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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

Public Utility Easement

DATED: 9/27, 2018

AFTER RECORDING RETURN TO:

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

BETWEEN:

Grantors:

KILLION REAL ESTATE PARTNERSHIP
11825 SW KATHERINE ST.
TIGARD, OR. 97223

Grantee:

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

THIS GRANT OF A PUBLIC UTILITY EASEMENT is made by and between Randall Killion / Report Industries, 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."

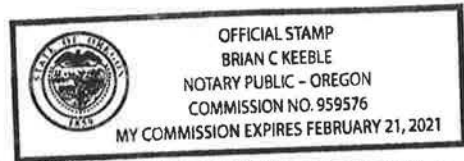
City upon the initial installation (as applicable) and upon each and every occasion that the same be repaired, replaced, renewed, added to, or removed, will restore the premises of the Grantors, and any improvements disturbed by the City, to as good condition as they were prior to any such installation 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 27th RK day of Sept., 2018

GRANTORS: Randall Killian

STATE OF OREGON)
)ss
County of Washington)



On this 27th day of September 2018 before me, a notary public in and for said County and State, personally appeared RANDALL KILLIAN known to me to be their person whose names subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

Brian C. Keeble
NOTARY PUBLIC FOR OREGON
My Commission Expires: 02/21/2021

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 10 day of OCTOBER, 2018

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

10.9.18
Date

Joseph Gall
Joseph Gall, ICMA-CM, City Manager

10/10/18
Date

[Signature]
Approved as to form: City Attorney



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

AKS Job #4260

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

EXHIBIT A

Public Utility Easement Description

A portion of Parcel 3 of Partition Plat No. 2003-030, Washington County Plat Records, 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 point on the easterly line of said Parcel 3, which point bears North 00°04'22" East 1.00 foot from the southeast corner of said Parcel 3; thence along the northerly right-of-way line of SW Oregon Street (36.00 feet from centerline), South 89°59'00" West 592.50 feet to the southeasterly right-of-way line of Southern Pacific Railroad (45.00 feet from centerline); thence along said southeasterly right-of-way line, North 47°49'09" East 20.86 feet to a line which is parallel with and 14.00 feet northerly of, when measured at right angles to, said northerly right-of-way line of SW Oregon Street; thence along said parallel line, North 89°59'00" East 577.06 feet to the easterly line of said Parcel 3; thence along said easterly line, South 00°04'22" West 14.00 foot to the Point of Beginning.

The above described tract of land contains 8,187 square feet, more or less.

10/5/2018

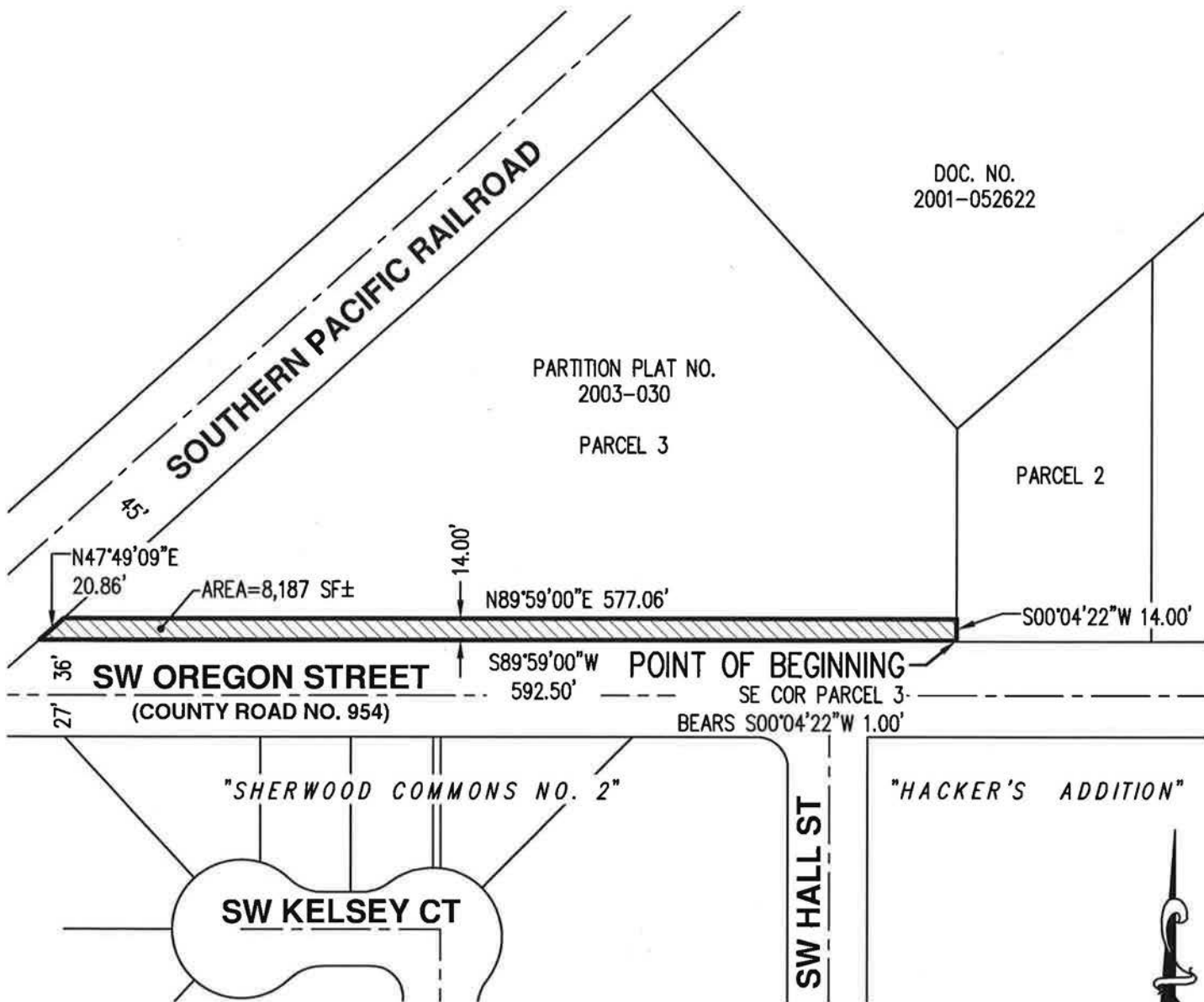
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/14

EXHIBIT B

A PORTION OF PARCEL 3 OF PARTITION PLAT NO. 2003-030,
 LOCATED IN THE SOUTHEAST 1/4 OF SECTION 29,
 TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
 CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON



10/5/2018

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Nick White

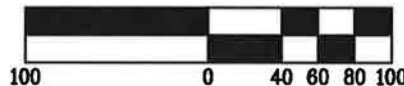
OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS

RENEWS: 6/30/20

PREPARED FOR

FROELICH ENGINEERS
 6969 SW HAMPTON ST,
 TIGARD, OR 97223

SCALE 1" = 100 FEET



SW OREGON STREET MAP OF PUBLIC UTILITY EASEMENT		EXHIBIT B
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: ZJC/WCE CHKD: NSW AKS JOB: 4260

