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Public Utility 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 PUBLIC UTILITY 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 public utility 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 consideration for this conveyance is \$00.00. However, the actual consideration consists of other value given, which value constitutes the whole consideration.

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. The easement granted shall not prevent Grantor from the use of said property provided, however, that such use shall not be permitted to interfere with the rights herein granted. Grantor shall not be permitted to endanger the lateral support of any facilities constructed within the easement granted herein.

Grantor hereby covenants to and with Grantee that Grantor is the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and that Grantor will warrant and defend the easement rights herein granted from all claims whatsoever.

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 for utility purposes, including but not limited to water, wastewater, drainage, electric, fiber optic, telephone and cable and shall have the right to install, construct, operate, maintain, repair, replace and reconstruct said facilities as Grantee may deem necessary over, across, through, in and under the property described in Exhibits "A" and "B."

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



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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



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.

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

GRANTORS: ORWA SHERWOOD LLC

By: [Signature]
Milton O. Brown, Manager

STATE OF WASHINGTON)
)ss
County of Clark)

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

[Signature]
NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: 8-9-08

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 20th day of May, 2008

[Signature]
Tom Pessemier, Community Development Director

May 20, 2008
Date

[Signature]
Ross Schultz, City Manager

5/21/08
Date

Exhibit A (Legal Description)
Public Utility Easement (P.U.E.)

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;

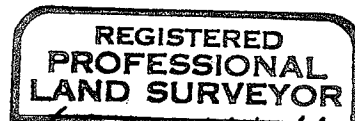
The exterior 6.00 feet on both sides of a strip of land 74.00 feet wide, lying 37.00 feet on both sides of the following described centerline, the sidelines of said strip shall be shortened or lengthened as necessary to terminate at the westerly boundary of said ORWA Sherwood, LLC property.

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 1087.38 feet to the northerly extension of the east line of Parcel 2 of Partition Plat 1995-100; Thence along said northerly extension, S00°11'39"E 59.41 feet to a 5/8 inch iron rod located at the northeast corner of said Parcel 2 and on the southerly right-of-way line of SW Tualatin – Sherwood Road; Thence along said southerly right-of-way line, N88°27'27"E 40.01 feet to the True Point of Beginning of the centerline; Thence leaving said southerly right-of-way line, S00°11'39"E 212.56 feet to a point of curvature; Thence along a tangent curve to the right having a radius of 275.00 feet, a delta angle of 8°05'13", a long chord bearing S03°50'57"W 38.78 feet and a length of 38.81 feet; Thence along a tangent line S07°53'34"W 420.13 feet to a point of curvature; Thence along a tangent curve to the left having a radius of 225.00 feet, a delta angle of 13°32'48", a long chord bearing S01°07'10"W 53.07 feet and a length of 53.20 feet; Thence along a tangent line S05°39'14"E 236.73 feet to a point of curvature; Thence along a tangent curve to the right having a radius of 125.00 feet, a delta angle of 90°00'00", a long chord bearing S39°20'46"W 176.78 feet and a length of 196.35 feet; Thence along a tangent line, S84°20'46"W 485.00 feet to the terminus of said centerline at the westerly line of said ORWA Sherwood, LLC property, said terminus bearing S05°39'14"E 912.29 feet from a 5/8 inch iron rod located at the most westerly northwest corner of said ORWA Sherwood, LLC property.

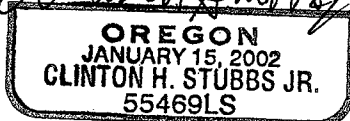
Excepting any portion dedicated as public right-of-way.

The above described public utility easement contains 19,485 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.



Clinton H. Stubbs Jr.



RENEWAL DATE: 6/30/08

VICINITY MAP

NOT TO SCALE

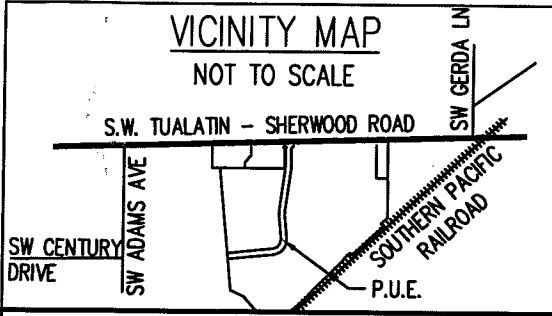


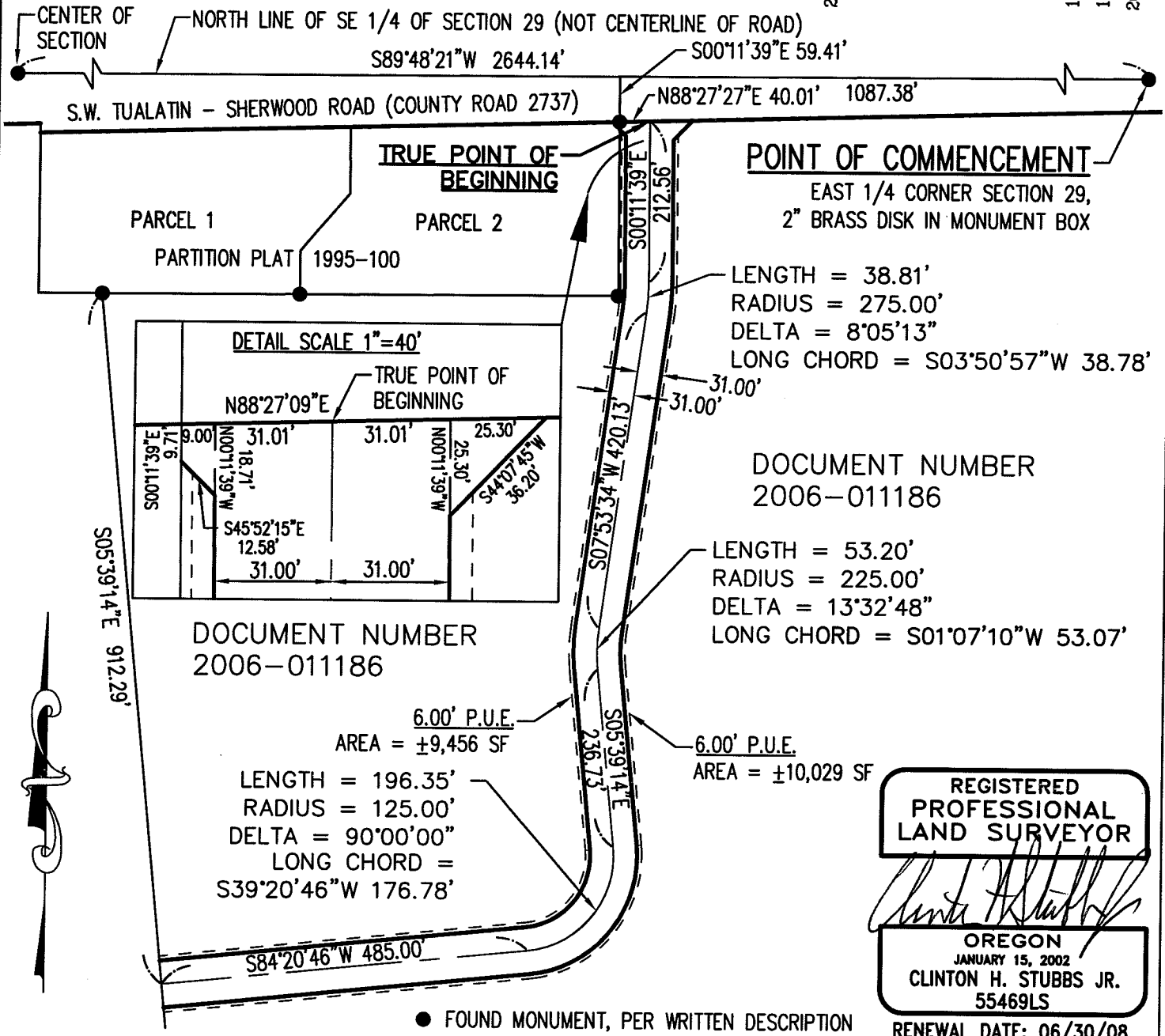
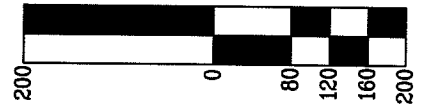
EXHIBIT B (MAP)

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

PUBLIC UTILITY EASEMENT

DATE: MARCH 21, 2008

SCALE 1" = 200 FEET



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Clinton H. Stubbs Jr.

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

RENEWAL DATE: 06/30/08

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