

Public Utility Easement

(16770 SW Edy Road, Sherwood, OR)

DATED: 05 / 15, 2019

AFTER RECORDING RETURN TO:

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

First American Title Accommodation

Recording Assumes No Liability

NWA-1905-0R1

BETWEEN:

Grantors:

Providence Health & Services - Oregon

Grantee:

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

Washington County, Oregon	2019-031060
D-E	05/20/2019 04:13:10 PM
Stn=4 A STROM	
\$30.00 \$11.00 \$5.00 \$60.00	\$106.00
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	

THIS GRANT OF A PUBLIC UTILITY EASEMENT is made by and between Providence Health & Services – Oregon, an Oregon non-profit corporation, 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 non-exclusive 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 Grantor, 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 15 day of May, 2019.

Grantor's Name Printed: PROVIDENCE HEALTH & SERVICES - OREGON

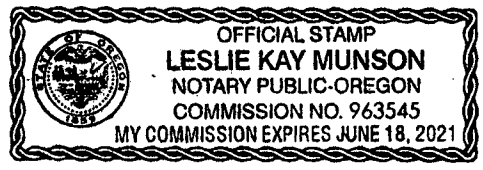
Grantor's Signature: [Handwritten Signature]

Title: CHIEF ASSET OFFICER

STATE OF OREGON)
Multnomah)ss
County of ~~Washington~~)

On this 15th day of May, 2019, before me, a notary public in and for said County and State, personally appeared Andrew Haslam 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.



[Handwritten Signature: Leslie K. Munson]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 06/18/2021

GRANTEE:

Accepted on behalf of The City of Sherwood.

This 17 day of May, 2019

[Handwritten Signature]

Joseph Gall, ICMA-CM, City Manager

5/17/19

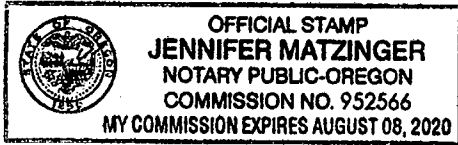
Date



STATE OF OREGON)
)ss
County of Washington)

On this 17th day of May, 2019, before me, a notary public in and for said County and State, personally appeared Joseph Gall 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.



Jennifer Matzinger
NOTARY PUBLIC FOR OREGON
My Commission Expires: 08/08/2020

[Signature]
Approved as to form: City Attorney



EXHIBIT A – LEGAL DESCRIPTION OF EASEMENT AREA

A tract of land located in the southeast one-quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon, being a portion of that property described in Exhibit C of that deed recorded July 26, 2017 as Document No. 2017-059050, Washington County Deed Records, more particularly described as follows:

Beginning at the most easterly corner of Lot 4, Cedar Creek Plaza, said point being on the northwesterly right-of-way line of SW Pacific Highway (State Highway 99W), 40.00 feet northwesterly of the southbound centerline thereof, when measured at right angles; thence along said northwesterly right-of-way line, North $46^{\circ}46'25''$ East a distance of 347.71 feet to its intersection with the southwesterly right-of-way line of SW Edy Road; thence along said southwesterly right-of-way line, North $01^{\circ}25'03''$ West a distance of 39.25 feet to an angle point thereon; thence continuing along said southwesterly right-of-way line the following eight courses: North $43^{\circ}43'40''$ West a distance of 28.48 feet to a point; 77.22 feet through the arc of a tangent 774.50 foot radius circular curve to the left, said curve having a central angle of $5^{\circ}42'45''$, a chord bearing of North $46^{\circ}35'02''$ West and chord length of 77.19 feet to a point of reverse curvature; 83.53 feet through the arc of a 837.50 foot radius circular curve to the right, said curve having a central angle of $5^{\circ}42'53''$, a chord bearing of North $46^{\circ}34'58''$ West and a chord length of 83.50 feet to a point of tangency; North $43^{\circ}43'31''$ West a distance of 3.49 feet to a point of curvature; 46.24 feet through the arc of a tangent 174.06 foot radius circular curve to the right, said curve having a central angle of $15^{\circ}13'15''$, a chord bearing of North $36^{\circ}06'54''$ West and a chord length of 46.10 feet to a point of reverse curvature; 24.43 feet through the arc of a 159.06 foot radius circular curve to the left, said curve having a central angle of $8^{\circ}47'55''$, a chord bearing of North $32^{\circ}54'13''$ West and a chord length of 24.40 feet to a point; 41.71 feet through the arc of a non-tangent 655.00 foot radius circular curve to the left, said curve having a central angle of $3^{\circ}38'55''$, a chord bearing of North $47^{\circ}36'02''$ West and a chord length of 41.70 feet to a point; South $79^{\circ}06'45''$ West a distance of 10.27 feet to a point; thence parallel with and 8.00 feet southwesterly of said southwesterly right-of-way line, when measured at right angles, the following eight courses: 47.00 feet through the arc of a non-tangent 647.00 foot radius circular curve to the right, said curve having a central angle of $4^{\circ}09'44''$, a chord bearing of South $47^{\circ}54'37''$ East and a chord length of 46.99 feet to a point; 22.61 feet through the arc of a non-tangent 151.06 foot radius circular curve to the right, said curve having a central angle of $8^{\circ}34'34''$, a chord bearing of South $32^{\circ}47'33''$ East and a chord length of 22.59 feet to a point of reverse curvature; 48.37 feet through the arc of a 182.06 foot radius circular curve to the left, said curve having a central angle of $15^{\circ}13'15''$, a chord bearing of South $36^{\circ}06'54''$ East and a chord length of 48.22 feet to a point of tangency; South $43^{\circ}43'31''$ East a distance of 3.49 feet to a point of curvature; 84.33 feet through the arc of a 845.50 foot radius circular curve to the left, said curve having a central angle of $5^{\circ}42'53''$, a chord bearing of South $46^{\circ}34'58''$ East and a chord length of 84.30 feet to a point of reverse curvature; 76.42 feet through the arc of a 766.50 foot radius circular curve to the right, said

curve having a central angle of $5^{\circ}42'45''$, a chord bearing of South $46^{\circ}35'02''$ East and a chord length of 76.39 feet to a point; South $43^{\circ}43'40''$ East a distance of 25.39 feet to a point; South $01^{\circ}25'03''$ East a distance of 32.58 feet to a point 8.00 feet northwesterly of the northwesterly right-of-way line of said SW Pacific Highway; thence parallel with and 8.00 feet northwesterly of said northwesterly right-of-way line, when measured at right angles, South $46^{\circ}46'25''$ West a distance of 344.13 feet to a point on the northeasterly boundary of said Lot 4; thence along the northeasterly boundary of said Lot 4, South $43^{\circ}13'35''$ East a distance of 8.00 feet to the Point of Beginning.

Said described Tract of land contains 5,505 square feet, more or less.

EXHIBIT B - PUBLIC UTILITY EASEMENT

LOCATED IN THE SE 1/4 OF SECTION 30,
T. 2 S., R. 1 W., W.M., CITY OF SHERWOOD,
WASHINGTON COUNTY, OREGON

