

FEB 27 2017

Recorder's Office

**Public Utility Easement**

DATED: February 23<sup>rd</sup>, 2017

AFTER RECORDING RETURN TO:

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

Washington County, Oregon      **2017-015594**  
D-E      **02/23/2017 01:17:12 PM**  
Stn=0 A STROM  
\$5.00 \$11.00 \$20.00 \$20.00      **\$56.00**

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:

Stone Bridge Homes NW, LLC  
4230 Galewood St. Suite 100  
Lake Oswego, OR 97035

Grantee:

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

FIRST AMERICAN BLDG SW 2017-10

THIS GRANT OF A PUBLIC UTILITY EASEMENT is made by and between Stone Bridge Homes NW, 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





AKS ENGINEERING & FORESTRY, LLC  
12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
P: (503) 563-6151 F: (503) 563-6152

AKS Job #4570

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - SALEM-KEIZER, OR

## EXHIBIT A

### Public Utility Easement Description

Two strips of land located in the southwest one-quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

#### Strip No. 1 –

A strip of land, 2.00 feet wide, and being more particularly described as follows:

Commencing at the northwest corner of Lot 4, MANDEL FARMS, recorded as Document No. 2016-073512, Washington County Records; thence South  $88^{\circ}22'06''$  East along the north line of said Lot 4, 8.00 feet to a point on the easterly line of the Public Utility Easement recorded as Document No. 2008-053257, Washington County Records; thence South  $01^{\circ}37'54''$  West along said easterly easement line, 6.83 feet to the **True Point of Beginning** of the strip herein described; thence South  $88^{\circ}22'06''$  East parallel with the north line of said Lot 4, 2.00 feet to a point on a line which is parallel with and 2.00 feet easterly of, when measured at right angles to, the easterly line of the easement described in said Document No. 2008-053257; thence South  $01^{\circ}37'54''$  West along said parallel line, 30.00 feet; thence leaving said parallel line North  $88^{\circ}22'06''$  West parallel with the north line of said Lot 4, 2.00 feet to the easterly line of the easement described in said Document No. 2008-053257; thence North  $01^{\circ}37'54''$  East along said easterly easement line, 30.00 feet to the True Point of Beginning.

#### Strip No. 2 –

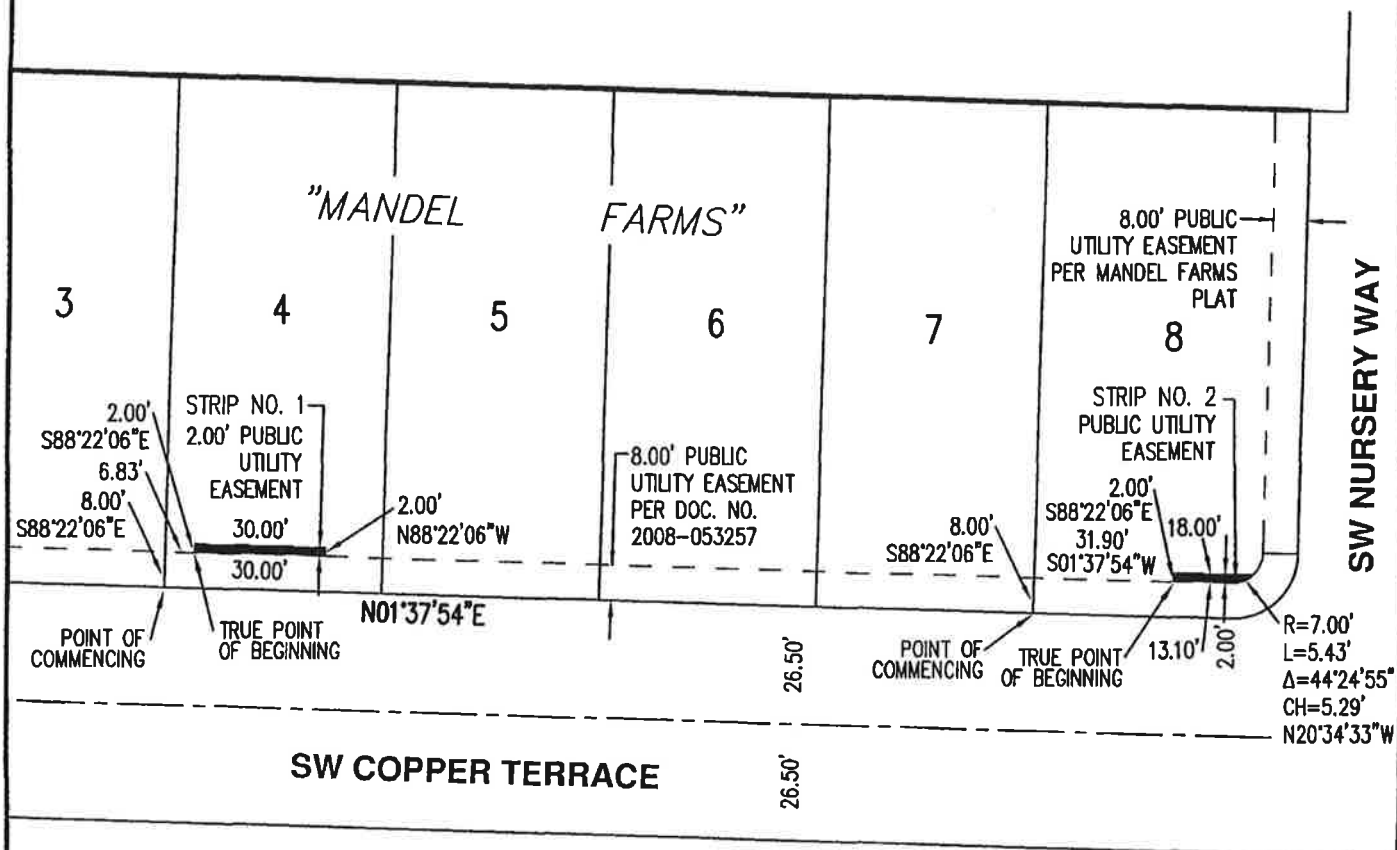
A strip of land of variable width being more particularly described as follows:

Commencing at the northwest corner of Lot 8, MANDEL FARMS, recorded as Document No. 2016-073512, Washington County Records; thence South  $88^{\circ}22'06''$  East along the north line of said Lot 8, 8.00 feet to a point on the easterly line of the Public Utility Easement recorded as Document No. 2008-053257, Washington County Records; thence South  $01^{\circ}37'54''$  West along said easterly easement line, 31.90 feet to the **True Point of Beginning** of the strip herein described; thence South  $88^{\circ}22'06''$  East parallel with the north line of said Lot 8, 2.00 feet to a point on a line which is parallel with and 2.00 feet easterly of, when measured at right angles to, the easterly line of the easement described in said Document No. 2008-053257; thence South  $01^{\circ}37'54''$  West along said parallel line, 18.00 feet to the easterly line of the easement described in said Document No. 2008-053257 and a point of non-tangent curvature; thence northwesterly along said easterly easement line on the arc of a 7.00 foot radius curve right (the radius point of which bears North  $42^{\circ}47'01''$  West) through a central angle of  $44^{\circ}24'55''$ , a distance of 5.43 feet (chord bears North  $20^{\circ}34'33''$  West, 5.29 feet); thence continuing along said easterly easement line North  $01^{\circ}37'54''$  East, 13.10 feet to the True Point of Beginning.

# EXHIBIT B

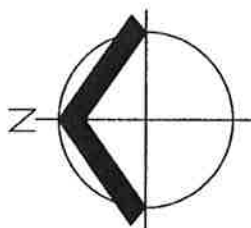
## MAP OF LEGAL DESCRIPTION

LOCATED IN THE SW 1/4 OF SECTION 30,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.,  
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

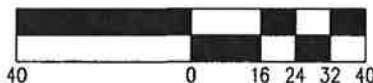


### LEGEND

DOC. NO. DOCUMENT NUMBER, WASHINGTON COUNTY RECORDS



SCALE: 1" = 40 FEET



DATE: 02-09-17

### PREPARED FOR

VENTURE PROPERTIES  
4230 SW GALEWOOD ST., SUITE 100  
LAKE OSWEGO, OR 97035

### PUBLIC UTILITY EASEMENTS - MANDEL FARMS

AKS ENGINEERING & FORESTRY, LLC  
12965 SW HERMAN RD, STE 100  
TUALATIN, OR 97062  
P: 503.563.6151 F: 503.563.6152 aks-eng.com



EXHIBIT  
**B**

DRWN: GEP  
CHKD: PAS

AKS JOB:  
4570