearings and location of North Sherwood Boulevard right-of-way lines are based upon Washington County Survey No. 25,676.



RENEWAL DATE 06/30/03  
 DATE OF SIGNATURE 10/09/02

29

32

N 89°45'00" E 950.71'

20+79.01 P.T.

1/3" ALUMINUM CAP  
SECTION CORNER

# EXHIBIT "W-2" WATERLINE EASEMENTS

## NORTH SHERWOOD BOULAVARD

LOCATED IN THE SW 1/4 OF SECTION 29, AND NW 1/4 OF SECTION 32,  
T2S, R1W, W.M., CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	603.79'	209.95'	208.89'	S 18°45'55" E	19°55'22"

LINE	BEARING	DISTANCE
L1	S 08°48'14" E	150.44'
L2	S 08°48'14" E	263.35'
L3	S 08°48'14" E	131.17'
L4	S 89°48'14" E	51.06'
L5	N 00°00'00" E	70.14'
L6	N 90°00'00" E	271.56'
L7	S 00°00'00" E	15.00'
L8	N 90°00'00" W	256.56'
L9	S 00°00'00" E	70.19'
L10	N 89°48'14" W	63.74'
L11	N 08°48'14" W	15.19'
L12	N 90°00'00" E	32.66'
L13	S 00°00'00" E	15.00'
L14	N 90°00'00" W	30.34'
L15	N 08°48'14" W	15.18'



**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**  
*Gary W. Hickman*  
**OREGON  
JULY 14, 1978  
GARY W. HICKMAN  
1878**

RENEWAL DATE 06/30/03  
DATE OF SIGNATURE 10/09/02

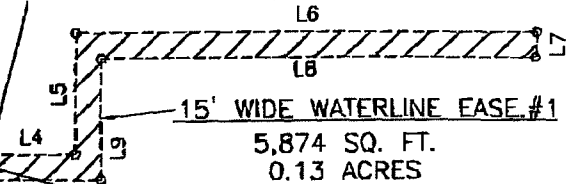
### LEGEND:

- EXISTING R/W LINE
- R/W CENTERLINE
- FND MONUMENT PER SURVEY 25,676
- MONUMENT SET PER SURVEY 25,676
- NEW WATERLINE EASEMENT

17+16.84 P.C.

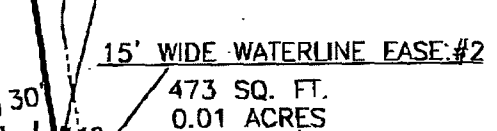
NORTH SHERWOOD BLVD.  
N 08°45'14" W

TRUE POINT OF BEGINNING  
WATER LINE EASEMENT #1



PROPOSED NEW R/W LINE

TRUE POINT OF BEGINNING  
WATER LINE EASEMENT #2



PROPOSED NEW R/W LINE

11+71.60 P.C.

S 08°48'14" E  
29.48'

S 89°38'41" W  
15 ST.

06-11-2002 FRI 08:47 AM

SHERWOODSCHOOLDISTRICT

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P. 14

