

**GRANTOR:**

Yaquina Bay Development Corporation  
2925 SE Ferry Slip Road, #52  
Newport, OR 97365

**GRANTEE:**

City of Newport  
169 SW Coast Highway  
Newport, OR 97365

**After recording return to:**

City of Newport  
169 SW Coast Highway  
Newport, OR 97365

**CITY OF NEWPORT, OREGON  
TEMPORARY CONSTRUCTION EASEMENT**

Yaquina Bay Development Corporation, an Oregon corporation, an estate in fee simple, hereinafter referred to as "Grantor", owns the real property described below and does hereby give and grant unto the City of Newport, an Oregon Municipal Corporation of Lincoln County, Oregon, hereinafter referred to as "Grantee", a temporary 5-foot wide construction easement, to be used in the construction of a water pressure pipeline and a gravity sanitary sewer pipeline (including space to excavate and to construct such utilities and to transport, store and assemble equipment and materials), as described in "Exhibit A," said temporary construction easement to be located on the following described real property:

Beginning at an iron pipe as described in that Deed to R. Deskins in Book 102, page 491, Deed Records of Lincoln County, Oregon; said pipe being 2457.87 feet South of the North quarter corner of Section 20, Township 11 South, Range 11 West of the Willamette Meridian, in Lincoln County, Oregon; thence North 299.83 feet; thence West, 780.71 feet to the Easterly right-of-way line of the Oregon Coast Highway; thence South 25°09' West along said right-of-way 331.23 feet to a point that is West of the point of beginning; thence East 921.48 feet to the point of beginning.

EXCEPTING THEREFROM any part lying in the Southwest quarter of the Northeast quarter of said Section 20.

The true and actual consideration for this easement is \$ NONE.

DATED this 30<sup>th</sup> day of August, 2012.

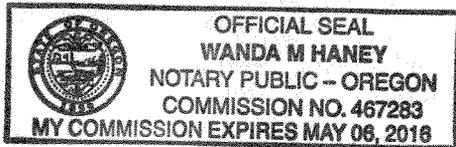
YAQUINA BAY DEVELOPMENT CORPORATION

By: Jack Nelson  
Authorized Representative

STATE OF OREGON )  
County of LINCOLN ) ss

Personally appeared before me this 30<sup>th</sup> day of August, 2012 the above

named Jack Nelson, and having been duly sworn, did say that such person is a duly authorized Yaquina Bay Development Corporation representative, with authority to execute the foregoing instrument on behalf of said corporation, and acknowledged the foregoing instrument to be the voluntary act and deed of said corporation.



Wanda M Haney  
Notary Public for Oregon

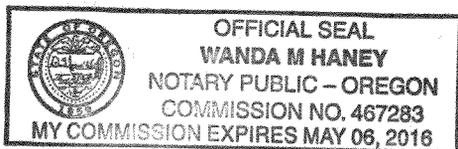
### ACCEPTANCE OF EASEMENT

The City of Newport, Oregon, does hereby accept the above-described Public Utility Easement this 7 day of Sept, 2012.

Mark McConnell  
Mark McConnell, Mayor

STATE OF OREGON )  
County of Lincoln ) ss:

This instrument was acknowledged before me on the 7<sup>th</sup> day of September, 2012 by Mark McConnell as Mayor of the City of Newport.



Wanda M Haney  
Notary Public for Oregon

OFFICIAL SEAL  
YEMAH H HANEY  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 407583  
MY COM. EXPIRES MAY 08, 2018



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**EXHIBIT A**

**TAX MAP: 11-11-20BD  
TAX LOT: 800**

**LINCOLN COUNTY, OREGON**

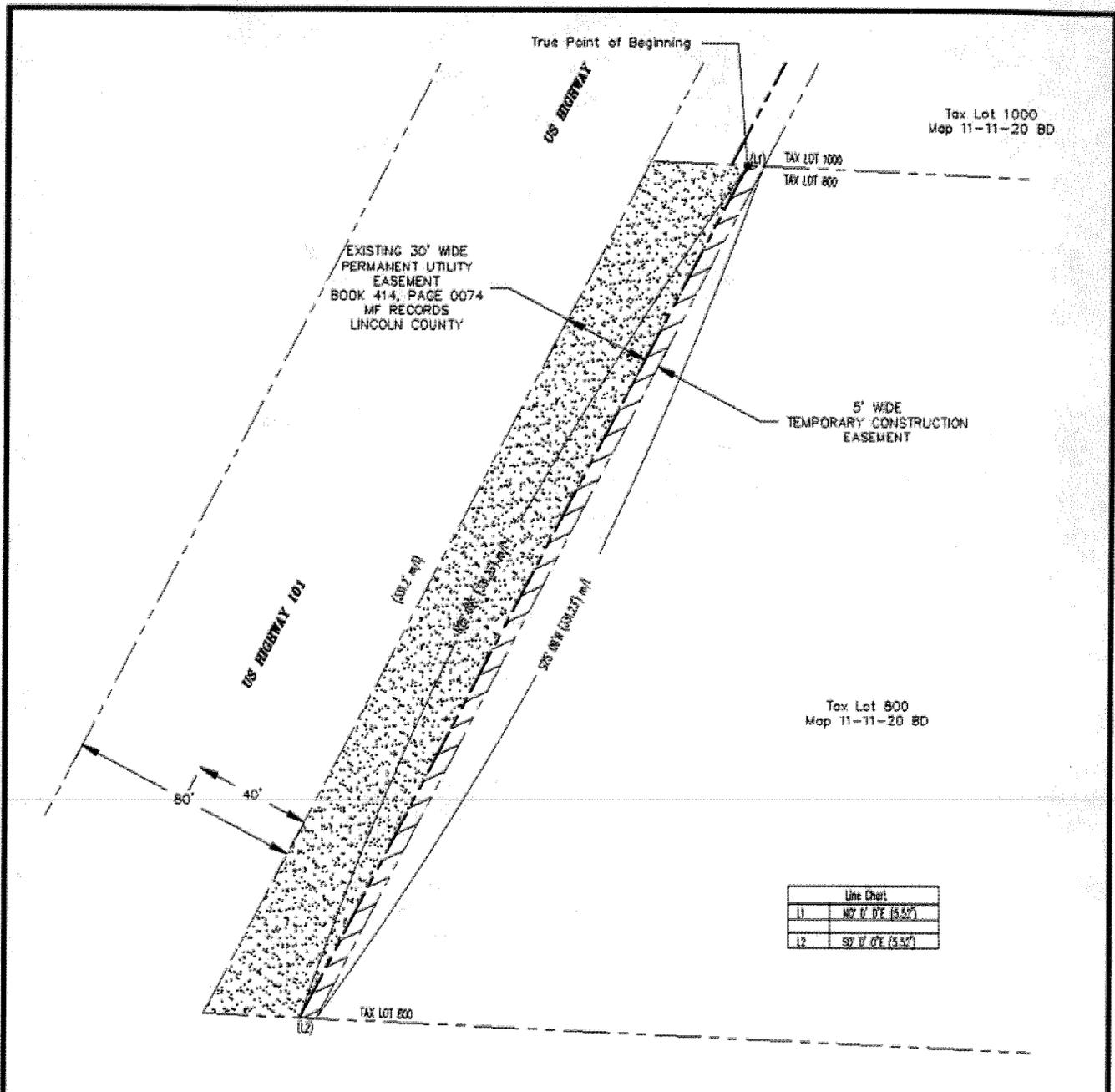
**PREMIER TITLE OF OREGON  
PRELIMINARY TITLE REPORT  
ORDER NO.: 110281**

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**TEMPORARY 5 FOOT WIDE  
CONSTRUCTION EASEMENT**

Beginning at an iron pipe as described in that Deed to R. Deskins in Book 102, page 491, Deed Records; said iron pipe being 2457.87 feet South of the North quarter corner of Section 20, Township 11 South, Range 11 West of the Willamette Meridian, in Lincoln County, Oregon; thence North 299.83 feet; thence West, 780.71 feet to the Easterly right-of-way line of the Oregon Coast Highway, said point being the Northwest corner of Exhibit A, Easement No. 1 of a 30-foot wide Public Utility Easement as recorded in Book 414, page 0074, Microfilm Records for Lincoln County, Oregon; thence East, 33.14 feet, to the Northeast corner of said 30-foot wide Public Utility Easement, said Northeast corner being the true point of beginning of the tract herein described; thence continuing East, 5.52 feet, to its intersection with a line that is 5.00 feet easterly of and parallel to the easterly line of said 30-foot wide Public Utility Easement; thence South 25°09' West along said line that is 5.00 feet easterly of and parallel to the easterly line of said 30-foot wide Public Utility Easement, 331.23 feet, to a point that is due West of the Southeast corner of said 30-foot wide Public Utility Easement; thence West 5.52 feet, to said Southeast corner of said 30-foot wide Public Utility Easement; thence North 25°09' East along said easterly line of the 30-foot wide Public Utility Easement 331.23 feet, to the true point of beginning.

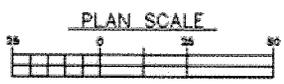
This temporary construction easement shall terminate when the one (1) year warranty period for the project is completed.



Line Chart	
11	80' 0" (7.62m)
12	50' 0" (4.57m)

Fig  
B

**UTILITY EASEMENT**



A 5' WIDE TEMPORARY CONSTRUCTION EASEMENT ALONGSIDE AN EXISTING 30 FOOT WIDE PERMANENT UTILITY EASEMENT ALONG THE WESTERLY BOUNDARY OF TAX LOT 800, MAP 11-11-20 BD LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 11 SOUTH, RANGE 11 WEST OF THE WILLAMETTE MERIDIAN, LINCOLN COUNTY, OREGON.

**Civil West**  
Engineering Services, Inc.

DRAWN BY MEH  
DATE: OCT. 2011



TL 800, MAP 11-11-20 BD

**Easement Map**

CITY OF NEWPORT  
LINCOLN CNTY, OREGON

FIGURE  
**B**