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Washington County, Oregon

2009-045572

05/22/2009 11:25:19 AM

D-E

Cnt=1 Stn=29 RECORDS1

\$20.00 \$5.00 \$11.00 - Total = \$36.00



01366291200900455720040049

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.

Handwritten signature of Richard Hobemicht in cursive.

Richard Hobemicht, Director of Assessment and Taxation, Ex-Officio County Clerk



**RERECORDED TO CORRECT THE DESCRIPTION OF THE POINT OF  
COMMECEMENT NOTED IN EXHIBIT A, PREVIOUSLY RECORDED AS  
DOCUMENT NUMBER 2009-034482.**



0135443120090344820040041

I, Richard Hobermicht, 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 Hobermicht, Director of Assessment and Taxation, Ex-Officio County Clerk



**Public Utility Easement**

DATED: April 20, 2009

**AFTER RECORDING RETURN TO:**

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

**BETWEEN:**

**Grantors:**

Sherwood School District 88J  
23295 SW Main St.  
Sherwood, OR. 97140

**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 88J, 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



Harper  
Houf Peterson  
Righellis Inc.

ENGINEERS ♦ PLANNERS  
LANDSCAPE ARCHITECTS ♦ SURVEYORS

**EXHIBIT A**  
**For**  
**Public Utility Easement**

Being a Public Utility Easement over portions of those lands described in that warranty Deed to Union High School District #9 Joint (Sherwood), recorded August 10, 1965 as Book 563 Page 620 and that Bargain and Sale Deed to Sherwood School District 88J, recorded as Document No. 2000-036083, 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 Public Utility Easement being more particularly described as follows:

Commencing at a 5/8" iron road with a 1 1/2" aluminum cap inscribed "G & L Land surveying, Inc." set in that survey recorded as Survey No. 29,571, Washington County Survey Records marking a centerline angle point in N. W. Meinecke Road west of the intersection point of N. W. Meinecke Road and Sir Lancelot Lane;

Thence S89°16'51"E, along the centerline of said N.W. Meinecke Rd as located in said Survey No. 29,571, 396.30 feet to a point;

Thence S00°43'09"W, 37.00 feet to a point on the south right of way line of said N.W. Meinecke Road as dedicated by Document No. 2002-116981, Washington County Deed Records and the **True Point of Beginning**;

Thence S75°14'41"E, 51.54 feet to a point;

Thence S89°16'51"E, 68.77 feet to a point;

Thence S66°29'47"E, 7.75 feet to a point;

Thence S89°16'51"E, 14.64 feet to a point;

Thence N67°56'05"E, 7.75 feet to a point;

Thence S89°16'51"E, 149.20 feet to a point;

Thence N46°36'28"E, 14.37 feet to a point;

Thence S89°16'51"E, 120.83 feet more or less to a point on the east line of said Book 563 Page 620;

Thence S00°54'42"W, along the east line of said Book 563 Page 620, 8.00 feet;

Thence N89°16'51"W, 117.56 feet to a point;

Thence S46°36'28"W, 14.37 feet to a point;

Thence N89°16'51"W, 251.11 feet to a point;

Thence N75°14'41"W, 51.54 feet to a point;

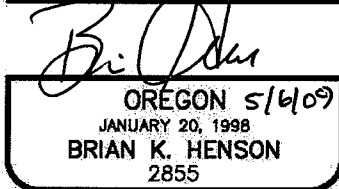
Thence N89°16'51"W, 66.19 feet to point on the west line of said Document No. 2000-036083;

Thence N01°16'02"E, along the east line of Document No. 2000-036083, 8.00 feet to a point on the south right of way line of said N.W. Meinecke Road as dedicated by said Document No. 2002-116981;

Thence S89°16'51"E, along said south right of way line, 67.10 feet to the **Point of Beginning**.

Containing 3,940 square feet more or less.

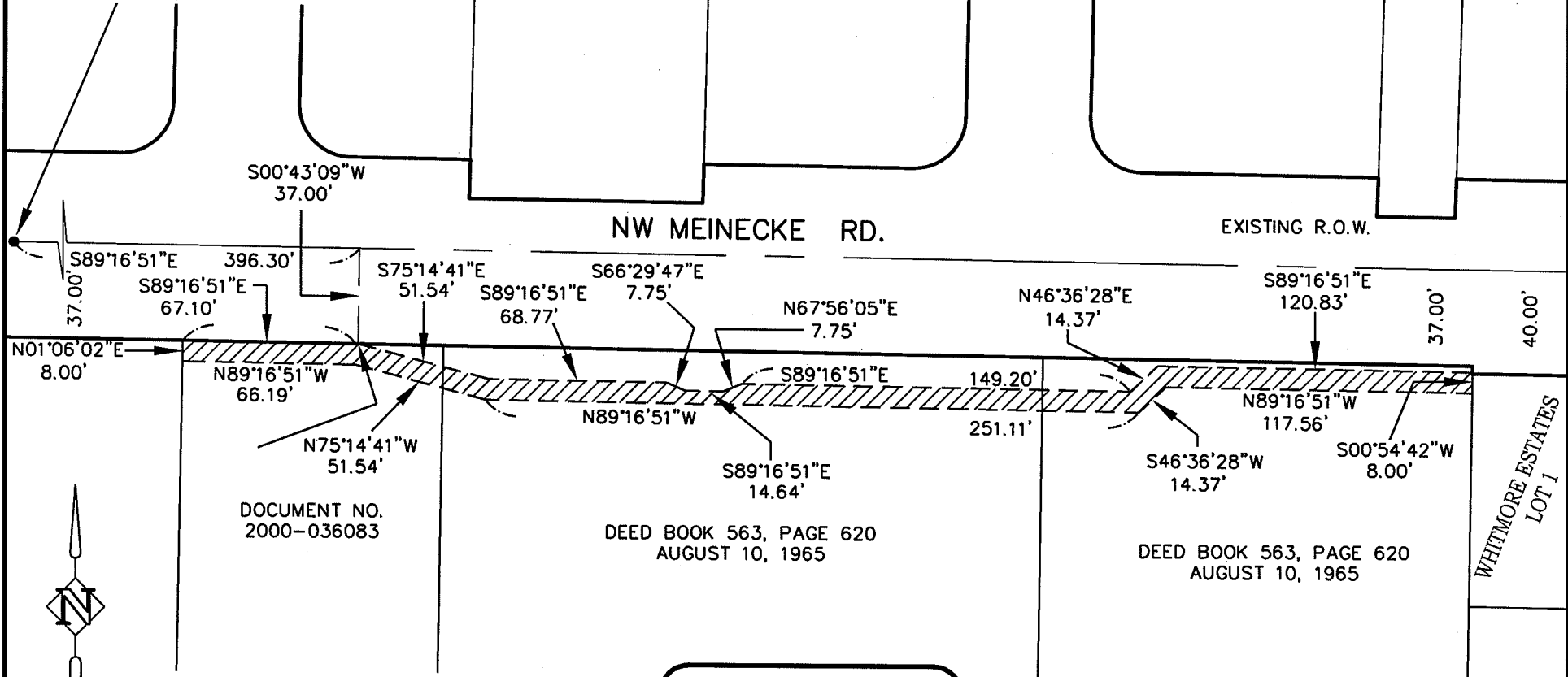
This legal description along with the basis of bearings thereof was established based on that survey recorded as Survey No. 29,571, Washington County Survey Records



EXPIRES: 06/30/2009

# EXHIBIT "B"

**POINT OF COMMENCEMENT**  
 5/8" IRON ROD WITH ALUMINUM  
 CAP INSCRIBED "G&L LAND  
 SURVEYING, INC."  
 SET IN SN 29,571



DOCUMENT NO.  
2000-036083

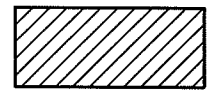
DEED BOOK 563, PAGE 620  
AUGUST 10, 1965

DEED BOOK 563, PAGE 620  
AUGUST 10, 1965

WHITMORE ESTATES  
LOT 1



**LEGEND**



PUBLIC UTILITY EASEMENT  
±3,940 SQUARE FEET

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Brian K. Henson*  
 OREGON 5/6/09  
 JANUARY 20, 1998  
 BRIAN K. HENSON  
 2855

EXPIRES: 06/30/2009



**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

Recorded Document  
2009-045570  
Public Utility Easement  
Reference pages

Not a part of record. For reference use only.

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.

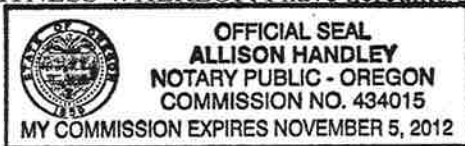
IN WITNESS WHEREOF, the undersigned grantor has executed this easement this 16<sup>th</sup> day of April, 2009

GRANTORS: Wayne Lowry

STATE OF OREGON )  
  )ss  
County of Washington )

On this 16<sup>th</sup> day of April, 2009 before me, a notary public in and for said County and State, personally appeared Wayne Lowry 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.



Allison Handley  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: Nov. 5, 2012

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 20 day of April, 2008

Robert Galati  
Robert Galati, City Engineer TWP

04-17-09  
Date

James Patterson  
James Patterson, City Manager

4-20-09  
Date

Re: This is the page that Wash. County and Brian Henson, Professional Land Surveyor working with NHPR, ~~at~~ stated was recorded under 2009-034482 and therefore not needed again under 2009-045572.  
Grant #: 541-318-1161