

WATER LINE EASEMENT TO CITY

DATED: August 1, 2014

AFTER RECORDING RETURN TO:

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

Until requested otherwise, send all tax statements to Grantee at the address below.

BETWEEN:

Grantor:
Wal-Mart Real Estate Business Trust
2001 SE 10th Street
Bentonville, AR 72712

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

THIS GRANT OF A PERMANENT, NONEXCLUSIVE WATER LINE EASEMENT is made by and between Wal-Mart Real Estate Business Trust, a Delaware business trust and its successors and assigns ("Grantor"), and the City of Sherwood, an Oregon municipal corporation and its successors and assigns ("Grantee" or "City"), for the consideration hereinafter stated. The permanent public, nonexclusive water line 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 \$0.00 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 water line 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 water line system, with all appurtenances incident thereto or

| | |
|--|-------------------------------|
| Washington County, Oregon | 2014-048082 |
| D-E | 08/04/2014 08:41:22 AM |
| Str=9 C WHITE | |
| \$25.00 \$11.00 \$5.00 \$20.00 | \$61.00 |
| 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 | |

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 its option and expense, relocate the easement and associated public appurtenances, provided City consents in writing in advance to the relocation, which consent shall not be unreasonably withheld, 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 without City's prior written consent. 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.

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 #3048

EXHIBIT A Easement Description

A portion of Lot 2 of the plat "Langer Farms" located in the Southeast One-Quarter of Section 29, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic cap inscribed "AKS ENGR." at the southeast corner of Lot 2 of the plat "Langer Farms", being a point on the north right-of-way line of SW Century Drive (31.00 feet from centerline); thence along said north right-of-way line South 86°03'07" West 59.75 feet to a point of curvature; thence along a curve to the right with a Radius of 369.00 feet, a Delta of 03°15'05", a Length of 20.94 feet, and a Chord of South 87°40'39" West 20.94 feet to the True Point of Beginning; thence continuing along said north right-of-way line along a curve to the right with a Radius of 369.00 feet, a Delta of 02°12'18", a Length of 14.20 feet, and a Chord of North 89°35'39" West 14.20 feet to a point of tangency; thence continuing along said north right-of-way line North 88°29'30" West 9.97 feet to a point; thence leaving said north right-of-way line North 01°32'59" East 18.01 feet to a point; thence South 88°27'01" East 7.49 feet to a point; thence North 01°30'41" East 1.72 feet to a point; thence South 88°29'19" East 16.66 feet to a point; thence South 01°30'41" West 19.44 feet to the True Point of Beginning.

The above described tract contains 462 square feet, more or less.



PREPARED FOR:

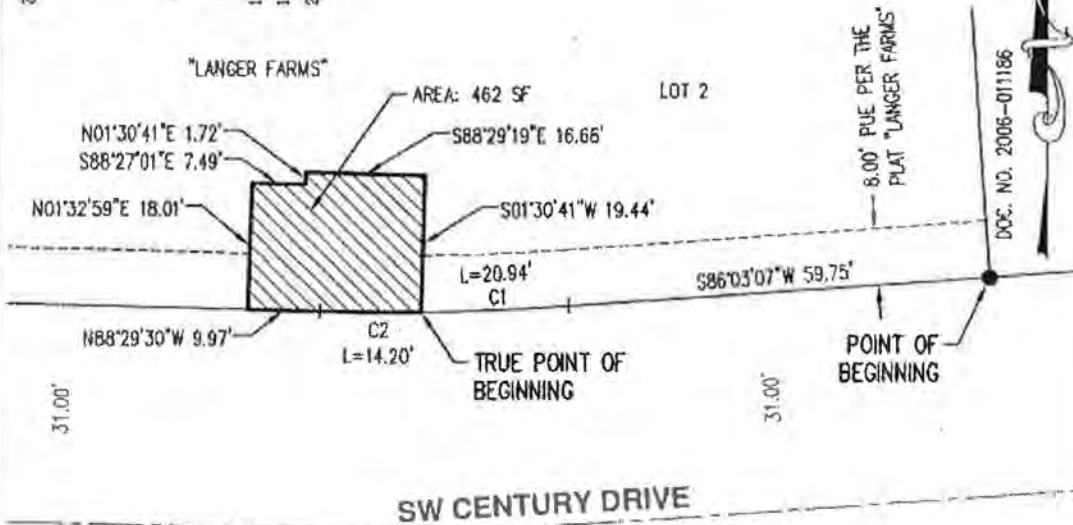
LANGER GRAMOR, LLC.
19787 SW 72ND AVE, SUITE 100
TUALATIN, OR 97062

EXHIBIT B

MAP OF EASEMENT

A PORTION OF LOT 2 OF THE PLAT "LANGER FARMS"
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 29,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

SCALE 1" = 20 FEET



LEGEND

- DENOTES 5/8" IRON ROD WITH A YELLOW PLASTIC CAP INSCRIBED "AKS ENGR."
- SF SQUARE FEET

CURVE TABLE

| CURVE | RADIUS | DELTA | LENGTH | CHORD |
|-------|---------|-----------|--------|--------------------|
| C1 | 369.00' | 03°15'05" | 20.94' | S87°40'39"W 20.94' |
| C2 | 369.00' | 02°12'18" | 14.20' | N89°35'39"W 14.20' |

02-17-14
REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]
OREGON
JANUARY 11, 2005
ROBERT D. RETTIG
60124LS
RENEWS: 12/31/14

JOB NAME: LANGER
JOB NUMBER: 3048
DRAWN BY: JOH
CHECKED BY: RDR
DWG NO.: 3048 121113 EXB

AKS ENGINEERING AND FORESTRY, LLC
13910 SW GALBREATH DR
SUITE 100
SHERWOOD, OR 97140
PHONE: 503.925.8799
FAX: 503.925.8969



ENGINEERING · PLANNING · SURVEYING
FORESTRY · LANDSCAPE ARCHITECTURE