

After recording return to
City of Tualatin, Oregon
18880 SW Martinazzi Ave.
Tualatin, OR 97062-7092



**CITY OF TUALATIN, OREGON
WATERLINE, STORM DRAINAGE LINE, STORMWATER,
SANITARY SEWER LINE, AND ACCESS EASEMENT**

Rogers Northwest, Inc., an Oregon Corporation, successor by merger to Rogers Construction, Inc., an Oregon Corporation, successor by merger to Tigard Sand and Gravel, an Oregon Corporation ("GRANTOR"), grants to the City of Tualatin (the "CITY"), its successors and assigns, the permanent right to design, construct, reconstruct, operate and maintain a Waterline, Storm Drainage Line, Stormwater, Sanitary Sewer Line, and Access Easement on the following described land:

*See attached legal description and drawing,
incorporated by reference*

TO HAVE AND TO HOLD, the described EASEMENT unto the CITY, its successors and assigns, runs with the land.

GRANTOR reserves the right to use the surface of the land for walkways, landscaping, parking, and other uses undertaken by the GRANTOR that are not inconsistent and do not interfere with the use of the subject EASEMENT area by the CITY. No building or utility shall be placed upon, under or within the property subject to this easement during its term without the written permission of the CITY.

Except as otherwise provided, upon completion of construction by CITY on the EASEMENT, the CITY shall restore the property's disturbed surface to the condition reasonably similar to the previous state, and shall indemnify and hold the GRANTOR harmless against all loss, costs, or damage arising out of the exercise of the rights granted. Nothing in this easement shall be construed as requiring the CITY, its successors or assigns, to maintain landscaping, walkways, parking or other surface or subsurface improvement made or constructed by or on behalf of the GRANTOR, its heirs, successors or assigns.

The true and actual consideration paid for this transfer consists of \$978.00 or includes other property or other value given or promised, the receipt of which is acknowledged by the GRANTOR.

The GRANTOR covenants to the CITY, and its successors and assigns, that GRANTOR is lawfully seized in fee simple of the granted premises, free from all encumbrances list any exceptions and that GRANTOR, and the GRANTOR'S heirs and personal representatives, shall warrant and forever defend the premises to the CITY, its agents, successors, and assigns against the lawful claims and demands of all persons claiming by, through, or under the GRANTOR.

Executed this 26 day of October, 2020.

AJ Urbanek
Signature

R L Metcalf
Signature

Anthony J Urbanek
Name (print or type)

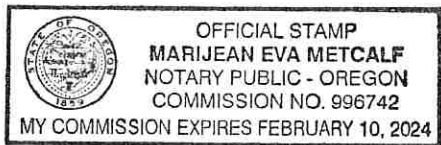
Roger L Metcalf
Name (print or type)

President
Title

Vice Pres
Title

(STATE OF OREGON)ss
(County of Washington)

On this 26th day of October, 2020, before me, the undersigned, a Notary Public, personally appeared AJ Urbanek, Roger Metcalf and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me: Marijean Metcalf
Notary Public for Oregon

My commission expires: 02/10/2024

CITY OF TUALATIN, OREGON

By: _____
City Manager

The City Manager of the City of Tualatin, being duly authorized and directed by the Council of the City of Tualatin, pursuant to TMC 1-3-030, approves and accepts the foregoing document on behalf of the City of Tualatin. Dated this ___ day of _____ 20__.

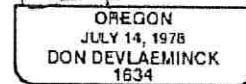
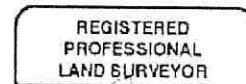
City Manager

EXHIBIT "A"
**PUBLIC EASEMENT FOR WATERLINE, STORM DRAINAGE LINE, STORMWATER, SANITARY
SEWER LINE AND ACCESS**
(SHEET 1 OF 2)

A 20 FOOT WIDE STRIP OF LAND SITUATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 27, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

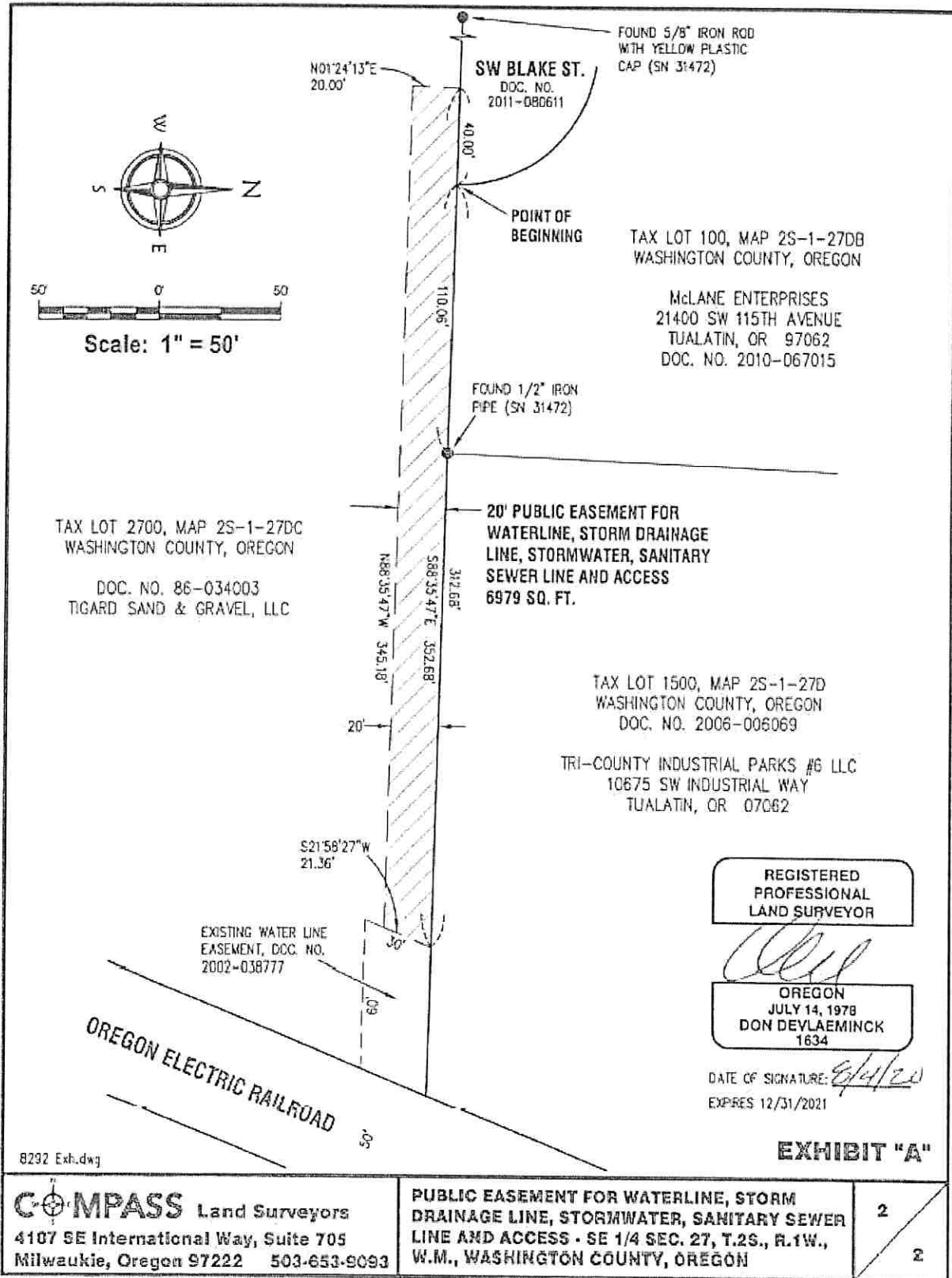
BEGINNING AT THE MOST EASTERLY CORNER OF THAT TRACT OF LAND GRANTED TO THE CITY OF TUALATIN BY DEED OF DEDICATION RECORDED AS DOCUMENT NUMBER 2011-080611, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE SOUTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO McLANE FOODSERVICE, INC. BY WARRANTY DEED RECORDED AS DOCUMENT NUMBER 2010-067015, WASHINGTON COUNTY DEED RECORDS, AND ALONG THE SOUTH LINE OF THAT TRACT OF LAND CONVEYED TO TRI-COUNTY INDUSTRIAL PARKS #6 LLC BY QUITCLAIM DEED RECORDED AS DOCUMENT NUMBER 2006-006069, WASHINGTON COUNTY DEED RECORDS, SOUTH 88°35'47" EAST 312.68 FEET TO THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN WATER LINE EASEMENT GRANTED TO THE CITY OF TUALATIN BY DOCUMENT NUMBER 2002-038777, WASHINGTON COUNTY DEED RECORDS; THENCE ALONG THE WEST LINE OF SAID WATER LINE EASEMENT SOUTH 21°58'27" WEST 21.36 FEET; THENCE LEAVING SAID WEST LINE NORTH 88°35'47" WEST 345.18 FEET; THENCE NORTH 01°24'13" EAST 20.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE AFOREMENTIONED TRACT OF LAND GRANTED TO THE CITY OF TUALATIN BY DEED OF DEDICATION RECORDED AS DOCUMENT NUMBER 2011-080611; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH 88°35' 47" EAST 40.00 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARINGS: OREGON STATE PLANE
COORDINATE SYSTEM OF 1983, NORTH ZONE.



DATE OF SIGNATURE: 8/4/20
EXPIRES: 12/31/2021

Parcel 1 Exhibit A



Parcel 1 Exhibit A