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Washington County, Oregon 2007-125869
12/07/2007 02:00:38 PM
D-E Cnt=1 Str=10 A DUYCK
\$25.00 \$5.00 \$11.00 - Total = \$41.00

After recording, please return to:

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



01194304200701258690050051

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



PERMANENT EASEMENT
(Individual Grantor)

NICHOLAS E. AND SUSAN M. LUTZ, CONTRACT PURCHASERS,
DAVID M. VANWINKLE AND BARBARA L. VANWINKLE, CONTRACT HOLDERS

GRANTOR(S), do on behalf of themselves, their heirs, successors and assigns hereby grant and convey to the CITY OF SHERWOOD, a political subdivision of the State of Oregon, GRANTEE the following permanent easement(s) in that certain real property situated in the City of Sherwood as described in Exhibit "A" (Legal Description) and Exhibit "B" (Location Map), attached hereto and by this reference incorporated herein.

The true consideration for this conveyance is \$ 3490.00.

This document is intended to establish permanent easements on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein. The easements granted shall not prevent GRANTOR(S) from the use of said property provided, however, that such use shall not be permitted to interfere with the rights herein granted. GRANTOR(S) shall not be permitted to endanger the lateral support of any facilities constructed within the easements granted herein.

GRANTOR(S) hereby covenant(s) to and with GRANTEE that they are the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and will warrant and defend the easement rights herein granted from all lawful claims whatsoever, except as stated herein.

GRANTEE (and other public or private entities or persons GRANTEE deems in its sole discretion as appropriate) shall have the right to use the property as necessary: (1) to construct, repair, replace, remove, or modify a slope over, across, through, in and under the property described in Exhibits "A" and "B"; and/or (2) to construct, repair, replace, remove or modify a wall over, across, through, in and under the property described in Exhibits "A" and "B"; and/or (3) to install, construct, operate, maintain, repair, replace and reconstruct utilities, including but not limited to water, wastewater, drainage, electric, fiber optic, telephone and cable, as Grantee may deem necessary over, across, through, in and under the property described in Exhibits "A" and "B."

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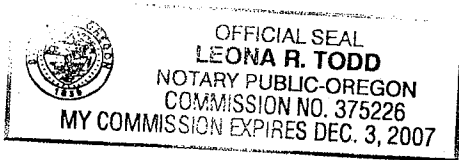
IN WITNESS WHEREOF, the above named Grantor(s), has/have caused this instrument to be signed.

DATED this 9TH day of OCTOBER, 2007.

Nick Judd
(Grantor Signature)

STATE OF OREGON)
County of Washington) ss.

This instrument was acknowledged before me this 9TH day of OCTOBER, 2007, by
NICK WITZ

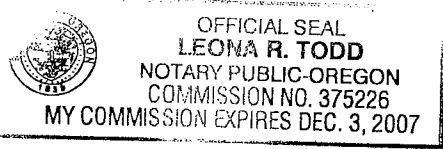


LR Todd
Notary Public

Susan M Judd
(Grantor Signature)

STATE OF OREGON)
County of Washington) ss.

This instrument was acknowledged before me this 9TH day of OCTOBER, 2007, by
SIKIAN WITZ



LR Todd
Notary Public

Accepted on behalf of the City of Sherwood, Oregon.

Approved As To Form
David F. D.
City of Sherwood Legal Counsel

By: [Signature]
Title: City Encl

Date: 5/8/07

Dated this 23^d day of Oct, 2007

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IN WITNESS WHEREOF, the above named Grantor(s), has/have caused this instrument to be signed.

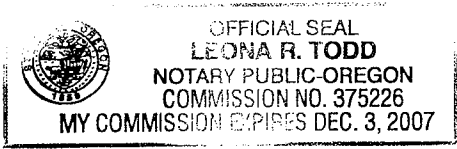
DATED this 9TH day of OCTOBER, 2007.

[Signature]
(Grantor Signature)

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me this 9TH day of OCTOBER, 2007, by
DAVID M VANWINKLE

[Signature]
Notary Public

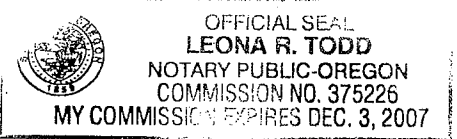


[Signature]
(Grantor Signature)

STATE OF OREGON)
) ss.
County of Washington)

This instrument was acknowledged before me this 9TH day of OCTOBER, 2007, by
PARRAPA L VANWINKLE

[Signature]
Notary Public



Accepted on behalf of the City of Sherwood, Oregon.

Approved As To Form
[Signature]
City of Sherwood Legal Counsel

By: [Signature]
Title: City Eng

Date: 5/8/07

Dated this 23rd day of Oct, 2007

EXHIBIT A

Sheet 2 of 2

WALL EASEMENT:

A TRACT OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO DAVID VAN WINKLE AND BARBARA L. VAN WINKLE BY QUITCLAIM DEED RECORDED AS DOCUMENT NUMBER 94-102391, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE EAST RIGHT OF WAY LINE OF S.W. PINE STREET (BEING A LINE PARALLEL WITH AND 20.00 FEET FROM THE CENTERLINE OF S.W. PINE STREET) NORTH 00°04'17" EAST 61.18 FEET; THENCE LEAVING SAID EAST RIGHT OF WAY LINE SOUTH 89°55'43" EAST 3.50 FEET; THENCE PARALLEL WITH AND 23.50 FEET FROM THE CENTERLINE OF S.W. PINE STREET SOUTH 00°04'17" WEST 61.18 FEET TO THE SOUTH LINE OF SAID VAN WINKLE TRACT; THENCE ALONG SAID SOUTH LINE NORTH 89°55'43" WEST 3.50 FEET TO THE POINT OF BEGINNING.

CONTAINS 214 SQUARE FEET, MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR




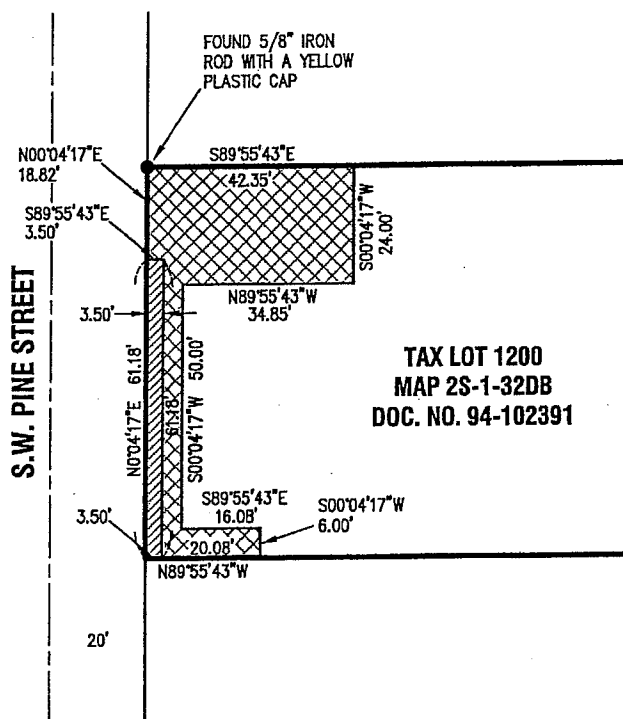
OREGON
JULY 14, 1978
DON DEVLAEINCK
1634

DATE OF SIGNATURE: *11/2/07*

VALID UNTIL 12/31/2007

 **TEMPORARY CONSTRUCTION EASEMENT, 1319 SQUARE FEET**

 **WALL EASEMENT 214 SQUARE FEET**



**TAX LOT 1200
MAP 2S-1-32DB
DOC. NO. 94-102391**

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

**OREGON
JULY 14, 1978
DON DEVLAMINCK
1634**

DATE OF SIGNATURE: *12/16/07*
VALID UNTIL 12/31/2007



Scale: 1" = 30'

EXHIBIT "B"



COMPASS ENGINEERING

ENGINEERING SURVEYING PLANNING
4105 INTERNATIONAL WAY, SUITE 501 (503) 653-8093 PHONE
MILWAUKIE, OREGON 97222 WWW.COMPASS-ENGINEERING.COM

**DAVID AND BARBARA L. VAN WINKLE
23130 S.W. PINE STREET
SHERWOOD, OREGON 97140**