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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

After recording, return to:  
City of Sherwood  
Engineering Department  
22560 SW Pine Street  
Sherwood, OR 97140

**NO CHANGE IN TAX STATEMENTS**

BETWEEN:

Grantor:  
City of Sherwood  
22560 SW Pine Street  
Sherwood, Oregon 97140

Grantee:  
(Lot 3, McFall Estates Subdivision)  
(Site Address)  
Sherwood, Oregon 97140

**NONEXCLUSIVE UTILITY EASEMENT**

The City of Sherwood, an Oregon municipal corporation, ("Grantor"), for the consideration stated below, grants unto (Lot 3 of McFall Estates Subdivision), ("Grantee"), the following permanent and nonexclusive easement in that certain real property situated in the City of Sherwood and described as follows:

See Attached Exhibit "A" (Legal Description) and Exhibit "B" (Location Map) which are incorporated herein by this 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 grant is intended to establish a permanent private utility easement on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein. This easement runs with the land and is binding upon the Grantor's heirs, successors and assigns. Grantor reserves the right to use the premises at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the Grantee or by its successors and assigns, of the rights granted. No structure may be erected upon, above or below the permanent easement without the written consent of the Grantee. Grantor shall not endanger the lateral support of any facilities constructed within the easement granted herein.

The purpose of this easement is to provide Grantee, its successors and assigns, access to the property for the purpose of installing, constructing, operating, maintaining, repairing, replacing and reconstructing Grantee's private sanitary sewer lateral facilities as Grantee may deem necessary over, across, through, in and under the property described in Exhibit "A". If Grantee, its successors and assigns, causes any damage to the property, Grantee shall restore the property to the same or better condition than existed prior to the damage.

IN WITNESS WHEREOF, the above named Grantor has caused this instrument to be acknowledged as of the date indicated below.

DATED this 27<sup>th</sup> day of April, 2016.

Joseph Gall, ICMA-CM  
City Manager

STATE OF OREGON )  
County of Washington ) ss

On this 27 day of April, 2016, before me personally appeared Joseph Gall, personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.

NOTARY PUBLIC FOR OREGON  
My Commission Expires: March 28, 2020

Approved as to form: City Attorney



EXHIBIT "A"

LEGAL DESCRIPTION

10' Private Storm Drainage Easement

For the Benefit of Lot 3, MCFALL ESTATES, City of Sherwood, Washington County,  
Oregon

Beginning at the Northeast corner of Lot 3, said McFall Estates, and running N89°00'22"W along the North line of said Lot 3 a distance of 20 feet to the point of beginning of the centerline of a 10 foot wide Storm Drainage easement, being 5 feet on each side of the described centerline and adding or subtracting these lines so that they intersect with the North line of said Lot 1; thence at a right angle to said North line running north 15 feet across Tract "A" McFall Estates to the point of terminus.

Exhibit "B"

Map of 10' PRIVATE DRAINAGE EASEMENT

For benefit of Lot 3, McFall Estates

