

After recording, return to:
P. Robert Cochran, P.E.
City of Fairview
1300 NE Village Street
Fairview, Oregon 97024

plu 3-20-01

WATER SUPPLY LINE EASEMENT
between
CITY OF FAIRVIEW, OREGON
and
AMBERHILL PROPERTIES, LLP

This indenture is made and entered into by AMBERHILL PROPERTIES, LLP, a partnership duly organized and existing under California law and registered to do business in the State of Oregon (hereinafter GRANTOR) and the City of Fairview, a municipal corporation duly organized and existing under Oregon law (hereinafter CITY).

As a result of the payment by CITY to GRANTOR of ten dollars (\$10.00) and other good and valuable considerations (receipt of which is hereby acknowledged) GRANTOR, on behalf of itself, its heirs, successors and assigns, does hereby grant and convey to CITY in perpetuity, a permanent exclusive easement in gross under, on, over, across and along the real property described in Exhibits E and F attached hereto, for the operation of CITY water supply pipelines, appurtenances, operating systems for the purpose of conveying water together with the right to excavate and refill ditches, trenches, and areas for the location of said water supply pipelines appurtenances and facilities, to lay pipe and install appurtenances and facilities and to replace and upgrade pipelines appurtenances and facilities with the further right to remove trees, brush, grasses, undergrowth, soils or other obstructions interfering with the location, operation, maintenance, and upgrade of said water supply pipelines, appurtenances and other related facilities which may be located in the easement area described in Exhibits E and F.

GRANTOR acknowledges and agrees that the CITY (or its agents) shall have the right of access to the easement for the purpose of operating, maintaining, repairing, replacing and/or otherwise operating the waterline, appurtenances facilities or other utilities located therein and to that end, GRANTOR, its heirs, successors or assigns agree they will not in any manner disturb, damage, destroy, injure, obstruct (or permit or suffer same) the easement without the prior written consent of the CITY; provided however, GRANTOR reserves the right to use the easement and adjacent property in any manner that will not prevent or otherwise interfere with the exercise by the CITY of the rights granted it herein. In the event any object or structure is deemed by the CITY to interfere with or hinder rights granted by way of this easement, the CITY may remove or cause the removal of said obstruction without liability.

GRANTOR covenants that it is seized of the property described in Exhibits E and F, and that it has the good and lawful authority to grant and convey the right(s) described above for the purposes set out and that the person signing below on behalf of GRANTOR has the lawful authority to bind GRANTOR to this easement.

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Recorded in the County of Multnomah, Oregon

C. Swick, Deputy Clerk

Total : 34.00

2001-038509 03/20/2001 04:29:26pm ATKLM

A49	4	REC	SUR	DOR	OLIS
		20.00	3.00	10.00	1.00



ALPHA ENGINEERING, INC.

EXHIBIT "E"

LEGAL DESCRIPTION
WATERLINE EASEMENT

JOB NO. 337-025

A PARCEL OF LAND LOCATED IN THE SOUTH ONE-HALF OF SECTION 28, AND THE NORTH ONE-HALF OF SECTION 33 TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, CITY OF FAIRVIEW, MULTNOMAH COUNTY, OREGON AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 6 "FAIRVIEW COMMERCIAL CENTER NO. 2" A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.E. HALSEY STREET (CO. ROAD NO. 1212) 45.00 FEET FROM CENTERLINE RIGHT ANGLE MEASURE; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID N.E. HALSEY STREET 10.10 FEET ALONG THE ARC OF A 2,910.00 FOOT RADIUS CURVE CONCAVE NORTHERLY HAVING A CENTRAL ANGLE OF 00°11'56" THE CHORD OF WHICH BEARS NORTH 80°32'13" EAST, 10.10 FEET; THENCE LEAVING SAID LINE AND PARALLEL WITH THE WEST LINE OF SAID LOT 6 SOUTH 11°12'21" EAST, 228.83 FEET TO THE SOUTH LINE OF SAID LOT 6; THENCE ALONG SAID SOUTH LINE SOUTH 78°47'39" WEST, 10.10 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE ALONG THE WEST LINE OF SAID LOT 6 NORTH 11°12'21" WEST, 229.14 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 2,312 SQUARE FEET

THE BASIS OF BEARINGS IS PER THE PLAT OF "FAIRVIEW COMMERCIAL CENTER NO. 2" OF THE MULTNOMAH COUNTY SURVEY RECORDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

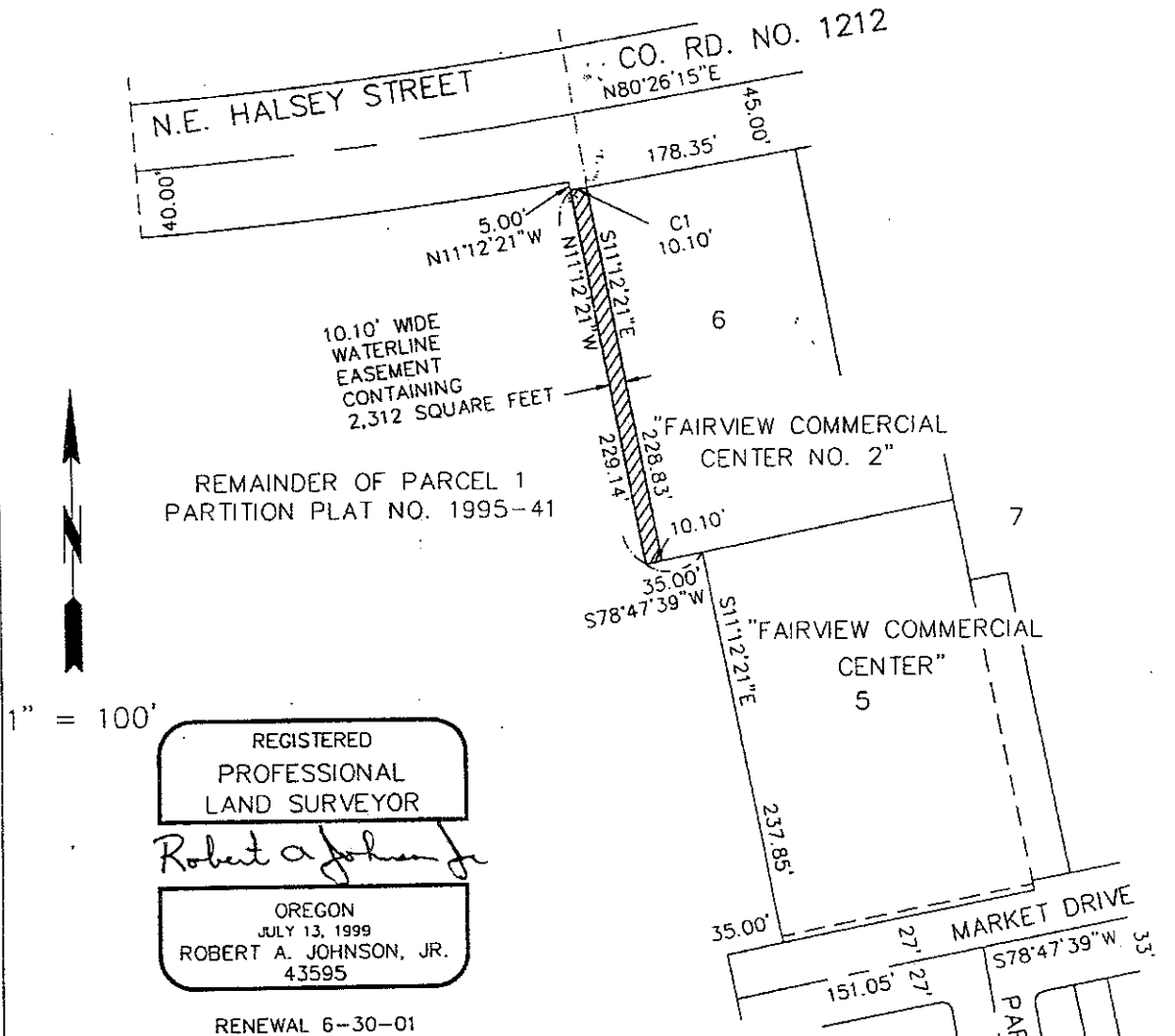
Robert A. Johnson Jr.

OREGON
July 13, 1999
ROBERT A. JOHNSON JR.
43595

RENEWAL: 6/30/01

EXHIBIT "F"

BEING A PORTION OF PARCEL ONE PARTITION PLAT NO. 1995-41
 SITUATED IN THE SOUTH ONE-HALF SECTION 28
 AND THE NORTH ONE-HALF SECTION 33,
 TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN
 CITY OF FAIRVIEW, MULTNOMAH COUNTY, OREGON



1" = 100'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Robert A. Johnson, Jr.
 OREGON
 JULY 13, 1999
 ROBERT A. JOHNSON, JR.
 43595

RENEWAL 6-30-01

CURVE DATA TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	10.10'	2910.00'	10.10'	N 80°32'13" E	00°11'56"

DRAWN BY: RAJ DATE: 03/01
 REVIEWED BY: DATE:
 PROJECT NO.: 337-025
 SCALE: 1" = 100'

ALPHA ENGINEERING INC.
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