

NA

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That

DOUGLAS A. VONDRACHEK & MICHELE A. VONDRACHEK

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by THE CITY OF NEWBERG, a municipal corporation

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Yamhill County, State of Oregon, described as follows, to-wit:

See Exhibit "A" Attached

Accepted by: CITY OF NEWBERG

BY: Duane Cole - City Manager

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 16th day of May, 1994; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

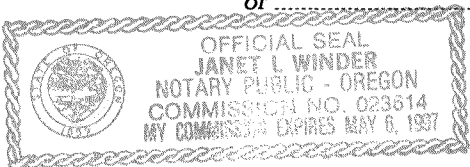
DOUGLAS A. VONDRACHEK

MICHELE A. VONDRACHEK

STATE OF OREGON, County of Yamhill

This instrument was acknowledged before me on March 16, 1994, by Douglas A. Vondrachek & Michele A. Vondrachek

This instrument was acknowledged before me on _____, 19____, by _____ as _____ of _____



Notary Public for Oregon My commission expires 5/6/97

Form fields for Grantor's Name and Address (THE CITY OF NEWBERG), Grantee's Name and Address, and tax statement information.

Recording information: STATE OF OREGON, County of Yamhill, Recorded in Official Yamhill County Records, CHARLES STERN, COUNTY CLERK, Fee 40.00, Date 199410231 10:29am 06/28/94.

NORTHWEST TITLE COMPANY

EXHIBIT A

May 12, 1994

Legal Descriptions for Dedication Deed

For Douglas Vondrachek as part of ASHLEY PARK

The Easterly 30.00 feet of the following described tract of land
to wit:

Beginning at the Southeast Corner of that certain tract of land as described in Film Volume 148 Page 1279 Yamhill County, Oregon Deed Records said point being in the center of Main Street at a point which bears Northerly 771.56 feet from the Southeast Corner of the William Jones D.L.C. No. 38, T2S, R3W, W.M., Yamhill County, Oregon and running thence N 89°10'15" W along the North Line PARCEL 2 PARTITION PLAT No. 93 - 65 said Yamhill County, Oregon and the Easterly extension thereof 147.28 feet to a point that bears Easterly 320.8 feet from the West Line of said tract as described in Film Volume 148, thence N 0°58'00" E parallel with the said West Line 114.56 feet to a point on the South Line of a certain tract of land as described in Book 62 Page 408 said Yamhill County Deed Records, thence S 89°16'25" E along the said South Line 147.05 feet to the Southeast Corner thereof, thence S 0°51'00" W 114.82 feet to the point of beginning.

WAIVER OF RIGHTS TO REMONSTRANCE FOR PUBLIC IMPROVEMENTS

KNOWN ALL MEN BY THESE PRESENTS, that the City of Newberg, a Municipal Corporation of the State of Oregon, hereinafter known as "City" and DOUGLAS A. VONDRACHEK & MICHELE A. VONDRACHEK, the owners of the real property herein described, hereinafter referred to as "Owner's", make the following agreement. The real property located in the City of Newberg, Yamhill County, Oregon is more fully described as follows:

See Exhibit "A" Attached

That the said real property is held upon the condition that in the event North Main Street or any part thereof abutting upon said lots in constructed or improved in accordance with certain practices of the City upon petition of the property owners or upon resolution by the Council, no remonstrance to said proposed street or municipal utility improvements shall be maid and such remonstrance is hereby waived.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATION. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

This agreement shall be binding upon the undersigned, who are the legal owners of the real property described above, and shall be binding upon their heirs, assigns, and legal representatives.

IN WITNESS WHEREOF, we have executed said document on this 16th day of ~~April~~^{May}, 1994
CITY OF NEWBERG

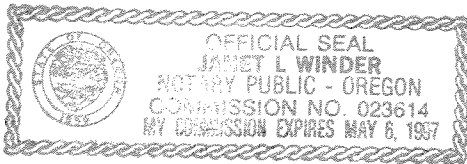
Douglas A. Vondrachek
DOUGLAS A. VONDRACHEK

BY: *Thomas A. Cole*
City Manager

Michele A. Vondrachek
MICHELE A. VONDRACHEK

STATE OF OREGON County of Yamhill)ss.

This instrument was acknowledged before me on this 16th day of ~~April~~^{May}, 1994 by DOUGLAS A. VONDRACHEK & MICHELE A. VONDRACHEK



Janet L. Winder
Notary Public for Oregon
My Commission Expires: 5-6-97

NORTHWEST TITLE COMPANY

Grantor: Douglas A. Vondrachek
Michele A. Vondrachek
1711 N. Main St.
Newberg, OR 97132

Grantee: City of Newberg
414 E. First Street
Newberg, OR 97132

Return to Grantee
c/o Newberg City Attorney
414 E. First Street
Newberg, Or 97132
16971/58922

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK

20.00

199410230 10:28am 06/28/94

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0.00

EXHIBIT A

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Subject to the rights of the public in Roads and Highways.