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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



SANITARY SEWER EASEMENT

DATED: April 10, 2013

AFTER RECORDING RETURN TO:

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

BETWEEN:

Grantor:

The Leichner Trust
PO Box 820
13980 SW Tualatin-Sherwood Road
Sherwood, OR 97140

Grantee:

City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

THIS GRANT OF A PERMANENT SANITARY SEWER EASEMENT and a TEMPORARY CONSTRUCTION EASEMENT is made by and between The Leichner Trust, its successors ("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 of the Permanent Sanitary Sewer Easement is set forth in "EXHIBIT A" attached and incorporated by reference;
2. A map of the above legal description of the Permanent Sanitary Sewer Easement is set forth in "EXHIBIT B", attached and incorporated by reference;
3. A legal description of the Permanent Sanitary Sewer Easement is set forth in "EXHIBIT C" attached and incorporated by reference;
4. A map of the above legal description of the Permanent Sanitary Sewer Easement is set forth in "EXHIBIT D", attached and incorporated by reference;
5. A legal description of the Temporary Construction Easement is set forth in "EXHIBIT E", attached and incorporated by reference;
6. A map of the above legal description of the Temporary Construction Easement is set forth in "EXHIBIT F", attached and incorporated by reference.

The true and actual consideration paid for this transfer is **\$0.00** and other good and valuable consideration, the receipt of which is acknowledged by Grantors. 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 Temporary Construction Easement includes the right to construct the sanitary sewer system necessary to serve the public. Said easement to automatically expire two (2) years after City acceptance of the improvements.
2. 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.

3. 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.
4. 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.
5. 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. Grantors 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.
6. 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 21st day of May, 2013

GRANTOR: Lorry Leichner
(Signature - Lorry L. Leichner)

STATE OF WASHINGTON)
)ss
County of CLARK)

On this 21st day of May, 2013, before me, a notary public in and for said County and State, personally appeared LORRY L. LEICHER 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.

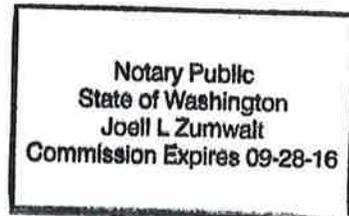
Joell L. Zumwalt
NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: 9-28-16

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 4th day of June, 2013

Joseph Gall
Joseph Gall, ICMA-CM
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
SALEM, OREGON
VANCOUVER, WASHINGTON
www.aks-eng.com

Job No. 3076

EXHIBIT A

A tract of land located in the Northwest One-Quarter of Section 28, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

Beginning at the southwesterly corner of Lot 1 of the Plat "Edy Road Industrial Park"; thence South $06^{\circ}18'38''$ East 49.00 feet to the centerline of SW Tualatin-Sherwood Road; thence along said centerline line South $83^{\circ}41'22''$ West 107.12 feet to the centerline of SW Oregon Street; thence along said centerline South $06^{\circ}18'38''$ East 77.01 feet to a point of curvature; thence along a curve to the right with a Radius of 450.00 feet, a Delta of $01^{\circ}07'00''$, a Length of 8.77 feet, and a Chord of South $05^{\circ}45'08''$ East 8.77 feet to a point; thence South $84^{\circ}48'22''$ West 40.00 feet to the southerly right-of-way line of SW Tualatin-Sherwood Road (85.00 feet from centerline), also being the westerly right-of-way line of SW Oregon Street (40.00 feet from centerline); thence along said southerly right-of-way line South $83^{\circ}41'22''$ West 11.84 feet to the True Point of Beginning; thence continuing along said right-of-way line South $83^{\circ}41'22''$ West 20.16 feet to a point; thence South $00^{\circ}58'42''$ West 30.92 feet to a point on the northerly line of a utility easement per Document Number 94-045181; thence along said northerly line South $88^{\circ}59'13''$ East 20.00 feet to a point; thence North $00^{\circ}58'42''$ East 33.49 feet to the True Point of Beginning.

The above described tract of land contains 644 square feet, more or less.

4/8/2013

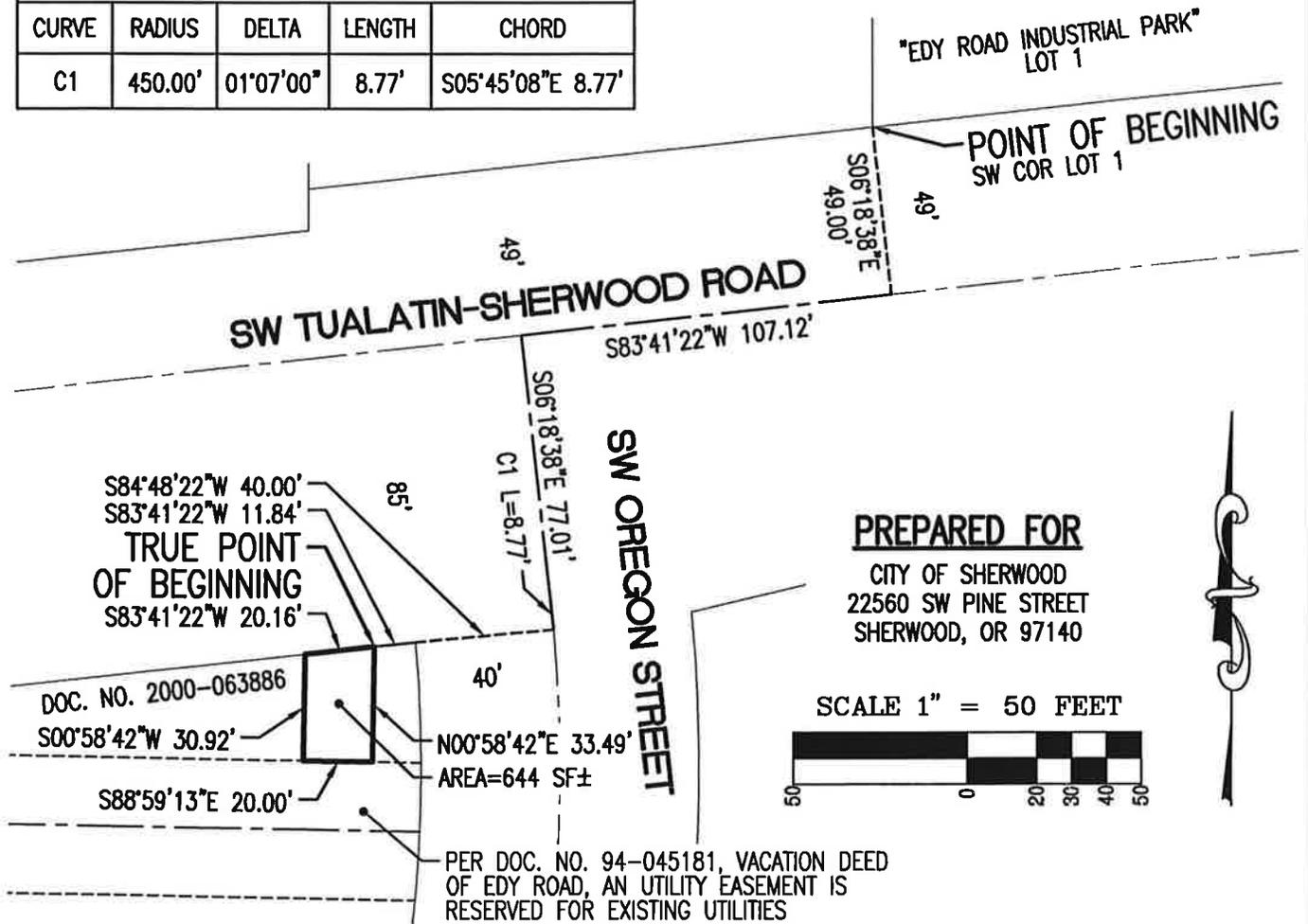


EXHIBIT B

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

CURVE TABLE

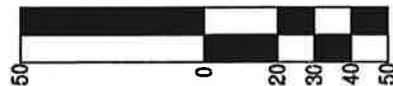
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	450.00'	01°07'00"	8.77'	S05°45'08"E 8.77'



PREPARED FOR

CITY OF SHERWOOD
22560 SW PINE STREET
SHERWOOD, OR 97140

SCALE 1" = 50 FEET



4/8/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/14

AREA 48 DOWNSTREAM
JOB NAME: SANITARY UPGRADE

JOB NUMBER: 3076

DRAWN BY: WCB

CHECKED BY: NSW

DWG NO.: 8073-TEASU

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LICENSED IN OR & WA

13910 SW GALBREATH
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OFFICES LOCATED IN REDMOND, OR & VANCOUVER, WA

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Job No. 3076

EXHIBIT C

A tract of land located in the Southwest One-Quarter of Section 28, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

Beginning at the southeasterly corner of Lot 14 of the Plat "Industrial Park of Sherwood", also being the northerly right-of-way of SW Tualatin-Sherwood Road (49.00 feet from centerline) and northwesterly right-of-way line of Portland and Western Railroad (30.00 feet from centerline); thence South $88^{\circ}45'07''$ East 44.57 feet to the centerline of Portland and Western Railroad; thence along said centerline line South $48^{\circ}56'47''$ West 72.80 feet to the centerline of SW Tualatin-Sherwood Road; thence along said centerline South $88^{\circ}45'07''$ East 268.80 feet to a point of curvature; thence along a curve to the left with a Radius of 4000.00 feet, a Delta of $00^{\circ}46'28''$, a Length of 54.07 feet, and a Chord of South $89^{\circ}08'21''$ East 54.07 feet to a point; thence South $00^{\circ}28'25''$ West 37.60 feet to the southerly right-of-way line of SW Tualatin-Sherwood Road (variable width from centerline), also being the northeasterly corner of Document Number 2003-036657; thence along said right-of-way line and the easterly line of said Document Number South $01^{\circ}34'401''$ West 11.40 feet to a point on said right-of-way line (49.00 feet from centerline) and the True Point of Beginning; thence continuing along said easterly line South $01^{\circ}34'40''$ West 20.37 feet to a point; thence North $89^{\circ}04'20''$ East 97.74 feet to a point; thence North $82^{\circ}01'10''$ East 191.10 feet to a point of non-tangency on the southerly right-of-way line of SW Tualatin-Sherwood Road (49.00 feet from centerline); thence along said right-of-way line along a non-tangent curve to the right with a Radius of 4049.00 feet, a Delta of $04^{\circ}03'19''$, a Length of 286.57 feet, and a Chord of South $88^{\circ}26'57''$ West 286.51 feet to the True Point of Beginning.

The above described tract of land contains 3,576 square feet, more or less.

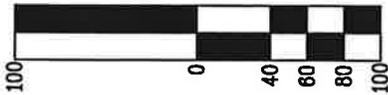
4/8/2013



EXHIBIT D

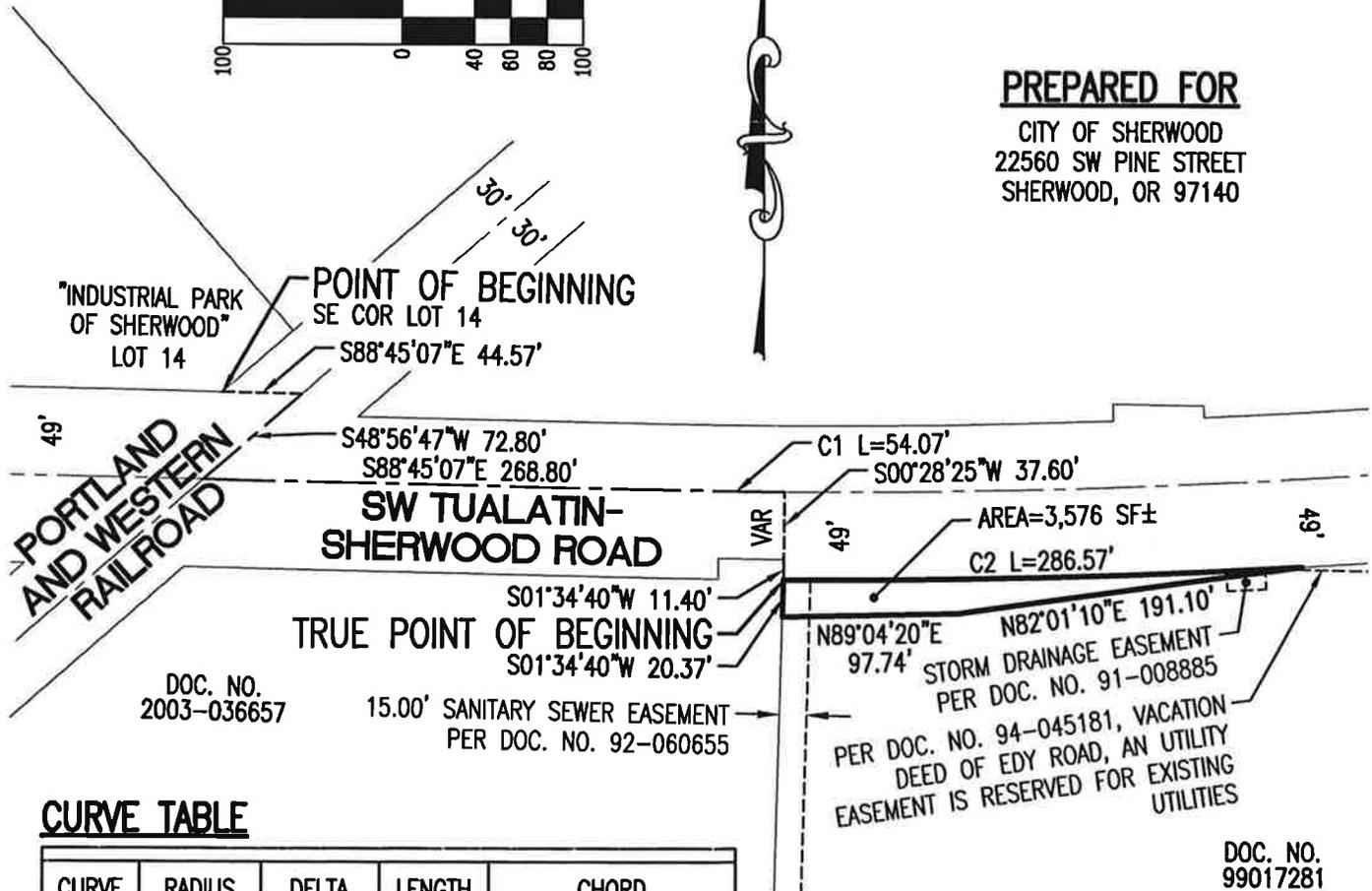
A TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

SCALE 1" = 100 FEET



PREPARED FOR

CITY OF SHERWOOD
22560 SW PINE STREET
SHERWOOD, OR 97140



DOC. NO.
2003-036657

DOC. NO.
99017281

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	4000.00'	00°46'28"	54.07'	S89°08'21"E 54.07'
C2	4049.00'	04°03'19"	286.57'	S88°26'57"W 286.51'

4/8/2013

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/14

AREA 48 DOWNSTREAM
JOB NAME: SANITARY UPGRADE

JOB NUMBER: 3076

DRAWN BY: WCB

CHECKED BY: NSW

DWG NO.: 8073-TEASU

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EXHIBIT E

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The above described tract of land contains 14,979 square feet, more or less.

4/8/2013



EXHIBIT F

A TRACT OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 28,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

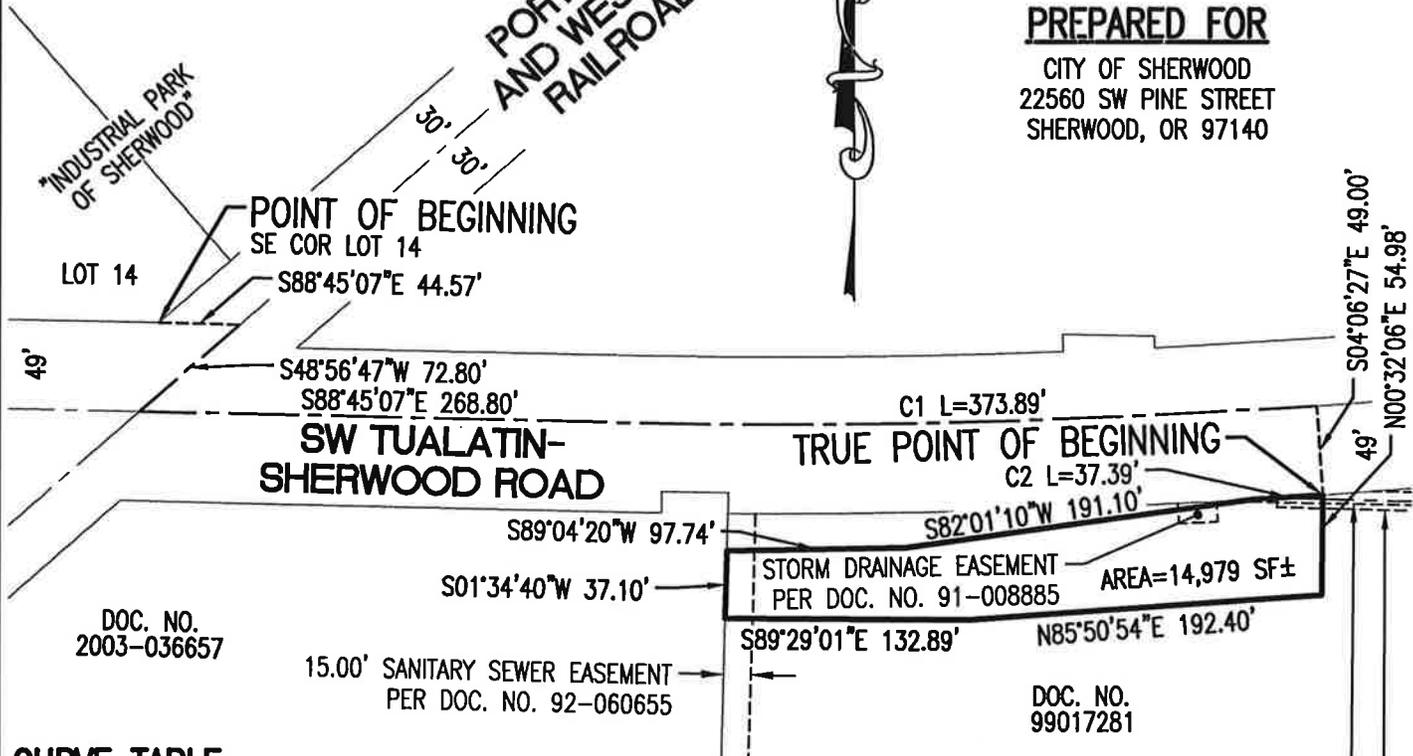
SCALE 1" = 100 FEET



PORTLAND
AND WESTERN
RAILROAD

PREPARED FOR

CITY OF SHERWOOD
22560 SW PINE STREET
SHERWOOD, OR 97140



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	4000.00'	05°21'20"	373.89'	N88°34'13"E 373.76'
C2	4049.00'	00°31'45"	37.39'	S86°09'25"W 37.39'

PER DOC. NO. 94-045181, VACATION DEED OF
EDY ROAD, AN UTILITY EASEMENT IS RESERVED
FOR EXISTING UTILITIES

PGE EASEMENT PER DOC. NO. 99-113806

4/8/2013

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PROFESSIONAL
LAND SURVEYOR

Nick White

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JANUARY 9, 2007
NICK WHITE
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