

Type of recorded document (i.e., easement, right-of-way, etc.):

PUBLIC SANITARY SEWER EASEMENT

DATED: November 22, 2004

AFTER RECORDING RETURN TO:

City of Sherwood
Engineering Division
400 SE Willamette Street
Sherwood, Oregon 97140

Washington County, Oregon 2004-142309
12/15/2004 09:53:29 AM
D-E Cnt=1 Str=11 \$ PFEIFER
\$25.00 \$6.00 \$11.00 - Total = \$42.00



00698480200401423090050057

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





2004-142309

EASEMENT

Dated this ____ day of November 2004.

BETWEEN: Grantors:

George Andrews
22195 SW 65th
Tualatin, OR 97062

Grantee:

City of Sherwood
20 NW Washington Street
Sherwood, OR 97140

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

1. Legal description and Map are set forth in EXHIBIT "A", Pages 1 and 2 attached hereto, and incorporated by reference herein.

Together with a permanent working easement as follows: For installation of sanitary sewer in proposed permanent easement.

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

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

1. The permanent sanitary sewer 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 a 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 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 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, relocate said 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 reserve 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 right 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 FEE 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 _____ day of September 2004.

Grantor: *George H Andrews*

STATE OF OREGON)
)ss
County of Washington)

On this 12th day of November, 2004, before me, a Notary Public, in and for said County and State, personally appeared George Andrews known to me to be the person whose name subscribed to the within instrument and acknowledge that he 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.



Dorothy M Lewis
NOTARY PUBLIC FOR OREGON
My Commission Expires: 2-26-05

GRANTEE:

Accepted on behalf of the City of Sherwood, Oregon.

This 24th day of November, 2004

Eugen F Thom
City Engineer

Ron E. Schultz
Ron Schultz, City Manager





EXHIBIT "A"
LEGAL DESCRIPTION
FOR
PUBLIC SANITARY SEWER
EASEMENT

REVISED NOVEMBER 16TH, 2004

THE PURPOSE OF THIS DESCRIPTION IS TO DEFINE THE ABOVE TITLED EASEMENT FOR THE BENEFIT OF A PUBLIC SANITARY SEWER TO THE CITY OF SHERWOOD.

THE FOLLOWING DESCRIBED EASEMENT, BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO GEORGE H. ANDREWS IN DEED DOCUMENT NO. 2002-132396 AND A PORTION OF PARCEL 1 OF PARTITION PLAT NO. 1999-043, SITUATED IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 2-SOUTH, RANGE 1-WEST OF THE WILLAMETTE MERIDIAN, CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID ANDREWS TRACT, A POINT ON THE NORTHERLY 30 FOOT RIGHT OF WAY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE ALONG THE WEST LINE OF SAID ANDREWS TRACT N 00°22'25" E 20.33 FEET; THENCE PARALLEL WITH THE SOUTH LINE OF SAID ANDREWS TRACT AND SAID NORTHERLY RIGHT OF WAY LINE N 47°56'01" E 127.11 FEET, TO A POINT THAT IS 15.00 FEET EAST OF, WHEN MEASURED PERPENDICULAR TO THE WEST LINE OF SAID PARCEL 1 OF PARTITION PLAT NO. 1999-043; THENCE PARALLEL TO THE LAST SAID WEST LINE, S 00°22'25" W 20.33 FEET TO A POINT ON THE AFOREMENTIONED NORTHERLY RIGHT OF WAY LINE; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE SOUTH LINE OF SAID ANDREW TRACT, S 47°56'01" W 127.11 FEET TO TRUE POINT OF BEGINNING.

CONTAINING: 1930 SQUARE FEET



N. 1/4 CORNER 21
 SEC. 28, 28
 T2S, R1W

PARTITION
 PLAT
 NO. 1999-043
 PARCEL 1

DOCUMENT NO. 2002-132396

N 00°22'25" E

S 00°22'25" W 1090.94'
 1/4 SEC LINE

PROPOSED
 15.00' PUBLIC
 SANITARY SEWER
 EASEMENT TO
 THE CITY OF
 SHERWOOD

15.00'

S 00°22'25" W
 20.33'

WEST LINE
 DOCUMENT
 NO. 2002-132396

N 47°56'01" E 127.11'
 1930 S.F. 106.78'

S 47°56'01" W 127.11'

N 00°22'25" E
 20.33'
 T.P.O.B.
 S.W. CORNER
 DOCUMENT
 NO. 2002-132396

SOUTHERN PACIFIC RAILROAD



CHECKED	J.H.
DATE	09/20/04

HARRIS-McMONAGLE ASSOCIATES, INC.
 ENGINEERS-SURVEYORS
 12555 S.W. HALL BLVD.
 TIGARD, OR 97223-6287
 PHONE: (503) 639-3453

EXHIBIT A
 SANITARY SEWER
 EASEMENT SKETCH

SCALE	1"=30'
DWG	SS-ESMT
SHEET	1
OF	1