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11/5

Public Utility and Sidewalk Easement

DATED: 9/3, 2008

AFTER RECORDING RETURN TO:

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

BETWEEN:

Grantors:

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

THIS GRANT OF A PUBLIC UTILITY EASEMENT is made by and between Sherwood School District, 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. Legal descriptions are set forth in EXHIBIT "A & B," attached and incorporated by reference.
2. A map of the above legal description is set forth in EXHIBIT "C," 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 work, including, but not limited to, the restoration of

Washington County, Oregon  
09/22/2008 03:31:23 PM  
D-E Cnt=2 Stn=29 RECORDS1  
\$25.00 \$5.00 \$5.00 \$11.00 - Total = \$46.00



01292161200800800890050052  
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





## EXHIBIT A

### LEGAL DESCRIPTION PERMANENT SIDEWALK EASEMENT

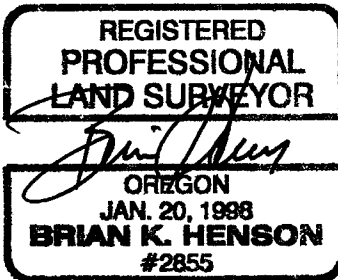
Being a 5.00 foot wide easement over a portion of that property described in that Warranty Deed to Union High School District # 9 Joint (Sherwood) recorded in Deed Book 563 Page 618 on August 10, 1965, Washington County Deed Records located in the Northeast One Quarter of Section 31, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon said 5.00 foot wide easement being all of said property lying south of the following described line, said line to be shortened or lengthened to terminate at the boundary lines of said property:

Beginning at a point on the west line of Tract II as described in said Deed Book 563 Page 618, Washington County Deed Records 5.00 feet northerly of the north right of way line of SW Villa Road (established as being 30.00 feet from the most southerly line of Tract 1 of Deed Book 563, Page 618, Washington County Deed Records);

Thence S89°08'00"W, parallel with said north right of way line, 898.00 feet more or less to a point on the west line of said property.

Containing 4,490 square feet more or less.

This legal description along with the basis of bearings thereof was established based that Warranty Deed recorded in Deed Book 563 Page 618 on August 10, 1965, Washington County Deed Records.



EXP 6-30-09

## EXHIBIT B

### LEGAL DESCRIPTION PUBLIC UTILITY EASEMENT

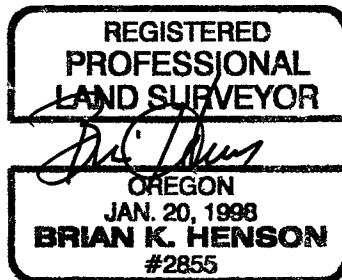
Being a 8.00 foot wide easement over a portion of that property described in that Warranty Deed to Union High School District # 9 Joint (Sherwood) recorded in Deed Book 563 Page 618 on August 10, 1965, Washington County Deed Records located in the Northeast One Quarter of Section 31, Township 2 South, Range 1 West of the Willamette Meridian, in the City of Sherwood, Washington County, Oregon said 5.00 foot wide easement being all of said property lying south of the following described line, said line to be shortened or lengthened to terminate at the boundary lines of said property:

Beginning at a point on the west line of Tract II as described in said Deed Book 563 Page 618, Washington County Deed Records 8.00 feet northerly of the north right of way line of SW Villa Road (established as being 30.00 feet from the most southerly line of Tract 1 of Deed Book 563, Page 618, Washington County Deed Records);

Thence S89°08'00"W, parallel with said north right of way line, 898.00 feet more or less to a point on the west line of said property.

Containing 7,184 square feet more or less.

This legal description along with the basis of bearings thereof was established based that Warranty Deed recorded in Deed Book 563 Page 618 on August 10, 1965, Washington County Deed Records.

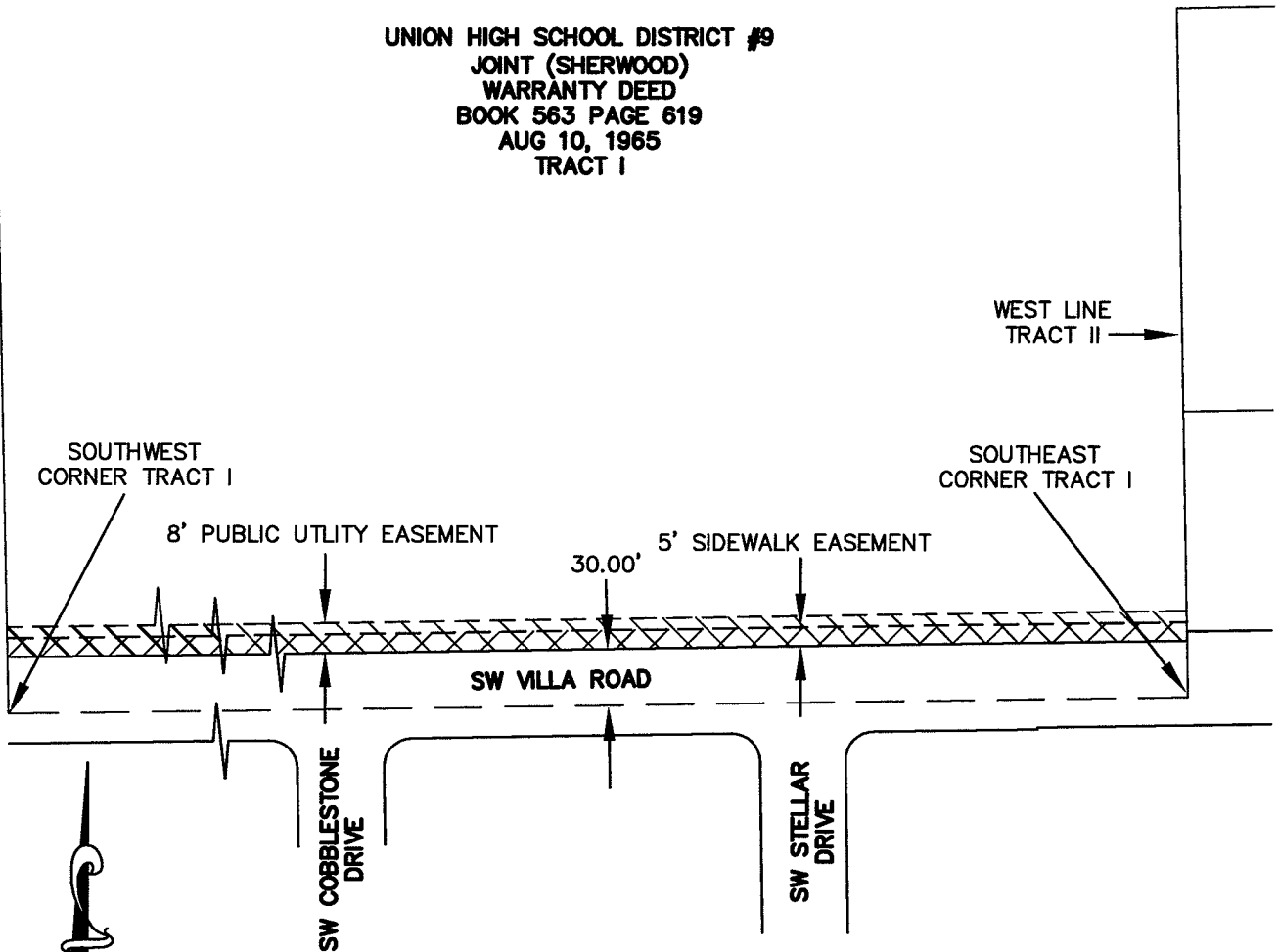


EXP 6-30-2009

EXHIBIT "C"

AUGUST 12, 2008

UNION HIGH SCHOOL DISTRICT #9  
JOINT (SHERWOOD)  
WARRANTY DEED  
BOOK 563 PAGE 619  
AUG 10, 1965  
TRACT I



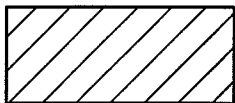
NTS

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

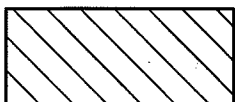
*Brian K. Henson*  
OREGON  
JAN. 20, 1998  
BRIAN K. HENSON  
#2855

EXP: 6/30/09

LEGEND



5' SIDEWALK EASEMENT  
± 4490 SQ.FT.



8' PUBLIC  
UTILITY EASEMENT  
± 7184 SQ.FT.



Harper  
Houf Peterson  
Righellis Inc.

ENGINEERS • PLANNERS • SURVEYORS  
205 SE SPOKANE STEET, SUITE 200, PORTLAND, OR 97202  
TEL 503.221.1131 www.hhpr.com FAX 503.221.1171