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Public Utility Easement

DATED: JAN. 14, 2009

AFTER RECORDING RETURN TO:

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



01326361200900087540050053
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



BETWEEN:

Grantor:
Woodhaven Crossing II, LLC
17933 NW Evergreen Parkway, Suite 300
Beaverton, OR 97006

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

THIS GRANT OF A PUBLIC UTILITY EASEMENT is made by and between Woodhaven Crossing II, LLC, an Oregon limited liability company, 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 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 14th day of JAN, 2009

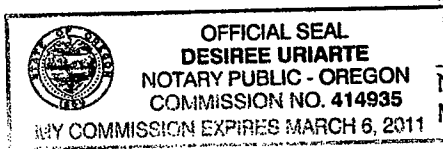
GRANTOR: WOODHAVEN CROSSING II, LLC

By: [Signature]
Sean Keys, Manager

STATE OF OREGON)
County of Washington) SS.

Personally appeared the above named Sean Keys, as a duly authorized representative of Woodhaven Crossing II, LLC, and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the company.

Before Me:



[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: March 16, 2011

GRANTEE: *414935

Accepted on behalf of The City of Sherwood.

This ___ day of _____, 20__

[Signature]
Robert Galati, City Engineer

2-3-09
Date

[Signature]
James Patterson, City Manager

2-4-09
Date

EXHIBIT A
PUBLIC ACCESS AND PUBLIC UTILITY EASEMENT
CREEKVIEW CONDOMINIUMS
DESCRIPTION
August 15, 2008
Revised: January 6, 2009

A tract of land located in the southeast one-quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, and being described as follows:

Beginning at a point on the westerly line of that tract of land described in Document No. 2006-118571, Washington County Records, said point bearing S.00°03'20"W., 82.33 feet from the northwest corner of said Document No. 2006-118571 tract and also being the westerly terminus of the southerly right-of-way line of S.W. Cedar Brook Way as dedicated per Document No. 2009-008752, Washington County Records; thence tracing said southerly right-of-way line along the following courses: northeasterly along the arc of a 180.00 foot radius curve right (the radius point of which bears S.25°37'51"E.) through a central angle of 25°37'51", 80.52 feet (chord bears N.77°11'04"E., 79.85 feet); N.90°00'00"E., 132.61 feet to the point of curve right of a 280.00 foot radius curve; along the arc of said curve right through a central angle of 44°21'27", 216.77 feet (chord bears S.67°49'16"E., 211.40 feet); and S.45°38'33"E., 293.44 feet to a point on the northwesterly right-of-way line of State Highway 99 West, 70.00 feet right of, when measured at right angles to, the centerline of said highway as shown on Oregon State Highway Division Drawing No. 7B-15-19; thence southwesterly along said northwesterly right-of-way line, which is 70.00 feet northwesterly of and parallel with the centerline of said State Highway 99 West, said centerline being a 400 foot spiral curve right with an S value of 00°48'00" (the northwesterly right-of-way line chord bears S.44°05'58"W., 11.85 feet) to a point right of highway centerline station 432+89.35 and the northwesterly right-of-way line of the highway as dedicated in Document No. 2008-039582, Washington County Records; thence continuing along said northwesterly right-of-way line as described in said document S.43°42'57"W., 0.14 feet to a point on a line which is parallel with and 12.00 feet southerly of, when measured at right angles to, the southerly right-of-way line of said S.W. Cedar Brook Way; thence N.45°38'33"W. along said parallel line, 192.16 feet; thence leaving said parallel line N.74°09'35"W., 20.95 feet; thence N.45°38'33"W., 82.93 feet to the point of curve left of a 258.00 foot radius curve; thence along the arc of said curve left through a central angle of 12°23'10", 55.77 feet (chord bears N.51°50'08"W., 55.66 feet); thence N.77°08'13"W., 80.02 feet; thence N.69°29'54"W., 83.72 feet to a point on a line which is parallel with and 14.00 feet southerly of, when measured at right angles to, the southerly right-of-way line of said S.W. Cedar Brook Way; thence N.90°00'00"W. along

said parallel line, 112.79 feet to the point of curve left of a 166.00 foot radius curve; thence continuing along said parallel line on the arc of said curve left through a central angle of 27°58'44", 81.06 feet (chord bears S.76°00'38"W., 80.26 feet) to the westerly line of said Document No. 2006-118571 tract; thence N.00°03'20"E. along said westerly line, 15.69 feet to the Point of Beginning.

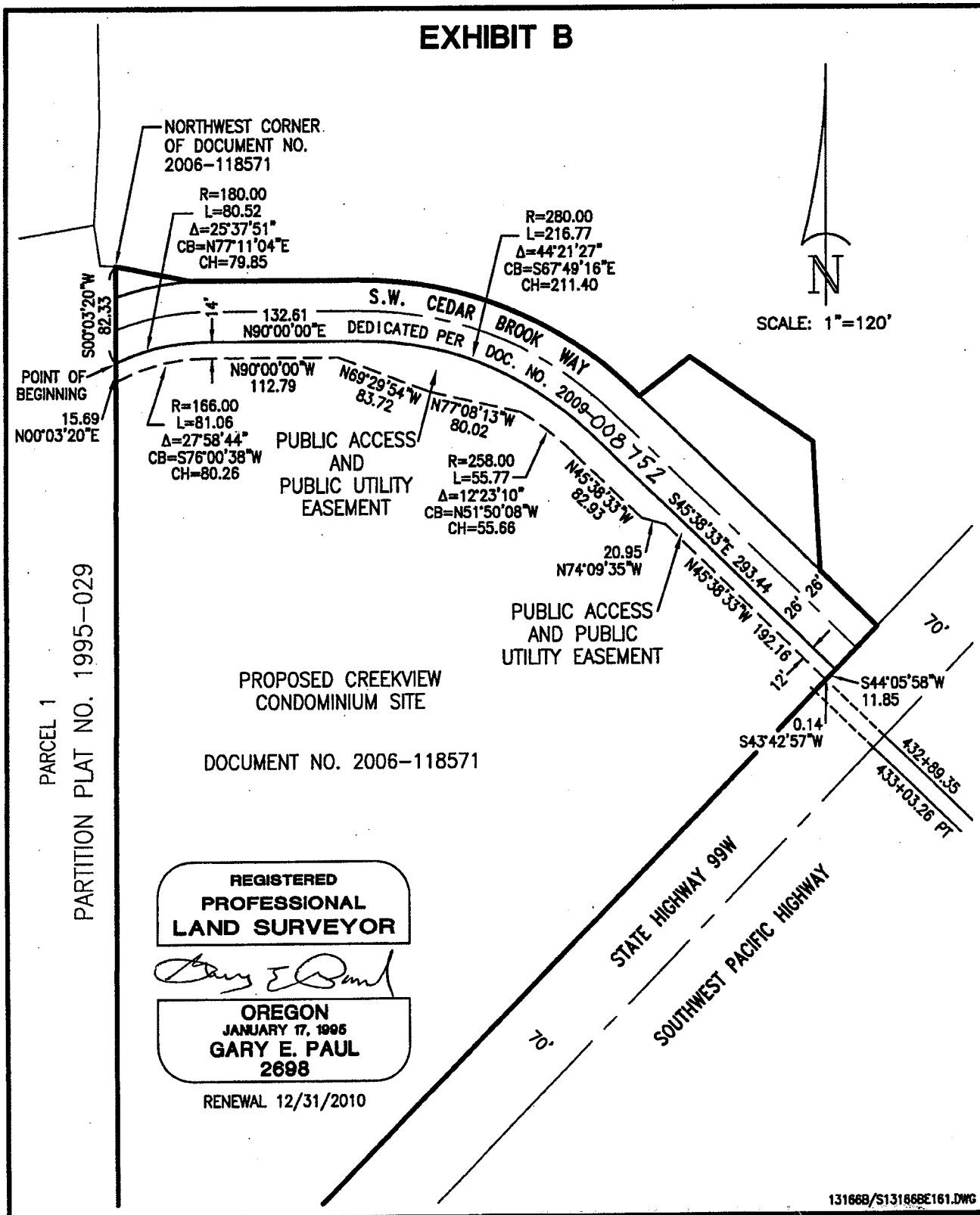
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gary E Paul

OREGON
JANUARY 17, 1895
GARY E. PAUL
2698

RENEWAL 12/31/2010

EXHIBIT B



PARCEL 1
 PARTITION PLAT NO. 1995-029

REGISTERED PROFESSIONAL LAND SURVEYOR

Gary E. Paul

OREGON
JANUARY 17, 1995
GARY E. PAUL
2698

RENEWAL 12/31/2010

PUBLIC ACCESS AND PUBLIC UTILITY EASEMENT
CREEKVIEW PROJECT
SE1/4 SECTION 30, T.2S., R.1W., W.M.
CITY OF SHERWOOD
WASHINGTON COUNTY, OREGON
JANUARY 8, 2009

otak
 Incorporated
 surveyors
 engineers
 planners

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



I, *Richard W. Hobernicht*, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, do hereby certify this to be a true and correct copy of the original.

Date: *March 11, 2009*

By: *Cl White Deputy*

Recorded Document
2009-008754
Public Utility Easement
Reference pages

Not a part of record. For reference use only.

Sylvia Murphy

From: Sylvia Murphy
Sent: Thursday, March 12, 2009 3:43 PM
To: Stephanie Guediri
Subject: RE: Creekview Condos - Recorded Documents

Thanks a million Stephanie,

I'll place a copy of this email in the file along with the recorded documents. For the record, this email pertains to the following Washington County recorded documents:

2009-008074
2009-008753
2009-008752
2009-008754

Sylvia Murphy, City Recorder
murphys@ci.sherwood.or.us
Ph: 503-625-4246
Fax: 503-625-4254

-----Original Message-----

From: Stephanie Guediri
Sent: Thursday, March 12, 2009 3:21 PM
To: Sylvia Murphy
Subject: Creekview Condos - Recorded Documents

Hi Sylvia. Please find attached a link to 4 recorded documents for Creekview Condominiums (#4019). These are not the original documents but only certified copies from Washington County.

Apparently, Washington County Recorder's Office released the originals to the title company instead of sending them directly to us. When I followed up with the project's Developer, Mr. Peter Brennan wrote via email that he sent them to the City of Sherwood Planning Department in care of Julia. However, Julia's staff has no knowledge of these documents. If in fact Julia does come across them at a later time, I will make sure that they get turned in to you.

Please let me know if you have any questions at all about these documents. I will put the hard copies of the certified documents in your inbox up here.

Steph