

AFTER RECORDING RETURN TO:

Woodburn City Recorder
City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

**CITY OF WOODBURN, OREGON
PUBLIC UTILITY EASEMENT**

Woodburn Place Apartments, LLC *GRANTOR*, grants to the CITY OF WOODBURN, OREGON, hereinafter called CITY, a street reservation and public utility easement to implement Woodburn Comprehensive Plan Policy H-2.2 and Transportation System Plan (TSP) Figure 6 (2019) by reserving on the subject property a segment of Street Corridor "J" for a future street, including the permanent right to construct, reconstruct, operate, and maintain Public Utilities on the following described land:

See attached Exhibit "A" Legal Description of Permanent Easement and attached Exhibit "B" Sketch for Legal Description of Permanent Easement which are by this reference incorporated herein

Per Woodburn Development Ordinance (WDO) 3.04.01A.2 as amended in Ordinance No. 2602 on May 9, 2022, the public shared access (ingress and egress) right of this easement is revocable only with the written concurrence of the Community Development Director.

GRANTOR reserves the right to use the surface of the land for any purpose that will not be inconsistent or interfere with the use of the easement by CITY. No building or utility shall be placed upon, under, or within the property subject to the foregoing easement during the term thereof, however, without the written permission of CITY.

Upon completion of the construction, CITY shall restore the surface of the property to its original condition and shall indemnify and hold *GRANTOR* harmless against any and all loss, cost, or damage arising out of the exercise of the rights granted herein.

The true consideration of this conveyance is Zero Dollars (\$ 0.00), and other valuable consideration, the receipt of which is acknowledged by *GRANTOR*.

GRANTOR covenants to CITY that *GRANTOR* is lawfully seized in fee simple of the above-granted premises, free from all encumbrances and that *GRANTOR* and their heirs and personal representatives shall warrant and forever defend the said premises and every part thereof to CITY against the lawful claims and demands of all persons claiming by, through, or under *GRANTOR*.

DATED this _____ day of _____, 20____.

Woodburn Place Apartments, LLC

BY: _____
Kiril Ivanov, Member

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Clackamas.

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Kiril Ivanov, as a Member of Woodburn Place Apartments, LLC a corporation and the foregoing instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and each of them acknowledged said instrument to be its voluntary act and deed.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

City of Woodburn
270 Montgomery Street
Woodburn, OR 97071

(Grantee's Name and Address)

By Signature below, the City of Woodburn, Oregon,
Approves and Accepts this Conveyance Pursuant to
ORS 93.808.

City Recorder:


Heather Pierson

EXHIBIT A

70' PUE

Commencing at the Southwest corner of Lot 3, Woodburn Fruit Farm, as recorded in Volume 2, Page 20, Marion County Book of Town Plats, located in the Northwest Quarter of Section 9, Township 5 South, Range 1 West of the Willamette Meridian, City of Woodburn, Marion County, Oregon; thence along the South line of Said Lot 3, South 88°12'42" East 123.14 feet to the True Point of Beginning of a 70.00 foot wide Right-of-Way being 35.00 feet on either side of the following described centerline; thence North 01°47'18" East 43.62 feet; 92.71 feet along 94.41 foot radius curve to the left (the chord of which bears North 24°16'44" West 89.03 feet); thence 99.84 feet along a 101.52 foot radius curve to the right (the chord of which bears North 29°32'07" West 95.86 feet); North 01°33'36" East 756.20 feet to the point of terminus on the North line of said Lot 3, with the side lines being extend or shortened if needed and containing 69,490 square feet of land more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

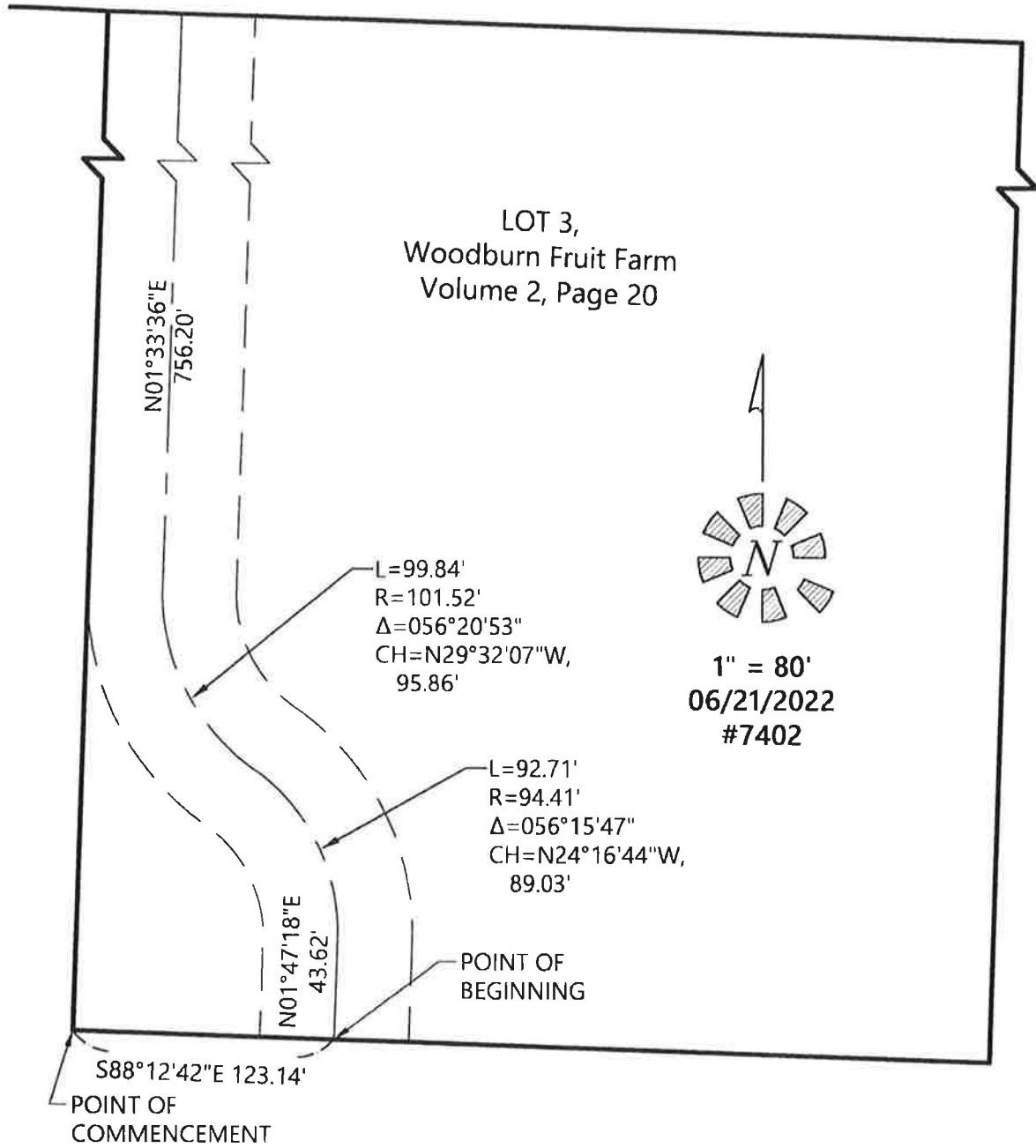


OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6/30/2023

EXHIBIT B

LOT 3,
Woodburn Fruit Farm
Volume 2, Page 20



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 2004
ROBERT D. HAMMAN
64202LS

EXPIRES: 6-30-2023

BY:
MULTI/TECH ENGINEERING SERVICES, INC.
1155 13TH ST. S.E. SALEM, OREGON 97302
503-363-9227

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PUBLIC UTILITY EASEMENT**

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DATED this _____ day of _____, 20_____.

Woodburn Place Apartments, LLC

BY: _____
Kiril Ivanov, Member

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON, County of Clackamas.

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by Kiril Ivanov, as a Member of Woodburn Place Apartments, LLC a corporation and the foregoing instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and each of them acknowledged said instrument to be its voluntary act and deed.

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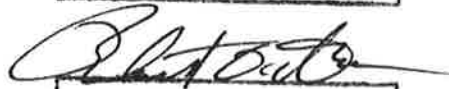
Heather Pierson

EXHIBIT A

82' PUE

The Northerly 82.00 feet of Lot 3, Woodburn Fruit Farm, as recorded in Volume 2, Page 20, Marion County Book of Town Plats, located in the Northwest Quarter of Section 9, Township 5 South, Range 1 West of the Willamette Meridian, City of Woodburn, Marion County, Oregon, and containing 35,624 square feet of land more or less.

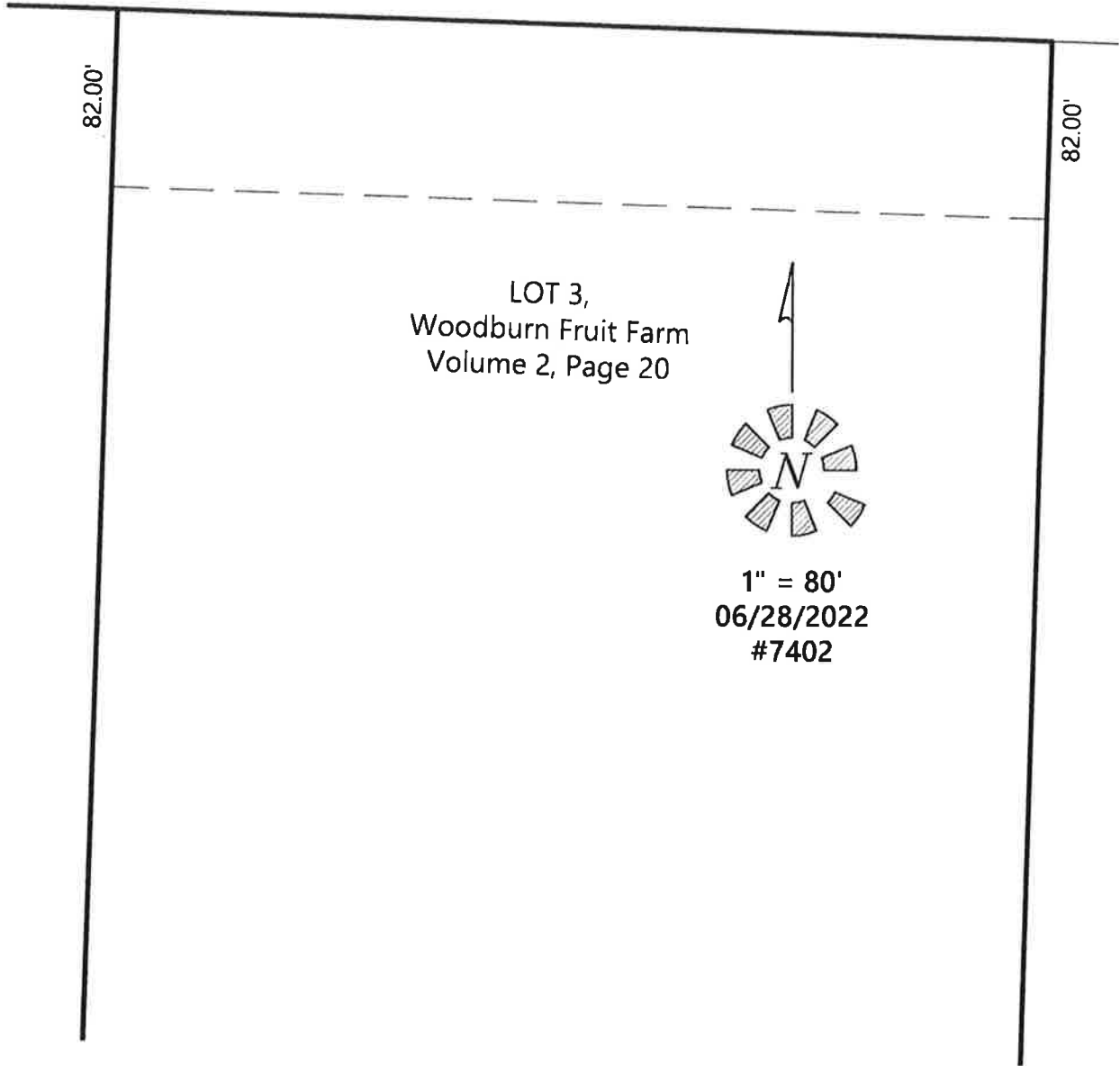
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