

FIRST AMERICAN BLDERS 2014-177

**PUBLIC ACCESS EASEMENT**

DATED: October 6, 2014

**AFTER RECORDING RETURN TO:**

City of Sherwood  
Engineering Dept  
22560 SW Pine St  
Sherwood, OR 97140

**BETWEEN:**

Grantor:  
D. R. Horton, Inc.-Portland  
4380 SW Macadam Ave., Suite 100  
Portland, OR 97239

Grantee:  
City of Sherwood  
22560 SW Pine St.  
Sherwood, OR 97140

This easement is made this 12 day of SEPT, 2014, between D.R. Horton, Inc.-Portland, a Delaware corporation, GRANTOR and the City of Sherwood, an Oregon Municipal Corporation, GRANTEE.

In consideration of the sum of \$0.00 and other good and valuable consideration, the receipt of which is hereby acknowledged by GRANTOR, the GRANTOR does grant and convey to GRANTEE, its successors and assigns a public access easement for the construction, operation and maintenance of a vehicle and pedestrian way, including but not limited to an improved or unimproved street, road, sidewalk, nature path or other ways to facilitate vehicular and pedestrian travel upon and across the land and property of the GRANTOR as follows:

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.

This document establishes a permanent easement on the property described but does not 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 the property provided, however, that such use shall not interfere with the rights herein granted.

GRANTOR warrants that it is the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and will warrant and defend the easement rights herein granted from all lawful claims whatsoever.

Washington County, Oregon	<b>2014-063581</b>
D-E	
Stn=4 K GRUNEWALD	10/07/2014 10:08:11 AM
\$25.00 \$11.00 \$5.00 \$20.00	<b>\$61.00</b>
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	

SIGNED this 12 day of September 2014

D. R. HORTON, INC.-PORTLAND

*[Handwritten signature of M. Scott Clark]*

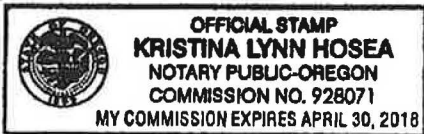
M. Scott Clark, Division President

STATE OF OREGON )

) ss.

County of Washington )

This instrument was acknowledged before me this 12<sup>TH</sup> day of September, 2014, by M. Scott Clark, Division President of D. R. Horton, Inc.- Portland, a Delaware corporation.



*[Handwritten signature of Kristina Lynn Hosea]*  
Notary Public

ACCEPTED on behalf of GRANTEE by:

*[Handwritten signature of Robert J. Galati]*  
Robert J. Galati, P.E.  
City Engineer

*[Handwritten signature of Joseph Gall]*  
Joseph Gall, ICMA-CM  
City Manager

Date 10/6/14

Date 10/6/14



**EXHIBIT A**

September 12, 2014

**LEGAL DESCRIPTION**

Job No. 101-033

Two easements being portions of Lots 19 and 20, plat of "Daybreak", Washington County Plat Records, being in the Southwest Quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, more particularly described as follows:

**Easement 1**

**BEGINNING** at the Southwest corner of said Lot 19;

thence along the westerly line of said Lot 19, North 00°01'53" West, a distance of 1.00 feet;

thence leaving said westerly line, North 89°57'30" East, a distance of 85.88 feet;

thence North 75°55'20" East, a distance of 8.37 feet to a point on the westerly Right-of-Way line of SW Derby Terrace;

thence along said westerly Right-of-Way line, South 00°01'53" East, a distance of 1.03 feet to the Southeast corner of said Lot 19;

thence along the southerly line of said Lot 19, South 75°55'20" West, a distance of 8.25 feet to an angle point;

thence continuing along said southerly line, South 89°57'30" West, a distance of 86.00 feet to the POINT OF BEGINNING.

Containing 94 square feet, more or less.

**Easement 2**

**BEGINNING** at the Northwest corner of said Lot 20;

thence along the northerly line of said Lot 20, North 89°57'30" East, a distance of 86.00 feet to an angle point;

thence continuing along said northerly line, South 76°00'15" East, a distance of 8.25 feet to the Northeast corner of said Lot 20;

thence along the westerly Right-of-Way line of SW Derby Terrace, South 00° 01'53" East, a distance of 1.03 feet;

thence leaving said westerly Right-of-Way line, North 76° 00'15" West, a distance of 8.37 feet;

thence South 89° 57'30" West, a distance of 85.88 feet to a point on the westerly line of said Lot 20;

thence along said westerly line of Lot 20, North 00° 01'53" West, a distance of 1.00 feet to the POINT OF BEGINNING.

Containing 94 square feet, more or less.

Basis of bearings per plat of "Daybreak", Washington County Survey Records.

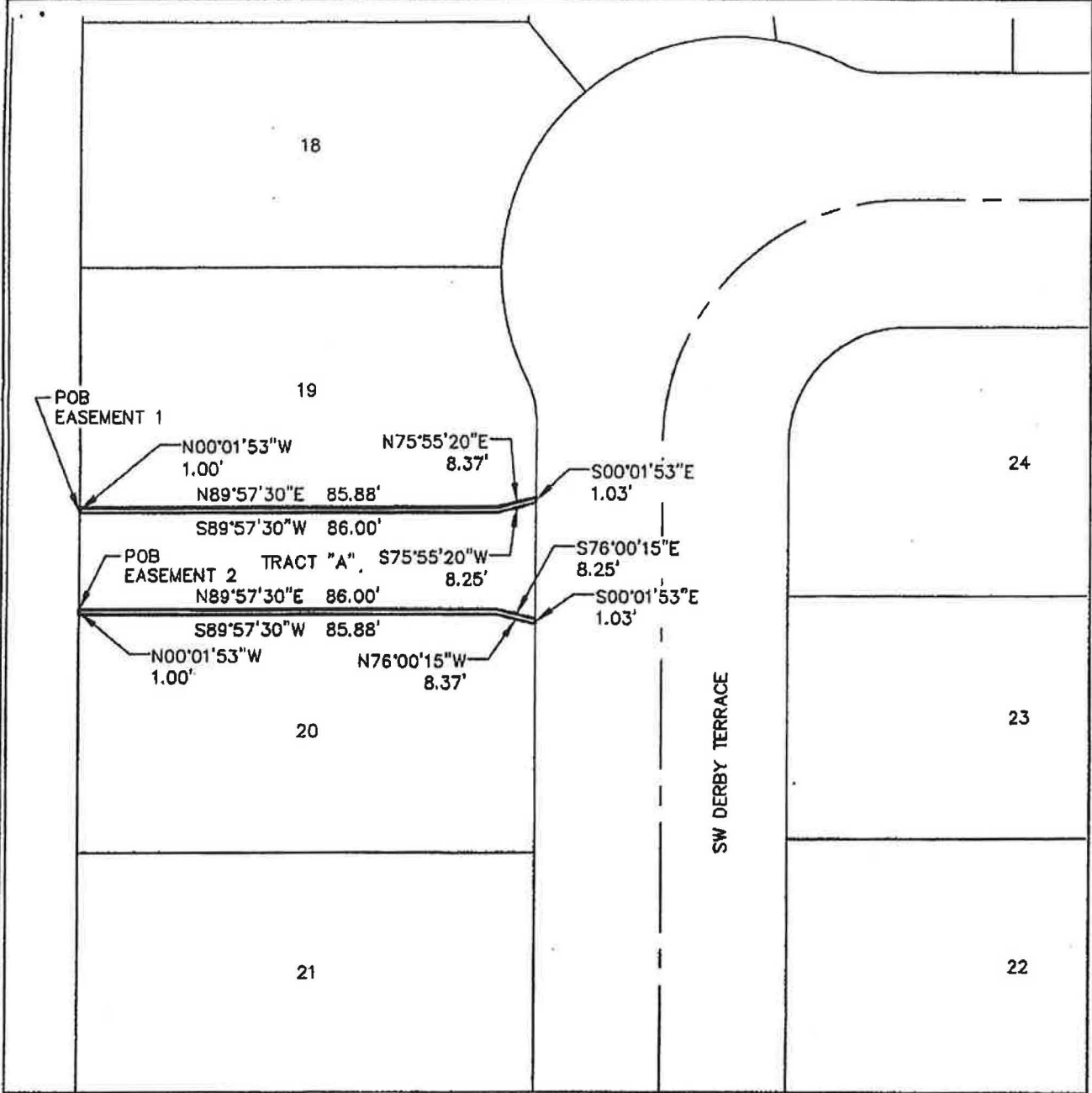
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 9, 2002  
TRAVIS C. JANSEN  
57751

RENEWS: 6/30/2015

N:\proj\101-033\09 Drawings\04 Survey\Legals\101033.PUE and Additional Legal Description.dwg - SHEET (2) | Foot Easements - Sep. 12, 14 - 2:34 PM cd



**EXHIBIT B**  
EASEMENT

DRAWN BY: CLL DATE: 9/12/14  
 REVIEWED BY: TCJ DATE: 9/12/14  
 PROJECT NO.: 101-033  
 SCALE: 1"=30'  
 PAGE 3 OF 3



12564 SW Main St  
 Tigard, OR 97223  
 [T] 503-941-9484  
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