

Public Utility Easement

DATED: March 24, 2015

AFTER RECORDING RETURN TO:

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

| | |
|--|-------------------------------|
| Washington County, Oregon | 2015-027614 |
| D-E | 04/16/2015 09:34:09 AM |
| Stn=11 S PFEIFER | |
| \$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 | |

BETWEEN:

Grantors:
LF 11, LLC
5285 Meadows Road Suite 171
Lake Oswego, OR 97035

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

FIRST AMERICAN BLDGS 2015-072

THIS GRANT OF A PUBLIC UTILITY EASEMENT is made by and between LF 11, LLC, 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 24th day of March, 2015

GRANTORS;

LF 11, LLC

By: VERGEPOINTE CAPITAL FUND XVI, LP,
a Delaware Limited Partnership, its Manager

By: VCFGF XVI, LLC, an Oregon Limited
liability company, its General Partner

By: VCJT, LLC, an Oregon Limited
liability company, its Manager

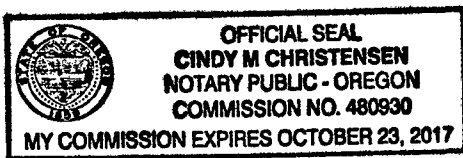
By: [Signature]
Scott Roberts, Manager

By: [Signature]
Matthew Vance, Manager

By: [Signature]
Jeffery D. Smith, Manager

STATE OF OREGON)
) ss.
County of Clackamas)

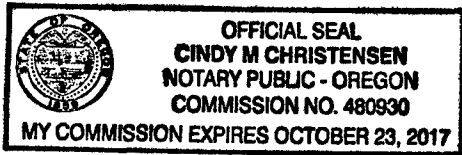
This instrument was acknowledged before me on March 24, 2015 (date) by Scott Roberts, Manager, VCJT, LLC, an Oregon LLC, Sole Member VCFGF XVI, LLC, General Partner of Vergepoint Capital Fund XVI, LP, Manager of LF 11 LLC, and he acknowledged the foregoing instrument to be his voluntary act and deed.



Cindy M Christensen
Notary Public for Oregon
My commission expires: 10-23-2017

STATE OF OREGON)
) ss.
County of Clackamas)

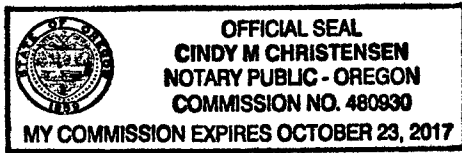
This instrument was acknowledged before me on March 30, 2015 (date) by Matthew Vance, Manager, VCJT, LLC, an Oregon LLC, Sole Member VCFGP XVI, LLC, General Partner of Vergepoint Capital Fund XVI, LP, Manager of LF 11 LLC, and he acknowledged the foregoing instrument to be his voluntary act and deed.



Cindy M Christensen
Notary Public for Oregon
My commission expires: 10-23-2017

STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on March 24, 2015 (date) by Jeffery D. Smith, Manager, VCJT, LLC, an Oregon LLC, Sole Member VCFGP XVI, LLC, General Partner of Vergepoint Capital Fund XVI, LP, Manager of LF 11 LLC, and he acknowledged the foregoing instrument to be his voluntary act and deed.



Cindy M Christensen
Notary Public for Oregon
My commission expires: 10-23-2017

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 9th day of APRIL, 2015

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

04.09.15
Date

Joseph Gall
Joseph Gall, ICMA-CM, City Manager

9/5/15
Date

EXHIBIT 'A'

BEING A PORTION OF LOTS 6, 7 AND 8 OF "CITY VIEW ADDITION" SUBDIVISION PLAT, WASHINGTON COUNTY RECORDS, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON, AS SHOWN ON THE ATTACHED EXHIBIT 'B' AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 6 OF "CITY VIEW ADDITION, BEING ON THE WEST RIGHT OF WAY LINE OF SW PARK ROW AVENUE; THENCE ALONG THE SOUTH LINE OF SAID LOT 6 SOUTH 77°57'10" WEST, 8.00 FEET; THENCE PARALLEL WITH AND 8.00 FEET WEST OF THE WEST RIGHT OF WAY LINE OF SW PARK ROW AVENUE NORTH 11°18'06" WEST, 45.50 FEET TO A POINT WHICH IS 4.50 FEET SOUTH OF THE SOUTH LINE OF LOT 7; THENCE PARALLEL WITH AND 4.50 FEET SOUTH OF SAID SOUTH LINE OF LOT 7 SOUTH 77°57'10" WEST, 4.00 FEET; THENCE PARALLEL WITH AND 12.00 FEET WEST OF SAID WEST RIGHT OF WAY LINE NORTH 11°18'06" WEST, 5.00 FEET TO A POINT THAT IS 0.50 FEET NORTH OF SAID SOUTH LINE OF LOT 7; THENCE PARALLEL WITH AND 0.50 FEET NORTH OF SAID SOUTH LINE OF LOT 7 NORTH 77°57'10" EAST, 4.00 FEET; THENCE PARALLEL WITH AND 8.00 FEET WEST OF SAID WEST RIGHT OF WAY LINE OF SW PARK ROW AVENUE NORTH 11°18'06" WEST, 99.51 FEET TO THE NORTH LINE OF LOT 8 OF "CITY VIEW ADDITION"; THENCE ALONG SAID NORTH LINE NORTH 77°57'10" EAST, 8.00 FEET TO SAID WEST RIGHT OF WAY LINE; THENCE ALONG SAID WEST RIGHT OF WAY LINE SOUTH 11°18'06" EAST, 150.01 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1,220.07 SQUARE FEET, 0.028 ACRES MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

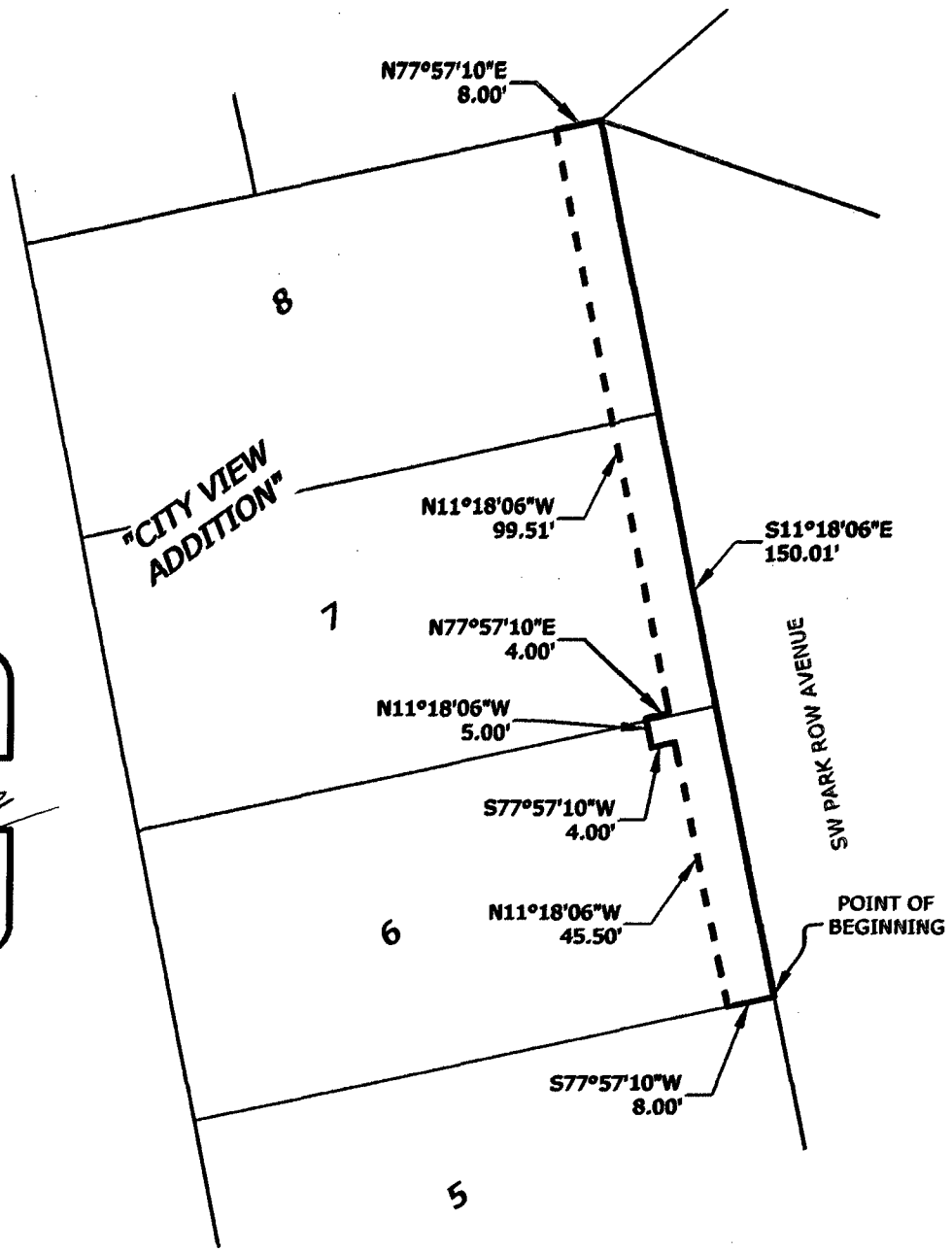
Ryan H. Godsey

OREGON
DECEMBER 13, 2007
RYAN H. GODSEY
65604

RENEWS: 6/30/15

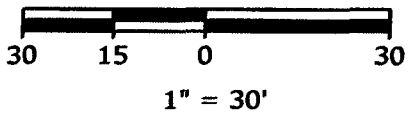
EXHIBIT 'B'

BEING A PORTION OF LOT 6, 7 AND 8 OF "CITY VIEW ADDITION" IN THE
NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.,
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Ryan H. Godsey
OREGON
DECEMBER 13, 2007
RYAN H. GODSEY
65604
RENEWS: 6/30/15



CES | NW 13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

DATE
4-2-15