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I, Richard Hobernicht, 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.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



EASEMENT

DATED: August 2, 2007

AFTER RECORDING RETURN TO:

City of Sherwood  
Engineering Department  
22560 SW Pine Street  
Sherwood, OR. 97140

BETWEEN:

Grantors:

George Andrews  
22195 SW 65th  
Tualatin, OR 97062

Grantee:

City of Sherwood  
22560 SW Pine 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, a municipal corporation, hereinafter referred to as "Grantee", sanitary sewer easements No. 1 and No. 2 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 sanitary sewer in proposed permanent easements No. 1 and No. 2.

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 sanitary sewer easements No. 1 and No. 2 unto said Grantee in accordance with the conditions and covenants as follows:

1. The permanent sanitary sewer easements No. 1 and No. 2 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 said utility, 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 easements rights-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 utility.
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, relocate said easements No. 1 and No. 2 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 easements No. 1 and No. 2 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 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 easements No. 1 and No. 2 this 2nd day of AUGUST, 2007.

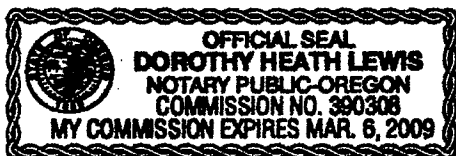
GRANTORS: George Andrews

STATE OF OREGON )  
 )ss  
 County of Washington )

On this 2nd day of AUGUST, 2007, before me, a notary public in and for said County and State, personally appeared GEORGE ANDREWS 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.

Dorothy Heath Lewis  
 NOTARY PUBLIC FOR OREGON  
 My Commission Expires: 03-06-09



GRANTEE:

Accepted on behalf of The City of Sherwood.

This 21<sup>st</sup> day August of, 2007.



\_\_\_\_\_  
Tom Pessemier/City Engineer



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

# HARRIS - McMONAGLE ASSOCIATES INC.

ENGINEERS - SURVEYORS - PLANNERS

12555 SW HALL BOULEVARD

TIGARD, OREGON 97223

TEL (503) 639-3453 FAX (503) 639-1232

Date: July 20, 2007

## EXHIBIT "A" LEGAL DESCRIPTION EASEMENT No. 1

**PURPOSE:** The purpose of this legal description is to define a variable width sanitary sewer easement to be granted to the City of Sherwood located on a portion of that land as described in deed document No. 2004-085063, also being a portion of Parcel 1, of Partition Plat No. 1999-043, and as shown on Exhibit "B", Easement Sketch.

The following described easement being a portion of Parcel 1, of Partition Plat 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.

Beginning at the Southwest corner of said Parcel 1; thence along the West line of said Parcel 1, N 00°22'25" E 571.45 feet to the south line of Parcel 3, of Partition Plat No. 2004-048 as described in deed document No. 2004-113411; thence along last said south line, N 72°06'39" E 201.30 feet to the southeast corner of said last said Parcel 3; thence along the southerly extension of the east line of said Parcel 3, S 00°33'30" E 28.28 feet; thence parallel with and 27.00 feet from when measured at right angles to the south line of last said Parcel 3, S 72°06'39" W 185.99 feet to a point that is 15.00 feet from when measured at right angles to the west line of Parcel 1 of Partition Plat No. 1999-043; thence parallel with the west line of said Parcel 1, S 00°22'25" W 534.25 feet to the northerly line of the Southern Pacific Rail Road Company, property; thence along last said line S 47°56'01" W 20.33 feet to the point of beginning.

The area within the easement is 0.31 Acres.

## EASEMENT No. 2

### TOGETHER WITH THE FOLLOWING DESCRIBED SANITARY SEWER EASEMENT:

**PURPOSE:** The purpose of this legal description is to define a 15.00 foot wide sanitary sewer easement to be granted to the City of Sherwood located on a portion of that land as described in deed document No. 98-053148, and defined as Tract 2 as shown on Washington County Survey No. 28,873.

Commencing at the Southwest corner of Parcel 1, of Partition Plat 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; thence along the West line of said Parcel 1, N 00°22'25" E

103.37 feet to the centerline of a 15.00 foot wide sanitary sewer easement being the True Point of Beginning; thence along the centerline of said 15.00 foot wide sanitary sewer easement the side lines of which are 7.50 feet on each side thereof when measured at right angles thereto, N 89°37'35" W 58.80 feet to the east line of that land as described in deed document No. 2002-132396 and the terminus of this easement. It shall be understood that the side lines of this easement shall extend or shorten as necessary to intersect the limiting boundary.

The area within the easement is 882 square feet.

The basis of bearing for these easement descriptions is survey No. 28,873. The above easements are shown on Exhibit "B" Easement Sketch attached hereto.



N. 1/4 CORNER SEC. 28,  
 T. 2 S., R. 1 W., W.M.  
 3 1/4" ALUM. DISK, (506)  
 B.T. BK 5, PG. 92

TRACT 1  
 SN 28,873  
 DEED DOC. NO.  
 2004-113471

PARTITION PLAT  
 NO. 1999 - 043

DOC. NO.  
 98053148

DEED DOC. NO.  
 2004-085063

ADJUSTED PROPERTY LINE PER SN 28,873  
 DEED DOC. NO. 2002-132396  
 N00°22'25"E 617.50'

DEED DOC. NO. 2002-132396

TRACT 2 SN 28,873

ESMT NO. 2

N00°22'25"E 571.45'

S00°22'25"W 534.25'

WEST LINE PARCEL 1  
 PARTITION PLAT 1999-043

SOUTHERN PACIFIC COMPANY

N89°37'35"W  
 58.80'

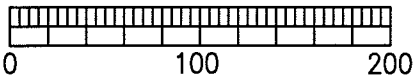
103.37'

S47°56'01"W  
 20.33'

POB  
 ESMT  
 NO. 1 AND 2

SEE LEGAL DESCRIPTION  
 EXHIBIT "A"

(E) UTILITIES & INGRESS-EGRESS EASEMENT



SCALE: 1"=100'

DESIGN	BSA
DRAFTED	BSA
CHECKED	WLMc
DATE	7-20-07

**HARRIS-McMONAGLE ASSOCIATES, INC.**  
 ENGINEERS - SURVEYORS  
 12555 S.W. HALL BLVD.  
 TIGARD, OR 97223-6287  
 PHONE: (503) 638-3453

**JAMES KING SEWER**

**EXHIBIT B  
 EASEMENT SKETCH**

SCALE	1"=100'
DWG. NAME	BASE
SHEET	1
OF	1