

RECEIVED

APR 3 2006

NO CHANGE IN TAX STATEMENTS  
AFTER RECORDING TO RETURN TO CITY OF SHERWOOD

City of Sherwood  
c/o City Manager  
22560 SW Pine Street  
Sherwood, OR 97140

Washington County, Oregon 2006-031203  
03/17/2006 03:52:40 PM  
D-E Cnt=2 Stn=22 | REED  
\$30.00 \$5.00 \$6.00 \$11.00 - Total = \$52.00



00924446200600312030060064  
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



ACCESS EASEMENT  
and  
PUBLIC UTILITY EASEMENT

**THE CITY OF SHERWOOD, an Oregon municipal corporation** (hereinafter "Grantor") in consideration of the sum of One dollar and 00/00 (\$1.00) on behalf of itself, its successors and assigns for the mutual promises set forth herein as well as other good and valuable consideration (the receipt of which is hereby acknowledged), hereby grants and conveys to the CITY OF SHERWOOD, an Oregon municipal corporation (hereinafter "Grantee"), its successors and assigns, perpetual easements over, under and along the real property described below and incorporated herein:

30  
6  
11  
47  
5  
5  
57

See  
Exhibits "A" & "B" (Public Utility Easement)  
And  
Exhibit "C" and "D" (Access Easement)

attached hereto and incorporated herein by reference.

These easements are for the benefit of the general public and afford the public, by and through the CITY OF SHERWOOD all rights to utilize said easements in perpetuity for the location of public and private utilities on, in or above the easement area (and such other uses as the Grantee deems as not inconsistent therewith) and for the rights of ingress and egress subject to the rules and regulations of Grantee and the terms of these easements.

Improvements and Maintenance. Grantee shall improve and maintain the easement properties for the location of public and private utilities and access and such other uses as Grantee deems not inconsistent therewith and as such may construct, install, operate, maintain, and upgrade across, within and under the land described herein any improvement as Grantee allows to locate therein. Grantee shall have the right to excavate and refill ditches, trenches and areas for the location of any and all improvements with the further right to remove trees, brushes, grasses, undergrowth, soils or other obstructions interfering with the location, operation, maintenance and upgrade of said improvements which may be located in the described easement area. Grantor and its successors, assigns shall have no responsibility for maintenance and repair of the area of the easement but shall have responsibility imposed by City Charter and/or city ordinance or other regulation for the maintenance of the easement area used for sidewalk or pedestrian passage (if any). Grantor shall retain no special rights of use of the easement property beyond those held as member(s) of the general public.

Legal Effect. This easement is binding upon and inures to the benefit of all heirs, successors and

FATCO. NO. NCS-198170

assigns of Grantor and Grantee and runs with the land.


Provision Applicable Law. This easement shall be governed by, and construed in accordance with the laws of the State of Oregon.


Waiver. Failure of either party at any time to require performance of any provision of this easement shall not limit the parties' right to enforce the provision, nor shall any waiver of any breach of any provision of this easement be a waiver of any succeeding breach of the provision or a waiver of the provision itself or any other provision.

Severability. The determination that one or more provisions of this easement is invalid, void or illegal or unenforceable shall not effect or invalidate the remainder of this easement.

Modification. No amendment or modification of this easement shall be valid unless in writing and signed by all parties hereto. Grantee may vacate this easement in accordance with state law and local ordinance.

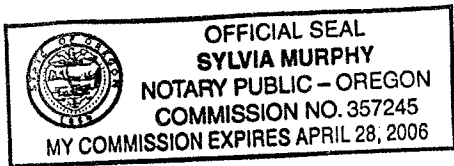
Dated this 15 day of ~~February~~ <sup>March</sup>, 2006.

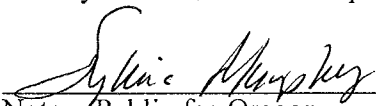
  
\_\_\_\_\_  
Ross Schultz  
City Manager

  
\_\_\_\_\_  
Jim Patterson  
Adj. City Manager


STATE OF OREGON            )  
  ) ss.  
County of WASHINGTON    )


SUBSCRIBED AND SWORN to before me this 15 day of March, 2006 by Jim Patterson who appeared before me and said person(s) acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.



  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 4.28.06

Accepted for the City of Sherwood:

  
\_\_\_\_\_  
Ross Schultz  
City Manager

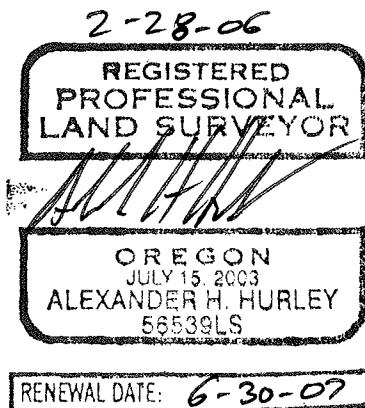
  
\_\_\_\_\_  
James A. Patterson  
Adj. City Manager

## EXHIBIT A

A tract of land located in the Southwest One-Quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon being more particularly described as follows:

Beginning at the Southwest corner of Section 29 being a 3-1/4 inch aluminum cap; thence along the South line of said Section 29 South 89°25'43" East 649.74 feet to a 1/2 inch iron pipe; thence along the West line of Document Number 2003-071273 North 00°02'14" East 69.13 feet to a 1/2 inch iron pipe; thence continuing along the West line of said Document Number 2003-071273 North 44°23'29" West 150.84 feet to a 1/2 inch iron pipe; thence along the Northeasterly line of Document Number 80004057 North 44°14'23" West 46.60 feet to a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR." being the True Point of Beginning; thence South 45°45'37" West 15.00 feet to a point; thence North 44°14'23" West 15.00 feet; thence North 45°45'37" East 15.00 feet to a point on the Northeasterly line of Document Number 80004057; thence along said Northeasterly line South 44°14'23" East 15.00 feet to the True Point of Beginning.

The above described tract of land contains 225 square feet, more or less. The Basis of Bearings is per Survey Number 25107 Washington County Survey Records.

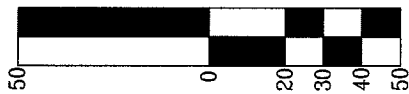


# EXHIBIT B

MAP OF PUBLIC UTILITY EASEMENT LOCATED IN THE SW 1/4  
OF SECTION 29, T2S, R1W, W.M., CITY OF SHERWOOD,  
WASHINGTON COUNTY, OREGON

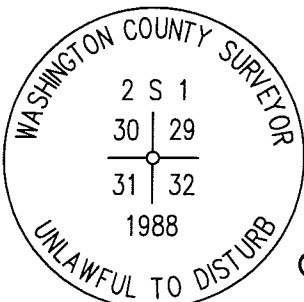
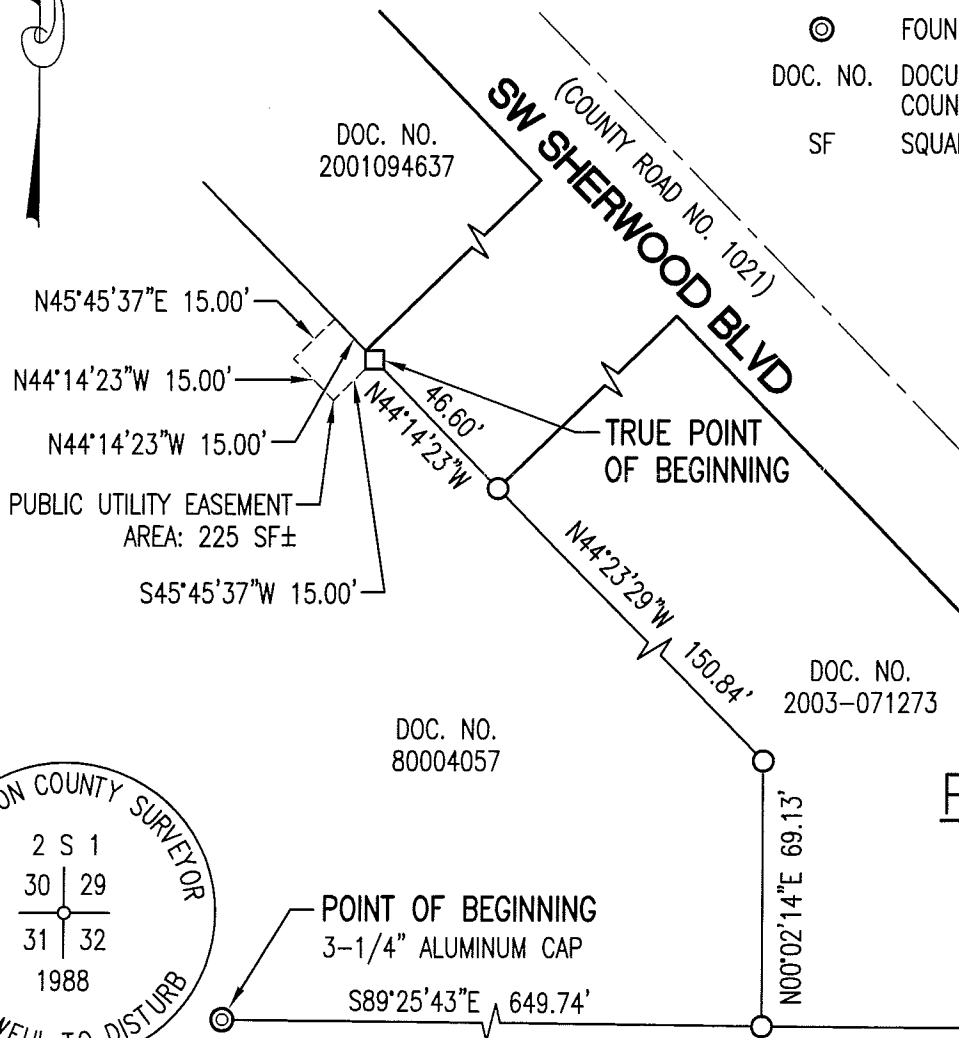


SCALE 1" = 50 FEET



## LEGEND

- FOUND 5/8" IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."
- FOUND 1/2" IRON PIPE
- ⊙ FOUND MONUMENT AS NOTED
- DOC. NO. DOCUMENT NUMBER PER WASHINGTON COUNTY DEED RECORDS
- SF SQUARE FEET



2-28-06

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

ALEXANDER H. HURLEY  
56539LS

RENEWAL DATE: 6/30/07

JOB NAME:	SHERWOOD LIBRARY
JOB NUMBER:	1438
DRAWING NUMBER:	EXHIBIT B
DRAWN BY:	JOH
CHECKED BY:	NSW

ENGINEERING • PLANNING • SURVEYING • FORESTRY



LICENSED IN OR & WA  
13910 SW GALBREATH DR.,  
SUITE 100  
SHERWOOD, OR 97140  
PHONE: (503) 925-8799  
FAX: (503) 925-8969

E-MAIL: aks@aks-eng.com

## PREPARED FOR:

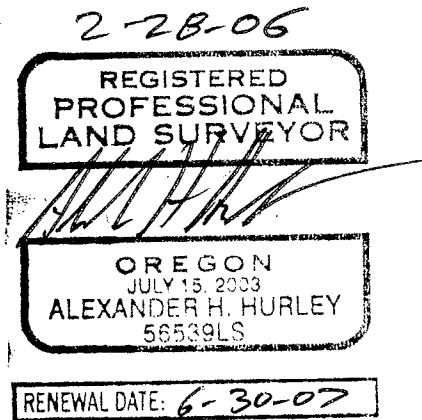
CITY OF SHERWOOD  
22566 SW WASHINGTON ST  
SHERWOOD, OR 97140

EXHIBIT **C**

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The above described tract of land contains 2330 square feet, more or less. The Basis of Bearings is per Survey Number 25107 Washington County Survey Records.



# EXHIBIT D

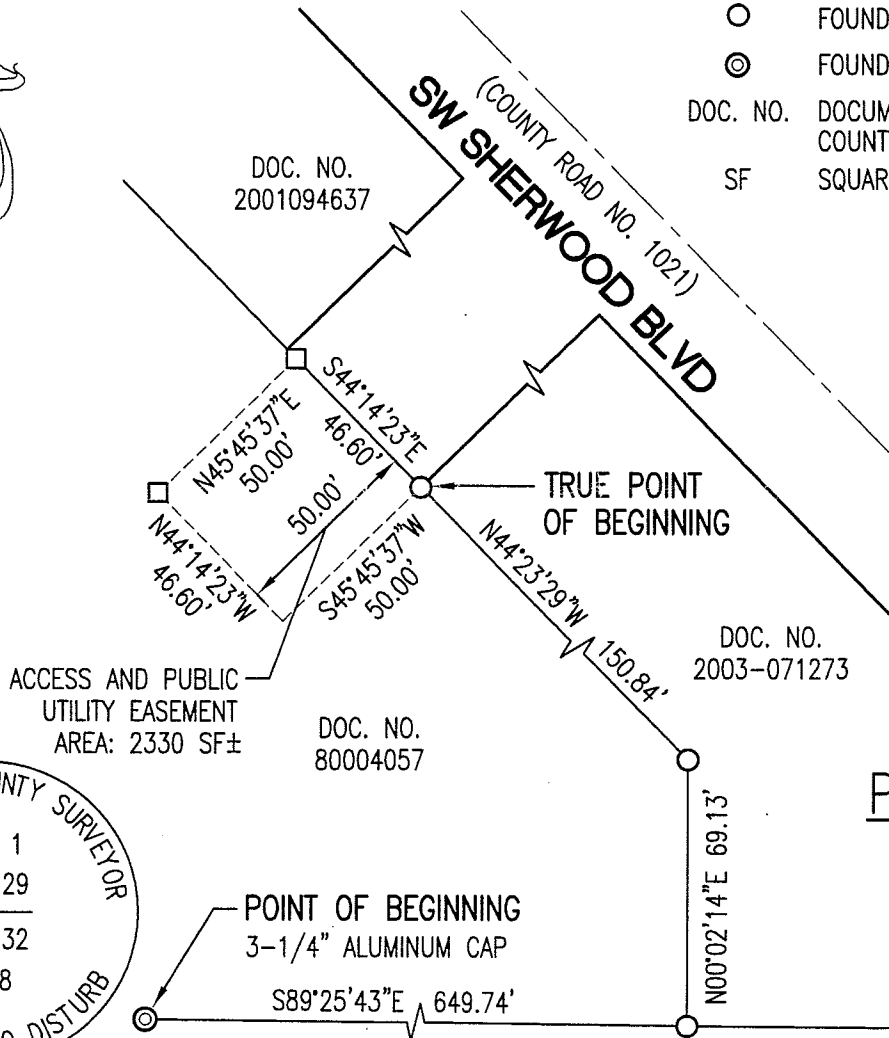
MAP OF ACCESS AND PUBLIC UTILITY EASEMENT  
 LOCATED IN THE SW 1/4 OF SECTION 29, T2S, R1W, W.M.,  
 CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

SCALE 1" = 50 FEET



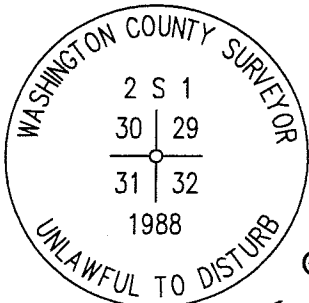
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- ⊙ FOUND MONUMENT AS NOTED
- DOC. NO. DOCUMENT NUMBER PER WASHINGTON COUNTY DEED RECORDS
- SF SQUARE FEET



## PREPARED FOR:

CITY OF SHERWOOD  
 22566 SW WASHINGTON ST  
 SHERWOOD, OR 97140



2-28-06

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

OREGON  
 JULY 15, 2003  
 ALEXANDER H. HURLEY  
 56539LS

RENEWAL DATE: 6/30/07

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