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



STORM SEWER EASEMENT

DATED: September 14, 2004

AFTER RECORDING RETURN TO:

City of Sherwood
Engineering Department
400 SE Willamette St.
Sherwood, OR. 97140

BETWEEN:

Grantors:

Oregon-Washington Lumber Co.
301 NW Murray Blvd.
Portland, OR. 97229

Grantee:

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

KNOW ALL MEN BY THESE PRESENTS, that Oregon-Washington Lumber Co. 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 an access easement across the premises described as follows, to wit:

1. Legal description is set forth in EXHIBIT "C", Page 3 and incorporated by reference herein.
2. A map of the above legal description is set forth in EXHIBIT "D", Page 4 and incorporated by reference herein.

It is the intent of the parties hereto that the access easement be temporary and to that end, upon Grantor completing construction of the full extension of Century Drive and Grantee's formal written acceptance thereof showing that roadway's construction to be in compliance with the street standards adopted by Grantee, Grantee agrees to execute whatever documents may be necessary to extinguish said access easement.

Together with a permanent easement for storm drainage and utility purpose in proposed permanent easement.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$0.00.

The permanent storm drainage and utility easement includes the right, privilege and authority of Grantee to excavate, construct, build, lay install, patrol, operate maintain and repair a storm drainage system (and other public or private utilities deemed by Grantee not to be incompatible therewith) with all incidental and necessary rights thereto including but not limited to the right of access on, over, through and under said premises and to cut and remove from said easement any trees, shrubs or other natural or artificial obstructions which may endanger or impede or interfere with the use of said easement for utility purposes. No building or other structure (including fences) may be constructed, or erected over the easement right-of-way.

Grantee shall, to the extent permitted by law, indemnify and hold harmless Grantor, their heirs, successors and/or assigns from claims for injury to person or property as a result of the negligence of Grantee, its employees or agents in the construction, operation, or maintenance of the Grantee's utilities located in the easement.


Grantee, upon initial installation and upon every occasion thereafter where Grantee's utilities are repaired, maintained, added to or removed shall restore said premises and any improvement injured by Grantee's actions to as reasonably good a condition as they were prior to such work.

Grantor may, at their expense relocate said storm sewer system and other utilities located in the easement provided said relocation is deemed acceptable in writing by Grantee, in its sole discretion.

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 14th day of September, 2004.

GRANTORS: Oregon-Washington Lumber Co.

By: 
Milton O. Brown

Title: President

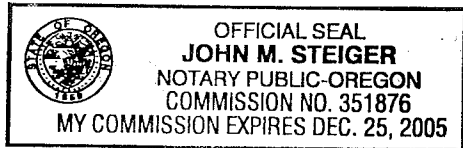
STATE OF OREGON)


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County of Washington)

On this 14th day of September, 2004, before me, a notary public in and for said County and State, personally appeared Milton O. Brown known to me to be the person whose names subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.


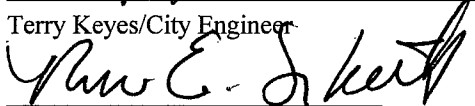
:IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.




NOTARY PUBLIC FOR OREGON
My Commission Expires: 12-25-2005

GRANTEE:

Accepted on behalf of The City of Sherwood.
This 17 day September, 2004.


Terry Keyes/City Engineer

Ross Schulz/City Manager

July 7, 2004
Job No. 04-3536SDE

STORM DRAIN EASEMENT

LEGAL DESCRIPTION:

EXHIBIT "A"

A tract of land for storm drain easement purposes, being a portion of those lands described in Book 800, Page 607, Washington County Deed Records, in the Southeast 1/4 of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, County of Washington and State of Oregon, more particularly described as follows:

Beginning at point on the Southwesterly line of those lands described in Book 800, Page 607, Washington County Deed Records, said point bears North 42°27'31" West, 44.12 feet from the most Southerly corner thereof; thence continuing on said Southwesterly line North 42°27'31" West, 308.93 feet; thence leaving said Southwesterly line North 47°32'29" East, 15.00 feet; thence parallel with said Southwesterly line South 42°27'31" East, 303.07 feet; thence South 85°06'06" East, 24.76 feet; thence North 47°15'05" East, 200.69 feet; thence South 42°44'55" East, 15.00 feet; thence South 47°15'05" West, 207.31 feet; thence North 85°06'06" West, 37.24 feet to the point of beginning.

The bearings for this description are based on Record of Survey No. 28065, Washington County Survey Records.

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Exhibit "B"

STORM DRAIN EASEMENT

OREGON-WASHINGTON LUMBER CO.

IN THE SE 1/4 SEC. 29, T.2S., R.1W., W.M.
Washington County, Oregon

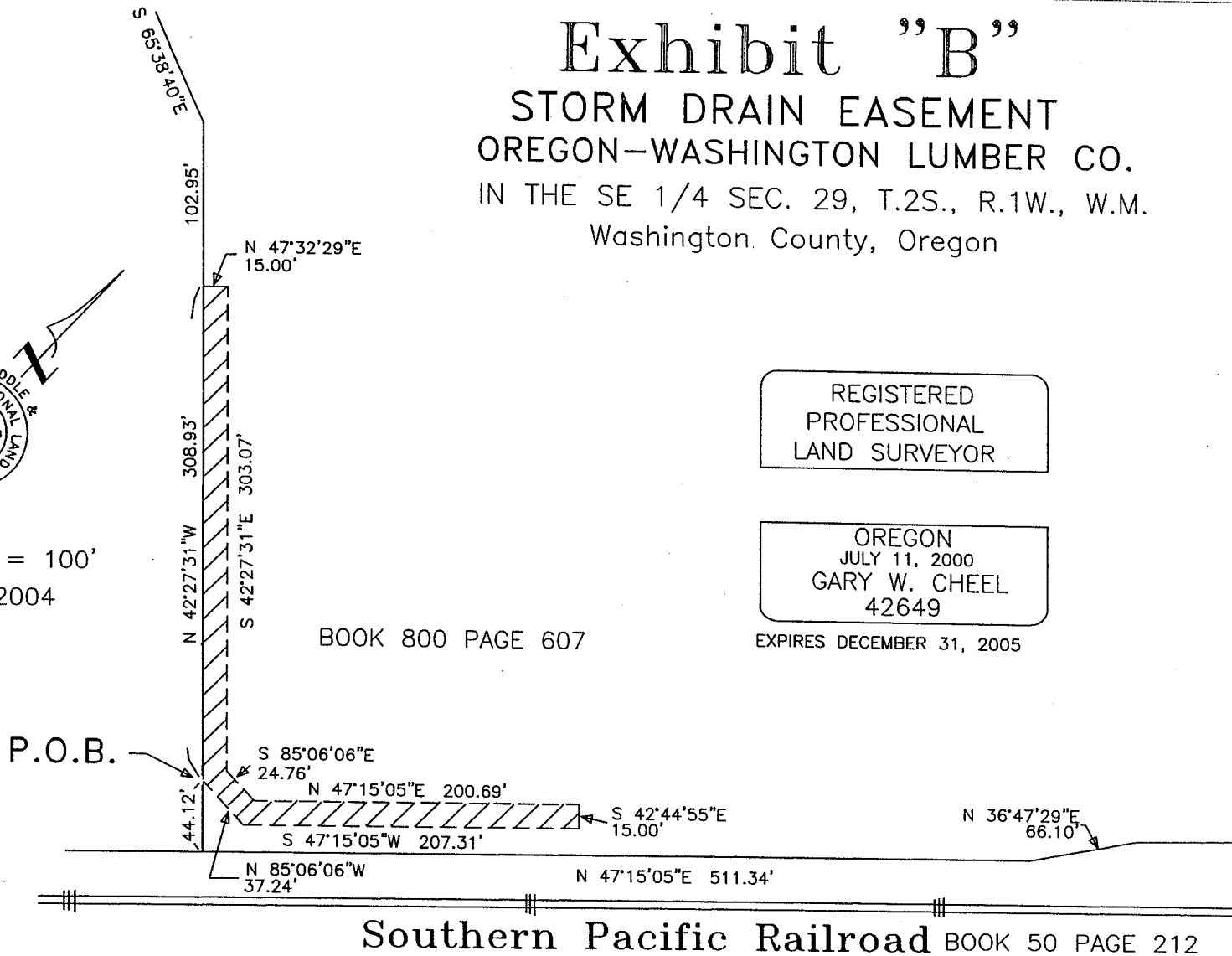


SCALE: 1" = 100'
JULY 7, 2004

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 11, 2000
GARY W. CHEEL
42649

EXPIRES DECEMBER 31, 2005



Job No. 3536SDE

Temporary Maintenance Access Road for Manholes

Legal Description:

EXHIBIT "C"

A tract of land for a 20-foot access road easement terminating in a cul-de-sac with a 49-foot radius for the City of Sherwood with the purpose of maintaining storm manholes and systems along the southwestern property line, in the Southeast $\frac{1}{4}$ of Section 29, Township 2 South, Range 1 West of the Willamette Meridian, County of Washington and State of Oregon, more particular described as follows:

Beginning at point on the most northwesterly property corner, also being on the southerly right of way line of Tualatin-Sherwood Road; thence N71 59'30"E 42.09 feet along said southerly line to the true point of beginning of the centerline of the maintenance access road and the centerline of the 20.00 foot easement; thence S00 11'52"E 247.41 feet to a curve; thence along a tangent curve concave westerly having a radius of 120.00' for a distance of 16.93 feet; thence S07 53'21"W 447.72 feet to tangent curve; thence along the concave easterly having a radius of 85 feet for a distance of 20.10 feet to tangent of a curve; thence S05 39'26"E 277.94 feet to tangent curve concave northwest; thence southwest along said curve of a radius of 100.00 feet for a distance of 157.00 feet to tangent of curve, thence S84 17'47"W 412.76 feet to tangent curve concave southeast; thence southeasterly along said curve having a radius of 65.00 feet for a distance of 102.04 feet to tangent of curve; thence S05 39'14"E 213.58 feet to tangent curve concave east; thence southeasterly along said curve having a radius of 100.00 feet for a distance of 104.71 feet to tangent of curve; thence S65 38'40"E 62.30 feet to tangent curve concave south; thence southeasterly along said curve having a radius of 120.00 feet for a distance of 39.96 feet to tangent of curve; thence S42 44'55"E 328.18 feet to end of 20-foot easement centered on the centerline road stationing; the easement continues along the radius of 49.00 feet as follows: from said centerline point S89 52'36"E 53.22 feet to center of cul-de-sac; thence along the radius of 49.00 feet from said point to match the points on the 20-foot centerline easement.

Total area of easement is 56,700 square feet more or less.



