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STORM SEWER EASEMENT

DATED: February 21, 2003

AFTER RECORDING RETURN TO:

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

Washington County, Oregon 2003-047576
03/28/2003 03:00:04 PM
D-E Cnt=1 Stn=3 TEAKIN
\$25.00 \$6.00 \$11.00 - Total = \$42.00



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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:

Grantors:

Renaissance Custom Homes, LLC
1672 Willamette Falls Drive
West Linn, OR 97068

Grantee:

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

KNOW ALL MEN BY THESE PRESENTS, that Renaissance Custom Homes, LLC, 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 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 storm drainage and utility purpose 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, and utility easement unto said Grantee in accordance with the conditions and covenants as follows:

1. The permanent storm drainage and utility purpose 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 easement any trees and other obstructions which may endanger the safety or interfere with the

03-AD92-119

LAWYERS

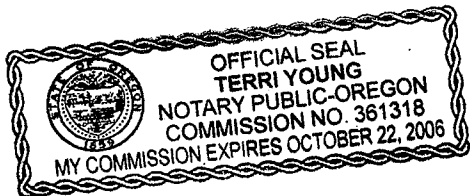
RECORDED BY OREGON TITLE AS AN ACCOMMODATION ONLY THE LIABILITY IS ACCEPTED FOR THE CONDITION OF TITLE OR FOR THE VALIDITY, SUFFICIENCY, OR EFFECT OF THIS DOCUMENT.



- use 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 storm sewer.
 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 storm sewer 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.

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 27th day of Feb, 2003.



GRANTORS: Renaissance Custom Homes, LLC

By: [Signature]
Randal S. Sebastian/Managing Member

STATE OF OREGON)
)ss
County of Washington)

On this 27th day of February, 2003, before me, a notary public in and for said County and State, personally appeared Randal S. Sebastian 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.

[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/22/06

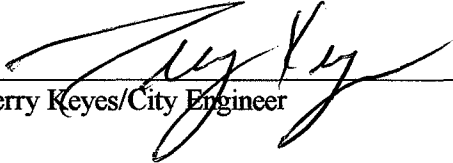


2003-47576

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 25TH day MARCH of, 2003.



Terry Keyes/City Engineer



Ross Schultz/City Manager

EXHIBIT "A"
15-FT WIDE PUBLIC STORM SEWER EASEMENT

A 15-ft wide public storm sewer easement, located in Document No. 2002-136333, Washington County Deed Records (Tract 2 per Survey Number 29,081, Washington County Survey Records), in the Northeast One-Quarter of the Southeast One-Quarter of Section 31, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, being more particularly described as follows:

Beginning at the Southeast corner of the property described in Document No. 2002-136333 (Tract 2 per Survey Number 29,081), Washington County Survey Records, said point being a 5/8" iron rod with a yellow plastic cap inscribed "AKS ENGR.", said point also being on the northerly right-of-way line of Sunset Boulevard (County Road No. 441); thence, leaving said right-of-way line, N18°02'38"E 5.46 feet to a point, said point being the TRUE POINT OF BEGINNING; thence, N79°54'16"W 76.48 feet to a point; thence, N10°05'44"E 15.00 feet to a point; thence, S79°54'16"E 78.57 feet to a point; thence S18°02'38"W 15.15 feet to the said TRUE POINT OF BEGINNING.

The aforementioned described easement contains 1,163 square feet, more or less. The Basis of Bearings for this easement is per Survey Number 29,081, Washington County Survey Records.



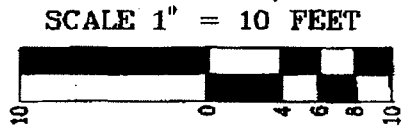
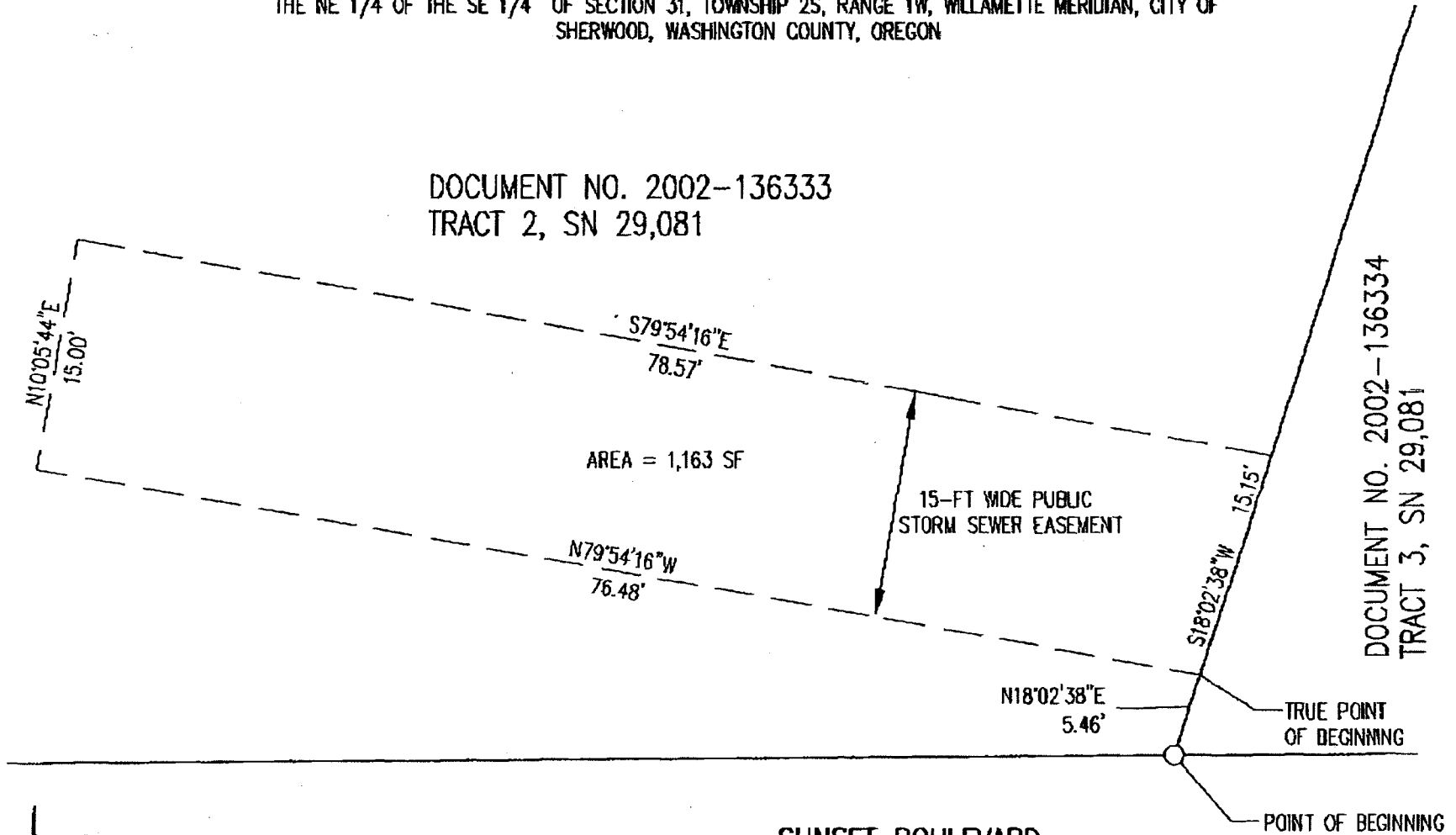
EXHIBIT "B"

15-FT WIDE PUBLIC STORM SEWER EASEMENT

LOCATED IN TRACT 2 PER SURVEY NUMBER 29,081, WASHINGTON COUNTY SURVEY RECORDS, LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 31, TOWNSHIP 2S, RANGE 1W, WILLAMETTE MERIDIAN, CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

DOCUMENT NO. 2002-136333
TRACT 2, SN 29,081

DOCUMENT NO. 2002-136334
TRACT 3, SN 29,081



SUNSET BOULEVARD
COUNTY ROAD NO. 441

BASIS OF BEARINGS: SURVEY NUMBER 29,081, WASHINGTON COUNTY SURVEY RECORDS



2003-47576