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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



WATER QUALITY FACILITY EASEMENT

DATED: April 11, 2008

AFTER RECORDING RETURN TO:

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

BETWEEN:

Grantors:
ORWA SHERWOOD LLC
8320 NE Hwy 99
Vancouver, WA 98665

Grantee:
City of Sherwood
22560 SW Pine Street
Sherwood, OR. 97140

THIS GRANT OF A PERMANENT WATER QUALITY FACILITY EASEMENT is made by and between ORWA SHERWOOD LLC, its successors and assigns ("Grantor") and the City of Sherwood, an Oregon municipal corporation, its successors and assigns ("Grantee" or "City") for the consideration hereinafter stated. The permanent public water quality easement exists over, under, through, across and along the full width and length of the premises described as follows, ("Easement Area") to wit:

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

The true and actual consideration paid for this transfer is \$00.00 and other good and valuable consideration, the receipt of which is acknowledged by Grantor. This document is intended to establish a permanent easement on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein.

TO HAVE AND TO HOLD the above described permanent easement unto City in accordance with the conditions and covenants as follows:


1. The permanent water quality facility easement includes the right, privilege, and authority granted to the City to excavate for, and to construct, build, install, lay, patrol, operate, maintain, and repair a water quality facility, with all appurtenances incident thereto or necessary therewith, and across the Easement Area, and to cut and remove from it any trees and other obstructions which may endanger the safety or interfere with the use of said water quality facility and any appurtenances attached to or connected therewith.
2. City upon the initial installation (as applicable) and upon each and every occasion that the same be repaired, replaced, renewed, added to, or removed, will 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.

3. Grantors may, at his/her/their option and expense, relocate the easement and associated public appurtenances, provided City agrees in writing in advance to the relocation and the City determines the relocation will comply with applicable codes and standards, land use laws and regulations.
4. Grantors will not obstruct or permit anyone else to obstruct the Easement Area. Grantor will not construct or permit anyone else to construct any building or structure of any kind in the Easement Area. Grantor will not perform or permit anyone else to perform any fill or excavation activities within the Easement Area without the City's prior written consent. Grantors will not endanger or permit anyone else to endanger the lateral support of any facilities constructed within the Easement Area.
5. Grantors hereby covenant that Grantors are the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and that Grantors will warrant and defend the easement rights herein granted from all claims whatsoever.

IN WITNESS WHEREOF, the undersigned grantor has executed this easement this 8th day of May, 2008.

NOTARY PUBLIC
 STATE OF WASHINGTON
 JOHN M. STEIGER
 MY COMMISSION EXPIRES
 AUGUST 09, 2009

GRANTORS: ORWA SHERWOOD LLC

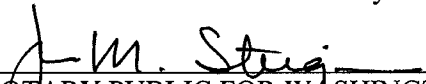
By: 
 Milton O. Brown, Manager

STATE OF WASHINGTON)

County of Clark)ss

On this 8th day of May, 2008, before me, a notary public in and for said County and State, personally appeared the above named Milton O. Brown who being duly sworn, did say that he, the said Milton O. Brown is the Manager of ORWA SHERWOOD LLC the within named Limited Liability Company, and that the said instrument was signed in behalf of said Limited Liability Company and he acknowledges said instrument to be the free act and deed of said Limited Liability Company.

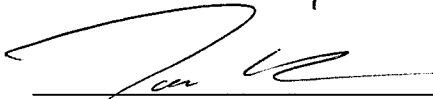
IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

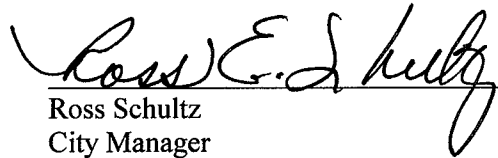

 NOTARY PUBLIC FOR WASHINGTON
 My Commission Expires: 8-9-09

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 20th day of May of, 2008


 Tom Pessemier
 Community Development Director


 Ross Schultz
 City Manager

May 20, 2008
 Date

5/21/08
 Date

Exhibit A (Legal Description)
Water Quality Facility Easement

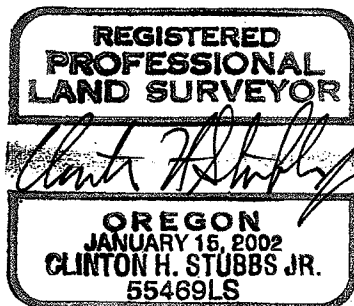
Project No. 230
March 21, 2008

A portion of the property described in deed to ORWA Sherwood, LLC in document number 2006-011186, Washington County Deed Records, located in the southeast one-quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, in the City of Sherwood, Washington County, Oregon, more particularly described as follow;

Commencing at a 2 inch brass disk marking the East One-Quarter Corner of said Section 29; Thence along the north line of said southeast one-quarter of Section 29, S89°48'21"W 991.09 feet; Thence S00°11'39"E 57.14 feet to the intersection of the southerly right-of-way line of SW Tualatin – Sherwood Road with the easterly right-of-way line of SW Century Drive; Thence along said easterly right-of-way line, S44°07'45"W 36.20 feet to an angle point; Thence continuing along said easterly right-of-way line, S00°11'39"E 187.99 feet to a point of curvature; Thence continuing along said easterly right-of-way line along a tangent curve to the right having a radius of 306.00 feet, a delta angle of 8°05'13", a long chord bearings S03°50'57"W 43.15 feet, and a length of 43.19 feet to a point of tangency; Thence continuing along said easterly right-of-way line along a tangent line, S07°53'34"W 142.67 feet to the True Point of Beginning; Thence leaving said easterly right-of-way line, S82°06'26"E 23.81 feet; Thence S00°00'50"E 42.87 feet; Thence S26°53'13"E 31.46 feet; Thence N86°58'10"E 386.28 feet; Thence S03°01'50"E 20.00 feet; Thence S86°58'10"W 158.52 feet; Thence S03°01'50"E 110.00 feet; Thence S86°58'10"W 301.38 feet to said easterly right-of-way line of SW Century Drive; Thence along said easterly right-of-way line, N07°53'34"E 209.89 feet to the True Point of Beginning.

The above described water quality facility easement contains 43,073 square feet, more or less.

The basis of bearings for this description is between found monuments at the east one-quarter corner of Section 29 and the center of Section 29, per survey number 28,065 on file at the Washington County Surveyor's Office.



RENEWAL DATE: 6/30/08

VICINITY MAP

NOT TO SCALE

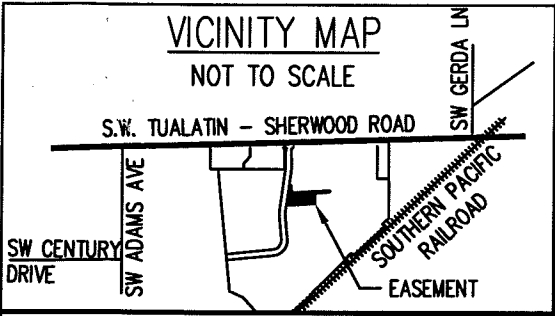


EXHIBIT B (MAP)

SE 1/4 OF SEC. 29, T.2S., R.1W., W.M.
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON
WATER QUALITY FACILITY EASEMENT

DATE: MARCH 21, 2008

S89°48'21"W 2644.14'

S00°11'39"E
57.14'

991.09'

S.W. TUALATIN - SHERWOOD ROAD (COUNTY ROAD 2737)

POINT OF COMMENCEMENT

EAST 1/4 CORNER SECTION 29,
2" BRASS DISK IN MONUMENT BOX

SCALE 1" = 100 FEET



CENTER OF SECTION

NORTH LINE OF SE 1/4
OF SECTION 29
(NOT CENTERLINE OF ROAD)

PARTITION PLAT 1995-100
PARCEL 2

DOCUMENT NUMBER
2006-011186

LENGTH = 43.19'
RADIUS = 306.00'
DELTA = 8°05'13"
LONG CHORD =
S03°50'57"W 43.15'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 15, 2002
CLINTON H. STUBBS JR.
55469LS

RENEWAL DATE: 06/30/08

● FOUND MONUMENT, PER WRITTEN DESCRIPTION

TRUE POINT OF BEGINNING

31.00'

SW CENTURY DRIVE

N07°53'34"E 209.89'

S07°53'34"W 142.67'

S82°06'26"E 23.81'

S00°00'50"E 42.87'

S26°53'13"E 31.46'

N86°58'10"E 386.28'

S86°58'10"W
158.52'

S03°01'50"E
20.00'

S03°01'50"E
110.00'

S86°58'10"W 301.38'

WATER QUALITY FACILITY
EASEMENT AREA = ±43,073 SF

PREPARED FOR:

ORWA SHERWOOD, LLC
8320 NE HWY 99W
VANCOUVER, WA 98665

JOB NAME: SHERWOOD INDUSTRIAL

JOB NUMBER: 230

DRAWING NUMBER: 230 ROW

DRAWN BY: CHS

CHECKED BY: SFF

NORTHWEST

SURVEYING, Inc.

PO BOX 7177
BEAVERTON, OR 97007
PHONE: 503-848-2127
FAX: 503-848-2179

EMAIL: nwsurveying@nwsrvy.com