

SANITARY SEWER EASEMENT

DATED: March 28, 2010

AFTER RECORDING RETURN TO:

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



01467484201000237850040043

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:

Renaissance Custom Homes LLC
16771 Boones Ferry Road
Lake Oswego, OR 97035

Grantee:

City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

THIS GRANT OF A PERMANENT SANITARY SEWER EASEMENT is made by and between Renaissance Custom Homes 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 Permanent Sanitary Sewer Easement and Temporary Construction 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 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 public sanitary sewer 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 Grantor, 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. Grantor 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. Grantor 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. Grantor will not endanger or permit anyone else to endanger the lateral support of any facilities constructed within the Easement Area.
 5. Grantor hereby covenants 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.

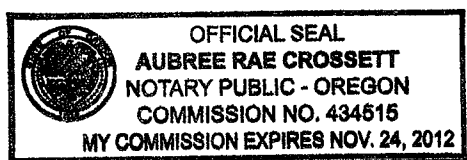
IN WITNESS WHEREOF, the undersigned grantor has executed this easement this 22 day of March, 2010.

GRANTOR: Tim A Breedlove

STATE OF OREGON)
 County of Clackamas)ss
~~Washington~~)

On this 22nd day of March, 2010, before me, a notary public in and for said County and State, personally appeared Timothy A. Breedlove 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.



Aubree Crossett
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: November 24, 2012

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 28 day of March, 2010

James Patterson
 James Patterson
 City Manager

**ENGINEERING PLANNING
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100
Sherwood, Oregon 97140
Phone: (503) 925-8799
Fax: (503) 925-8969



**LANDSCAPE ARCHITECTURE
SURVEYING**

AKS Group of Companies:
SHERWOOD, OREGON
REDMOND, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

EXHIBIT A

Legal Description
Sanitary Sewer Easement

A portion of Document Number 2002-114527, being a tract of land located in the Southeast One-Quarter of Section 31, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

Beginning at the southeast corner of Tract 'B' of "Renaissance at Cedar Creek West", being a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR." on the northerly right-of-way line of SW Sunset Boulevard (35.00 feet from centerline), thence along said northerly right-of-way line South 88°44'43" East 129.81 feet to the True Point of Beginning; thence North 09°38'58" East 291.89 feet to a point; thence North 24°37'27" East 208.70 feet to a point; thence North 66°54'44" West 160.96 feet to a point on the southeasterly line of Tract 'F' of "Renaissance at Cedar Creek West No. 2"; thence along said southeasterly line North 61°40'22" East 25.59 feet to a point; thence South 66°54'44" East 151.77 feet to a point; thence North 74°30'56" East 538.16 feet to a point; thence North 28°49'21" East 382.13 feet to a point; thence North 06°32'16" West 77.31 feet to a point on the southerly right-of-way line of the Southern Pacific Railroad (70.00 feet from centerline); thence along said southerly right-of-way line North 84°50'51" East 20.00 feet to a point; thence South 06°32'16" East 65.75 feet to a point on the west line of Tract 'A' of "Gregory Park Estates"; thence along said west line South 01°22'26" West 30.91 feet to a point; thence North 61°09'21" West 4.14 feet to a point; thence South 28°49'21" West 372.97 feet to a point; thence South 37°40'03" East 278.78 feet to a point on the west line of Tract 'A' of "Gregory Park Estates"; thence along said west line South 01°22'26" West 31.75 feet to a point; thence North 37°40'03" West 303.28 feet to a point; thence South 74°30'56" West 534.50 feet to a point; thence South 24°37'27" West 211.69 feet to a point; thence South 09°38'58" West 286.31 feet to a point on the northerly right-of-way line of SW Sunset Boulevard (35.00 feet from centerline); thence along said northerly right-of-way line North 88°44'43" West 20.21 feet to the True Point of Beginning.

The above described tract of land contains 39,296 square feet, more or less. The Basis of Bearings is per Washington County Survey Number 29,081.

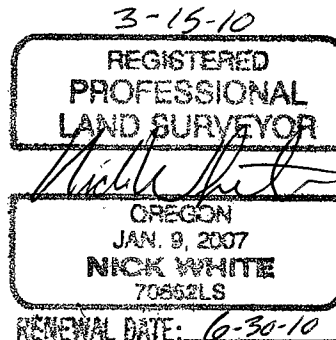


EXHIBIT B

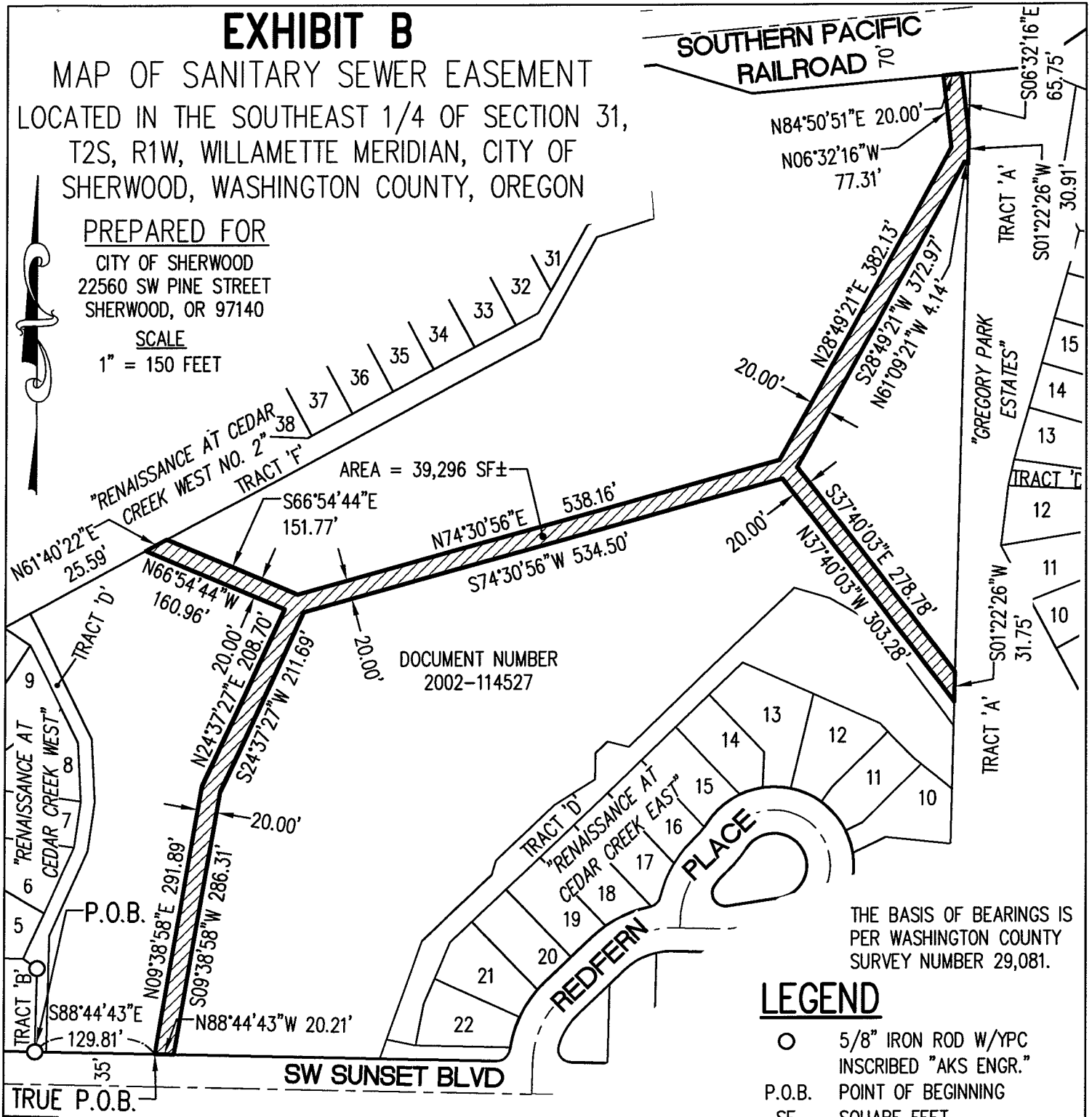
MAP OF SANITARY SEWER EASEMENT
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 31,
 T2S, R1W, WILLAMETTE MERIDIAN, CITY OF
 SHERWOOD, WASHINGTON COUNTY, OREGON

PREPARED FOR

CITY OF SHERWOOD
 22560 SW PINE STREET
 SHERWOOD, OR 97140

SCALE

1" = 150 FEET



AREA = 39,296 SF±
 DOCUMENT NUMBER
 2002-114527

THE BASIS OF BEARINGS IS
 PER WASHINGTON COUNTY
 SURVEY NUMBER 29,081.

LEGEND

- 5/8" IRON ROD W/YPC
 INSCRIBED "AKS ENGR."
- P.O.B. POINT OF BEGINNING
- SF SQUARE FEET
- W/YPC WITH A YELLOW PLASTIC CAP

3-15-10

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

Nick White

OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS

RENEWAL DATE: 6/30/10

JOB NAME: BROOKMAN AREA
JOB NUMBER: 2485
DRAWN BY: MSK
CHECKED BY: NSW
DWG NO.: 2485EXH.

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 FORESTRY • SURVEYING

AKS
 ENGINEERING & FORESTRY

LICENSED IN OR & WA

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 FAX: (503) 925-8969

OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA