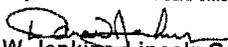




00109190201500086480040041

I, Dana W. Jenkins, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.


Dana W. Jenkins, Lincoln County Clerk



After recording return to:
City of Newport
169 SW Coast Highway
Newport, OR 97365

Diane Click
136 NE 71st Street
Newport, OR 97365

Diane Click
PO BOX 3669
BIG SPRING, TX 97921

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

Diane Click, 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", an exclusive, perpetual easement for public utilities, including the right to lay, construct, and maintain storm sewer or drainage channel, and all related appurtenances, hereinafter referred to as "Public Utility", to be constructed and located on, across, under or over the surface of the following described real property:

Beginning at the north-west corner intersecting the rights-of-way of NE Avery Street and NE 71st Street of Lot 1, NEWPORT UPLANDS; thence generally southwest along the north-westerly property line a distance of 120.0'; thence south 30 degrees 29 minutes 02 seconds east a distance of 20'; thence northeast in a straight line a distance more or less of 120.4' to the point of beginning.

This is intended to exclude all other below-surface installations, except as may be specifically-approved by the City.

City and its contractors, subcontractors, agents or employees shall have the right to enter and occupy the easement for the purpose of constructing the Public Utility, to permanently operate and maintain the Public Utility, to inspect, repair, replace, remove

or renovate the Public Utility.

Grantor shall be responsible for landscape and surface maintenance within the easement. In carrying out this responsibility, Grantor agrees not to plant any tree, shrub or plant within the Public Utility easement, nor build any structure or place any fence in the easement without first obtaining written permission from City. Balm, poplar, locust, cottonwood or willow trees should not be planted near the Public Utility easement. It is understood that City may remove any physical obstructions including buildings, fences, trees, or shrubbery, and abate any use of the easement if City finds that the physical obstruction or use will interfere with the Public Utility or City's easement rights granted above, without recompense to the Grantor.

Grantor and City intend that this easement bind Grantor, his or her heirs, successors and assigns. This easement will not be considered abandoned until City has declared the easement abandoned and no longer in use by City, and releases this easement in a duly executed and recorded Release of Easement.

In addition to all other remedies allowed by law, Grantee, its successors and assigns, shall have the right to seek injunctive relief for the enforcement of the terms and conditions of this easement against Grantor. If Grantee is required to bring suit or action to enforce the terms of this easement, Grantee shall be entitled to recover from Grantor such sums that the court may adjudge reasonable as attorney fees and costs in such suit or action, or upon appeal.

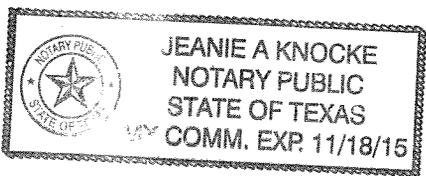
The true and actual consideration for this easement is \$0.

DATED this 6 day of August, 2015.

Diane Click
Owner

Texas
STATE OF OREGON
County of Lincoln Hawaii } ss

Personally appeared before me this 6 day of August, 2015 the above named Diane Click.



Jeanie Knocke
Notary Public for Oregon
Texas

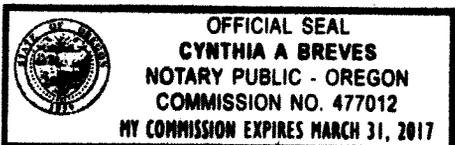
ACCEPTANCE OF EASEMENT

The City of Newport, Oregon, does hereby accept the above-described Public Utility Easement this 24 day of August, 2015.

Sandra Roumagoux
Sandra Roumagoux, Mayor

STATE OF OREGON)
County of Lane Lincoln) ss:

This instrument was acknowledged before me on the 24 day of August, 2015 by Sandra Roumagoux as Mayor of the City of Newport.

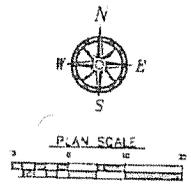
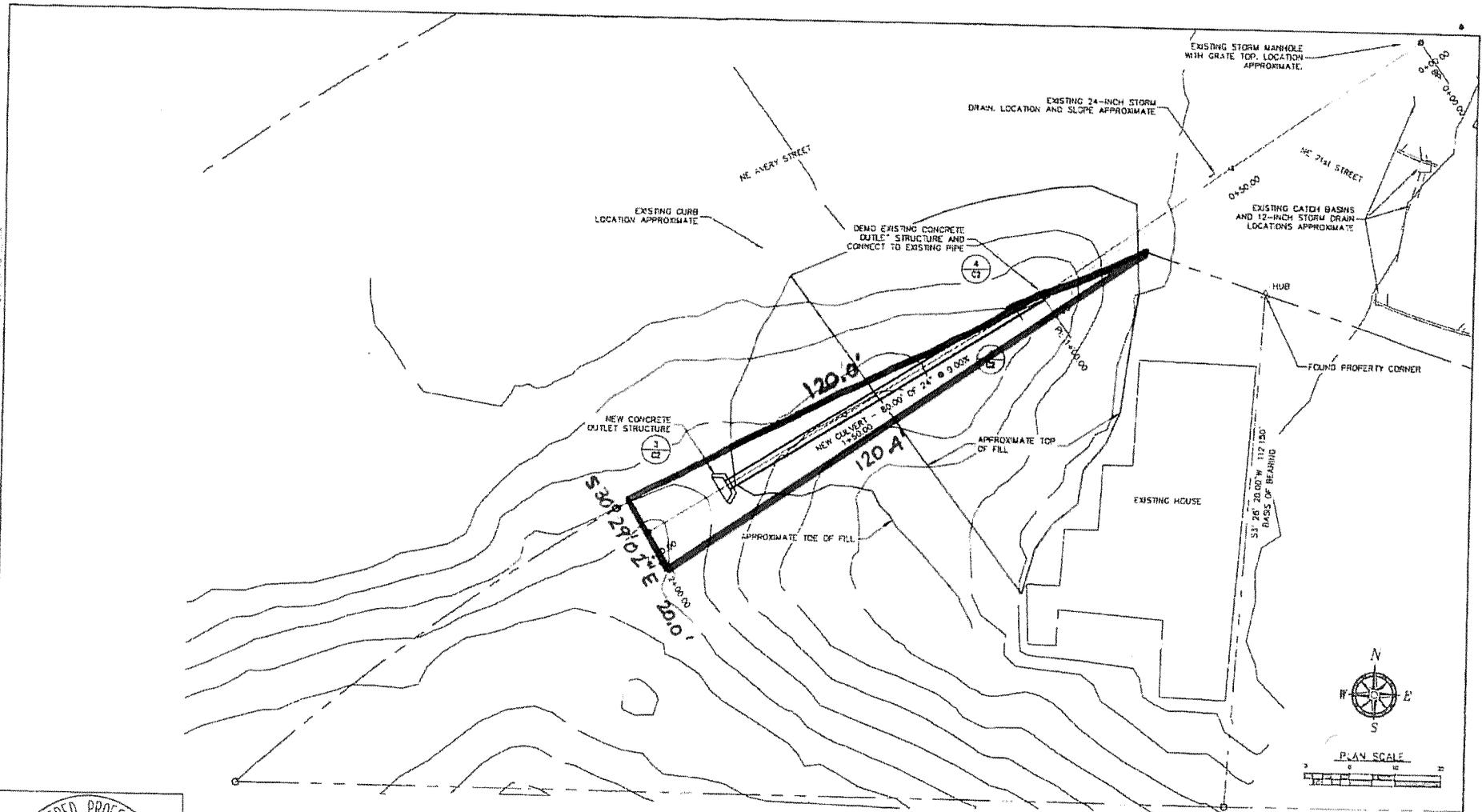


Cynthia A. Breves
Notary Public for Oregon

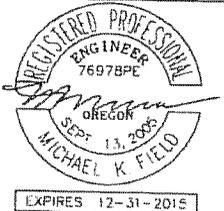
NOTARY PUBLIC - OREGON
CYNTHIA A BREES
COMMISSION NO. 437013
MY COMMISSION EXPIRES MARCH 31, 2013



OFFICIAL SEAL



STORM CULVERT EXTENSION PLAN VIEW (1)
SCALE: 1" = 20'
C1



SUBMITTED BY:		REVISIONS				DESIGNED	
DATE	BY	REVISION	DATE	APPROVED	DATE	BY	
		01- RED-LINE CHANGES					


FIELD ENGINEERING
 MICHAEL K. FIELD, P.E.
 123 NW 35TH ST
 NEWPORT, OR 97365
 (541) 285-2826
 (541) 961-3553 FAX
 LINE IS 1/8" = 1" AT FULL SCALE
 PLOT WITH 1/4" = 1" SCALE CORRECTION

136 NE 71st STREET, NEWPORT, OREGON STORM CULVERT EXTENSION		PROJECT NO 107 15	DRAWING NO C1
PLAN STORM SEWER EASEMENT		DATE JULY 2015	SHEET NO 2 OF 3