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Washington County, Oregon

12/07/2007 02:00:38 PM

2007-125870

D-E

Cnt=1 Stn=10 A DUYCK

\$30.00 \$5.00 \$11.00 - Total = \$46.00

PUBLIC SANITARY SEWER  
UTILITY EASEMENT

DATED: MAY 19, 1999

SEND TAX STATEMENTS TO:

Allen R. Methven  
120 SW 7th Street  
Dundee, Oregon 97115

AFTER RECORDING RETURN TO:

After recording, please return to:

id

City of Sherwood  
22560 SW Pine St  
Sherwood, OR 97140



01194306200701258700060064

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*

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



BETWEEN:

Allen R. Methven  
120 SW 7th Street  
Dundee, Oregon 97115

Grantor

City of Sherwood  
20 NW Washington  
Sherwood, Oregon 97140

Grantee

THE TRUE AND ACTUAL CONSIDERATION IS NONE.

## **PUBLIC SANITARY SEWER UTILITY EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that Allen R. Methven, does forever grant unto the CITY OF SHERWOOD, a municipal corporation a permanent public sanitary sewer non-exclusive right-of-way and easement over and along the full width and length of the premises described as follows, to wit:

1. Legal description if set forth in EXHIBIT "A" attached hereto, and incorporated by reference herein.

2. A map of the above legal description is set forth in EXHIBIT "B" and incorporated by reference herein.

The true and actual consideration paid for this transfer stated in terms of dollars is \$-0-, however, the actual consideration consists of or includes other property or value given which is the whole consideration, receipt of which is hereby acknowledged.

In the event the permanent public sanitary sewer right-of-way and easement shall no longer serve a public purpose, it shall revert back to the Grantor, his successors or assigns; and

TO HAVE AND TO HOLD the above described permanent public sanitary sewer right-of-way and easement unto said Grantee in accordance with the conditions and covenants as follows;

1. The Grantee, through its officers, employees and agents, shall have the right to enter upon said lands in such a manner and at such times from this date as may be reasonably necessary for the purpose of construction, building, patrolling, replacing and maintaining thereon a public sanitary sewer pipe line, manholes and cleanouts along said right-of-way, including such renewals, repairs, replacements and removals as may be from time to time required, 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. No building shall be constructed over the pipeline easement right-of-way.

2. The Grantee, 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 Grantor, and any improvements disturbed by the Grantee, 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 or interference with the use granted herein. Grantors and their successors in interest shall have the free and unobstructed use thereof, subject to rights of Grantee herein provided.

3. Grantee will make no unreasonable interference with such use of the surface of said land by Grantor and his successors in interest.

4. Grantor and his successors in interest will not be responsible for damage by others to said public utilities.

5. Grantee will indemnify and hold harmless the Grantor, his heirs and assigns from claims or 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 easement for public utilities.

6. 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.

WITNESS our hand s this 19 day of MAY, 1999.

Allen R. Methven  
Allen R. Methven, Grantor

STATE OF OREGON     )  
  ) ss  
County of YAMHILL     )

On this 19 day of MAY, 1999, before me, a notary public in and for said County and State, personally appeared Allen R. Methven 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.

Ivon Miller  
NOTARY PUBLIC OF OREGON

My Commission Expires: 11-26-01



APPROVED AS TO FORM THIS 20th DAY OF May, 1999.

*Alvin...*  
City Attorney, City of Sherwood, Oregon

APPROVED AS TO LEGAL DESCRIPTION THIS 22nd DAY OF October, <sup>2007</sup>~~1999~~

*[Signature]*  
City Engineer, City of Sherwood, Oregon

ACCEPTED ON BEHALF OF THE CITY OF SHERWOOD, OREGON THIS  
29 DAY OF Oct, <sup>2007</sup>~~1999~~.

*Ross E. Shultz*  
~~Mayor~~, City of Sherwood  
*City Manager*

ATTESTED TO:

*Sylvia Murphy*  
City Recorder, City of Sherwood

Date: October 29, 2007

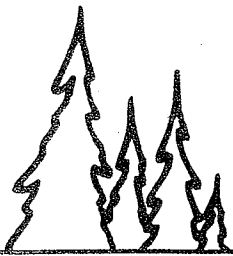
AFTER RECORDING, RETURN TO:

CITY RECORDER  
CITY OF SHERWOOD  
22560 SW Pine St.  
SHERWOOD, OREGON 97140

NOTE:

This original document was discovered unrecorded in a file at Sherwood City Hall in October 2007, therefore the differences in dates.

*Sylvia Murphy*  
City Recorder



**LEONARD A. RYDELL, P.E., P.L.S., W.R.E.** Consulting Civil Engineer - Land Surveyor

**601 PINEHURST DRIVE, NEWBERG, OREGON 97132-1625**

**(503) 538-5700 FAX 538-9167**

**larydell@teleport.com**

**EXHIBIT "A"**

**LEGAL DESCRIPTION - Sanitary Sewer Easement**  
Prepared for Allen R. Methven

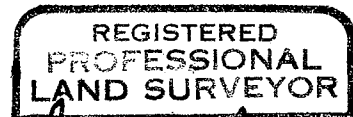
W.O. No. 9822

18 May 1999

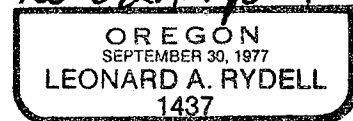
A public sanitary sewer easement across a portion of that property described in Bargain and Sale Deed - Statutory Form recorded 28 September 1990, Fee No. 90-53861, Washington County Deed Records, and located in the Northeast Quarter of the Southwest Quarter of Section 28, Township 2 South, Range 1 West of the Willamette Meridian, City of Sherwood, Washington County, Oregon and more fully described based Washington County Surveyor's Office Survey No. 25,092 as follows:

Beginning at a monument at Station 98+17.00 of County Road No. 2737 (relocated S. W. Tualatin-Sherwood Road), said point being also Station 10+00.00 of County Road No. 2737 (S. W. Oregon Street) and North 87° 54' 43" East 2520.29 feet from the one-quarter corner common to Sections 29 and 28; thence South 06° 18' 53" East along the centerline of said County Road No. 2737 (N. E. Oregon Street) 77.01 feet to a monument at Station 10+77.01; thence on a 450.00 foot radius curve right (long chord bears South 01° 25' 24" West 121.18 feet) along the centerline of said County Road No. 2737 (N. W. Oregon Street) an arc distance of 121.55 feet; thence South 80° 50' 18" East 40.00 feet to the West right-of-way line of said County Road No. 2737 (N. E. Oregon Street), said point being the True Point of Beginning of a sanitary sewer easement, thence South 74° 27' 43" East 3.27 feet; thence South 15° 32' 17" West 80.38 feet to the North right-of-way line of Dahlke Lane; thence North 67° 54' 56" West along the North right-of-way of Dahlke Lane 0.93 feet to the East right-of-way of N. E. Oregon Street; thence on a 490.00 foot radius curve left (long chord bears North 13° 54' 45" East 80.31) along the East right-of-way of said N. E. Oregon street an arc distance of 80.40 feet to the Point of Beginning.

Said easement containing 80 square feet more or less.

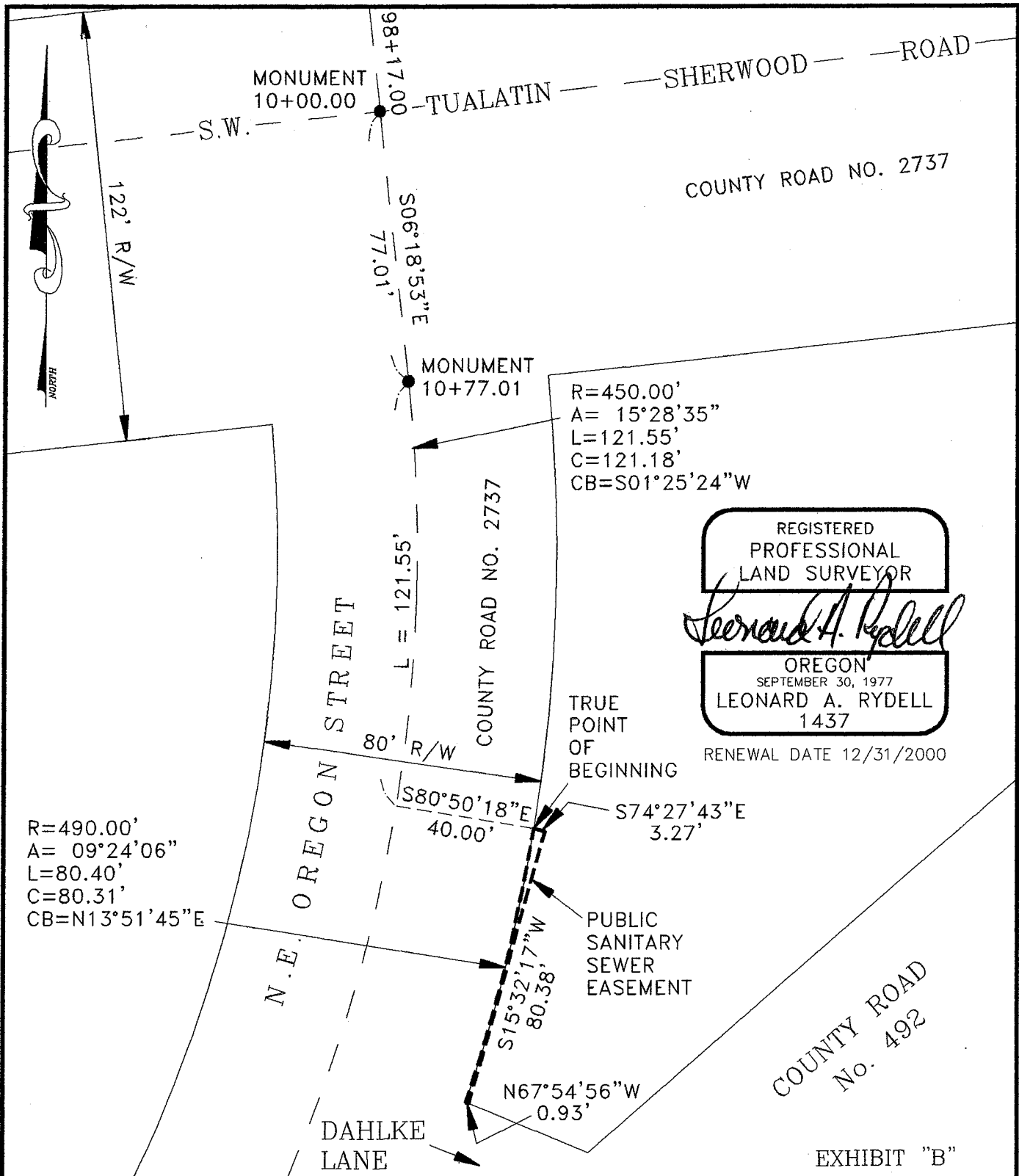


*Leonard A. Rydell*



RENEWAL DATE 12/31/2000

**PLANNED DEVELOPMENTS • RESIDENTIAL SUBDIVISIONS**  
**WATER, SANITARY SEWER AND STORM DRAINAGE SYSTEMS**  
**LAND SURVEYS • WATER RIGHTS**



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Leonard A. Rydell*

OREGON  
SEPTEMBER 30, 1977  
LEONARD A. RYDELL  
1437

RENEWAL DATE 12/31/2000

TRUE  
POINT  
OF  
BEGINNING

DENTAL CARE OF SHERWOOD  
City of Sherwood, Washington County, Oregon

DWG: SS-EASE.DWG  
REV. 5/18/99 JRY

SANITARY SEWER EASEMENT

Scale: 1" = 40'

Date: 4 Mar. 1999

Drawn *Jim Roy*

PREPARED BY:  
LEONARD A. RYDELL, PE, PLS, WRE  
601 Pinehurst Drive  
Newberg, Oregon 97132  
Phone: (503) 538-5700  
W.O. No. 9822

Prepared For Allen Methven  
3815 W. Houghton Lake Dr., Houghton Lake, Mi. Phone: (503) 537-5396