

Washington County, Oregon

2008-069244

08/08/2008 10:29:24 AM

D-E Cnt=2 Stn=21 RECORDS1

\$35.00 \$5.00 \$5.00 \$11.00 - Total = \$56.00



01279370200800692440070076

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



26  
275  
= 5

SANITARY SEWER AND STORM DRAINAGE EASEMENT

DATED: July 2, 2008

AFTER RECORDING RETURN TO:

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

BETWEEN:

Grantors:

Robert James Claus  
Susan L. Claus  
22211 SW Pacific Hwy.  
Sherwood, OR 97140-9466

Grantee:

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

THIS GRANT OF A PERMANENT SANITARY SEWER AND STORM DRAINAGE EASEMENT is made by and between Robert James Claus and Susan L. Claus, husband and wife, 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 sanitary sewer and storm drainage 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 sanitary sewer and storm drainage 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 sanitary sewer and storm drainage system, 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 pipelines 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 2 day of July, 2008.

GRANTORS:

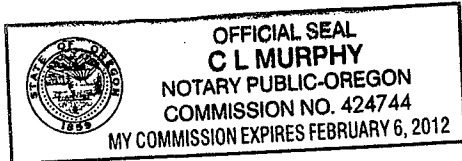
*Robert James Claus*  
Robert James Claus

*Susan L. Claus*  
Susan L. Claus

STATE OF OREGON )  
                              )ss  
County of Washington )

On this 2 day of July, 2008, before me, a notary public in and for said County and State, personally appeared Robert James Claus and Susan L Claus known to me to be their person whose names subscribed to the within instrument and acknowledged that they 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.



*C. L. Murphy*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 2-6-12

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 5<sup>th</sup> day of August, 2008

*[Signature]*  
Community Development Director

*[Signature]*  
City Manager

**EXHIBIT A**  
**EASEMENT DESCRIPTION**  
**SANITARY SEWER AND STORM DRAINAGE EASEMENT**

July 16, 2008

Revised: August 01, 2008

A strip of land 50.00 feet in width situated in the southeast one-quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, said strip being the southeasterly 50.00 feet of that certain parcel described as Exhibit "B" in Document Number 2006-118569, Washington County Book of Records, more particularly described as follows:

Beginning at the most southerly corner of said Exhibit "B" parcel; thence tracing the westerly line of said parcel N.45°38'33"W., 27.97 feet; thence leaving said westerly line N.02°40'25"W., 30.22 feet to a point on a line that is parallel with and 120.00 feet northwesterly, when measured perpendicular to the centerline of Highway 99 West; thence tracing said parallel line and along the arc of 120.00 foot offset spiral curve to the centerline of Highway 99 West (the centerline spiral having  $S=0^{\circ}48'$ ,  $a=0.1$ ) and being subtended by a chord which bears N.44°26'17"E., 304.11 feet to a point of curve to spiral at Highway Station 429+03.26 (the centerline spiral having  $S=0^{\circ}48'$ ,  $a=0.1$ ); thence continuing along said parallel line along the arc of a 14,443.94 foot radius curve to the right, through a central angle of  $00^{\circ}24'01''$  an arc distance of 100.90 feet (chord bears N.44°54'30"E., 100.90 feet) to a point on the northeasterly line of said Document Number 2006-118569 parcel; then tracing said northeasterly line S.50°52'18"E., 50.29 feet to a point of non-tangent curve and a point on the northwesterly right of way line of said Highway 99 West; thence tracing said northwesterly right of way line and along the arc of a 14,393.94 foot radius curve to the left (radius point bears S.44°41'12"E.), through a central angle of  $00^{\circ}23'48''$  an arc distance of 106.99 feet (chord bears S.44°06'02"W., 106.99 feet) to a point of curve to spiral at Engineers Centerline Station 429+03.26; thence continuing along said northwesterly right of way line and along the arc of a 70.00 foot offset to centerline spiral curve (the centerline spiral having  $S=0^{\circ}48'$ ,  $a=0.1$ ) and being subtended by a chord which bears S.44°24'59"W., 323.20 feet to the Point of Beginning.

Contains 21,148 square feet or 0.49 acres, more or less.

The basis of bearings for this description is that certain Boundary Survey filed as Survey Number 30,411, Washington County Survey Records.

Exhibit "A"  
Page 1 of 2

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David L. Liden*

OREGON  
DECEMBER 15, 1978  
DAVID L. LIDEN  
1798

EXPIRATION DATE: 12-31-2008

**EXHIBIT A  
EASEMENT DESCRIPTION  
SANITARY SEWER AND STORM DRAINAGE EASEMENT**

**July 16, 2008**

**Revised: July 25, 2008**

A parcel of land situated in the Southeast one-quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, and being a portion of that certain property as described by Exception in Exhibit "C", Document Number 2006-118569, Washington County Book of Records, and described as follows:

Beginning at a point on the westerly line of that tract of land described by exception in Document Number 2006-18569, Washington County Deed Records; said point being N.45°38'33"W., 27.97 feet from the most southerly corner of said parcel as described by Exception in Exhibit "C" in said Document Number 2006-118569; thence continuing along the westerly line of said parcel, N.45°38'33"W., 22.03 feet to a point on a line that is parallel with and 120.00 feet northwesterly, when measured perpendicular to, the centerline of Highway 99 West, thence northeasterly tracing said parallel line along the arc of 120.00 foot offset spiral curve to the centerline of Highway 99 West and being subtended by a chord which bears N.44°07'35"E., 20.60 feet (the centerline spiral curve having  $S=0^{\circ}48'$ ,  $a=0.1$ ) to a point on the easterly line of that parcel as described by exception in Exhibit "C", Document Number 2006-118569; thence S.02°40'25"E., 30.22 feet to the Point of Beginning.

Contains 227 square feet, more or less.

The basis of bearings for this description is that certain Boundary Survey filed as Survey Number 30,411, Washington County Survey Records.

Exhibit "A"  
Page 2 of 2

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David L. Liden*  
OREGON  
DECEMBER 15, 1978  
DAVID L. LIDEN  
1798

EXPIRATION DATE: (12-3)-2008



$\Delta = 00^{\circ}24'01''$   
 $R = 14,443.94'$   
 $L = 100.90'$   
 CHORD = N.44°54'30"E. 100.90'

SCALE: 1"=100'

DOCUMENT NO. 2006-118569  
EXHIBIT "B"

PARCEL DESCRIBED BY EXCEPTION  
IN DOCUMENT NO. 2006-118569  
EXHIBIT "C"

N.02°40'25"W. 30.22'  
 N.45°38'33"W. 27.97'  
 POINT OF BEGINNING

120.00' OFFSET CENTERLINE SPIRAL CURVE  
 CHORD = N.44°26'17"E. 304.11'  
 50' SANITARY SEWER AND STORM DRAIN EASEMENT  
 70.00' OFFSET CENTERLINE SPIRAL CURVE  
 CHORD = S.44°24'59"W. 323.20'

CENTERLINE HIGHWAY 99 WEST

$\Delta = 00^{\circ}23'48''$   
 $R = 14,393.94'$   
 $L = 106.99'$   
 CHORD = S.44°06'02"W. 106.99'

S.50°52'18"E. 50.29'  
 427+00 FOC  
 RADIAL BEARING  
 S.44°41'12"E.  
 70'  
 429+03.26 PCS

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*David L. Liden*

OREGON  
 DECEMBER 15, 1978  
 DAVID L. LIDEN  
 1798

RENEWAL: 12-31-08

Exhibit "B"  
 Page 1 of 2

EXHIBIT B  
 PLAT OF DESCRIPTION  
 SANITARY SEWER AND  
 STORM DRAINAGE EASEMENT

S.E. ONE-QUARTER OF SECTION 30, T.2S.,R.1W., W.M.  
 CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

**otak**  
 incorporated

surveyors  
 engineers  
 planners

17355 S.W. BOONES FERRY ROAD  
 LAKE OSWEGO, OREGON 97035  
 (503)635-3618 FAX (503)635-5395

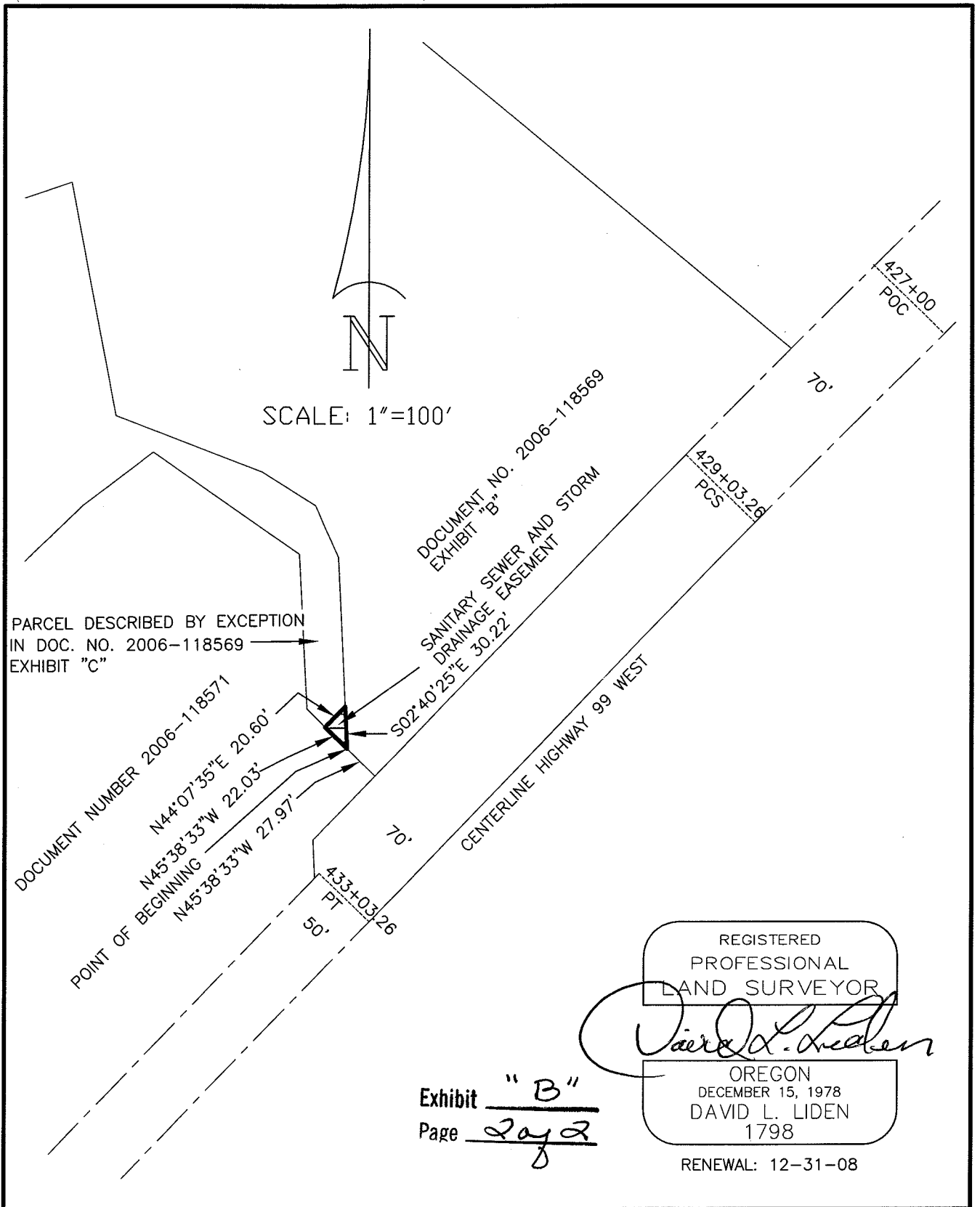


EXHIBIT B  
PLAT OF DESCRIPTION  
SANITARY SEWER AND  
STORM DRAINAGE EASEMENT

S.E. ONE-QUARTER OF SECTION 30, T.2S., R.1W., W.M.  
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

**otak**  
incorporated

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