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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



Public Utility Easement

DATED: July 29, 2013

AFTER RECORDING RETURN TO:

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

BETWEEN:

Grantor:

Gene Head
Jacqueline Head
22344 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 Jacqueline Head, 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 17th day of July 2013

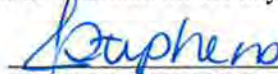
GRANTOR:  Gene Head

STATE OF OREGON)
)ss
County of Washington)

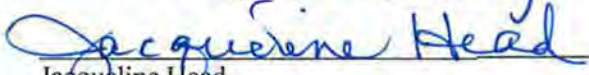
On this 17th day of July, 2013 before me, a notary public in and for said County and State, personally appeared Gene Head known to me to be their person whose names subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.




NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/29/16

IN WITNESS WHEREOF, the undersigned grantor has executed this easement this 17th day of July, 2013

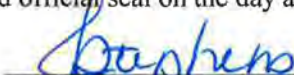
GRANTOR: 
Jacqueline Head

STATE OF OREGON)
)ss
County of Washington)

On this 17th day of July, 2013 before me, a notary public in and for said County and State, personally appeared Jacqueline Head 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.




NOTARY PUBLIC FOR OREGON
My Commission Expires: 10/29/16

GRANTEE:
Accepted on behalf of The City of Sherwood.

This 29 day of July, 2013


Robert J. Galati, P.E., City Engineer


Joseph Gall, ICMA-CM, City Manager

7/29/13
Date



APRIL 26, 2012

EXHIBIT A

LEGAL DESCRIPTION

PROJECT NO. 500-035

PROPOSED UTILITY EASEMENT

A PARCEL OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 8, OF THE PLAT OF "SMOCKVILLE", WASHINGTON COUNTY PLAT RECORDS;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 4, ALSO BEING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF S.W. MAIN STREET, BEING PARALLEL WITH AND 30.00 FEET NORTHEASTERLY OF, RIGHT-ANGLE MEASURE, THE CENTERLINE THEREOF, NORTH 42° 15' 00" WEST, 100.00 FEET, TO THE NORTHWEST CORNER OF SAID LOT 4;

THENCE ALONG THE NORTHERLY LINE OF SAID LOT 4, ALSO BEING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF S.W. 3RD STREET, BEING PARALLEL WITH AND 30.00 FEET SOUTHEASTERLY OF, RIGHT-ANGLE MEASURE, THE CENTERLINE THEREOF, NORTH 47° 45' 00" EAST, 8.00 FEET, TO A POINT;

THENCE LEAVING SAID NORTHERLY LINE LOT 4 AND SAID SOUTHERLY RIGHT-OF-WAY LINE OF S.W. 3RD STREET, BEING PARALLEL WITH AND 8.00 FEET NORTHEASTERLY OF, RIGHT-ANGLE MEASURE, THE WESTERLY LINE OF SAID LOT 4, SOUTH 42° 15' 00" EAST, 100.00 FEET, TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 4;

THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 4, ALSO BEING ALONG THE NORTHERLY LINE OF A 14.00 FOOT WIDE PUBLIC ALLEYWAY PER SAID PLAT OF "SMOCKVILLE", SOUTH 47° 45' 00" WEST, 8.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 800 SQUARE FEET.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS SN 16,363, WASHINGTON COUNTY SURVEY RECORDS.



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RECORD DATE 12/31/12

SURVEYING

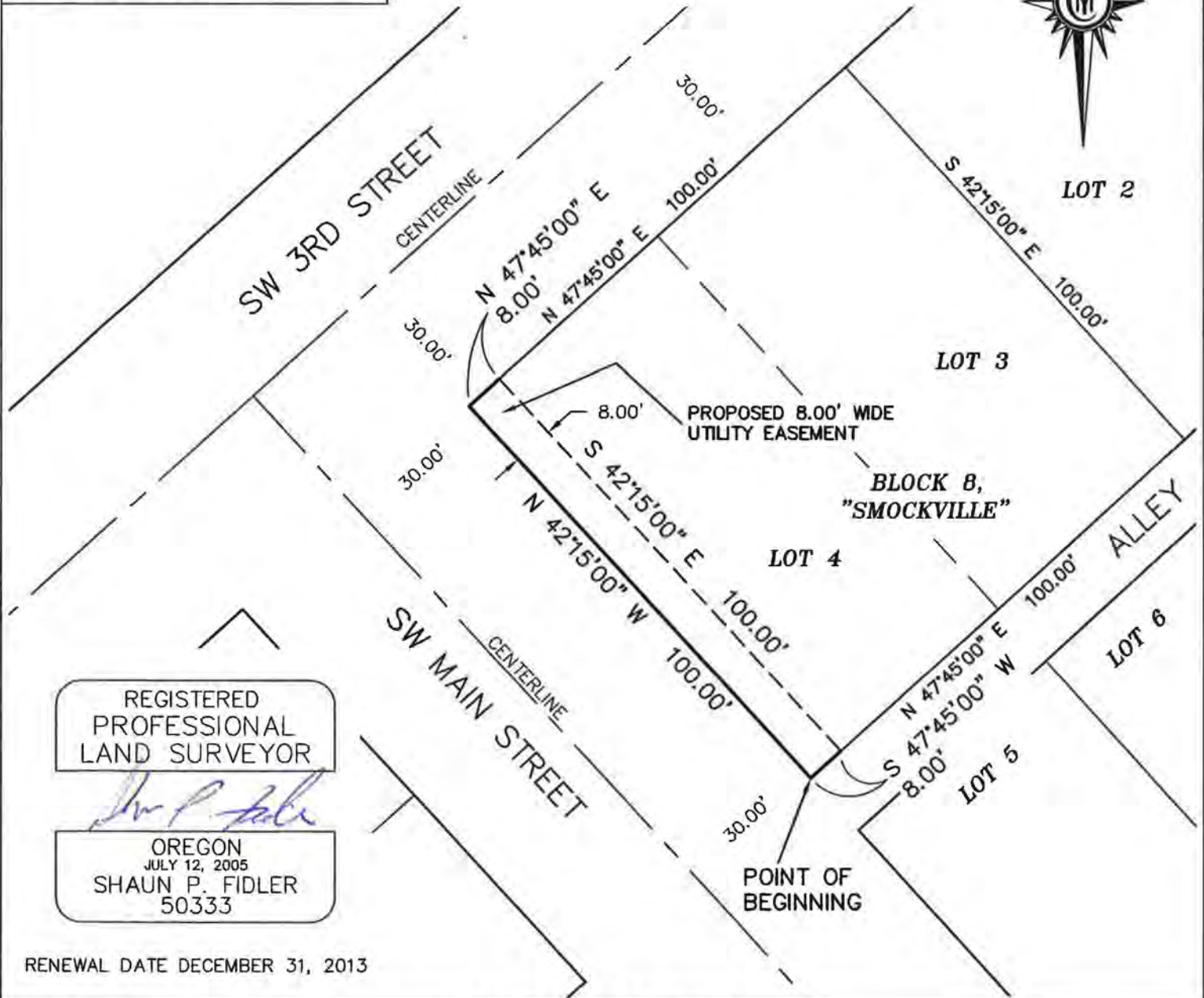


CONSULTING

9138 SE ST HELENS ST, PO BOX 3251, CLACKAMAS, OR 97015 PHONE (503) 850-4672 FAX (503) 850-4590

CLIENT: JACQUELINE HEAD
ADDRESS: 22344 S.W. MAIN STREET
LEGAL: LOTS 3 & 4, BLOCK 8
"SMOCKVILLE"
DRAWN: RLMc
JOB NO: 500-035

THIS EXHIBIT MAP WAS MADE AT THE REQUEST, AND FOR THE EXCLUSIVE USE OF, THE ABOVE NAMED CLIENT AND IS NOT INTENDED TO BE USED FOR FUTURE IMPROVEMENTS, LAND DIVISION, OR BOUNDARY LOCATION.



REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 12, 2005
SHAUN P. FIDLER
50333

RENEWAL DATE DECEMBER 31, 2013

EXHIBIT B

PROPOSED UTILITY EASEMENT LOCATED WITHIN LOT 4, BLOCK 8, OF THE PLAT OF "SMOCKVILLE" LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON