

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

202105105

**AFTER RECORDING RETURN TO:**  
City of Newberg – Engineering Division  
PO Box 970 - 414 E. First Street  
Newberg, OR 97132



\$111.00

03/15/2021 01:21:57 PM

DMR-EDMR Cnt=1 Stn=3 SUTTONS  
\$35.00 \$5.00 \$11.00 \$60.00**PUBLIC STORMWATER PLANTER EASEMENT**

In consideration of the sum of \$0.00 and other valuable consideration, **Meadow Brook Villas LLC, an Oregon limited liability company**, herein called Grantor, does hereby convey to the **City of Newberg, a municipal corporation**, hereinafter called Grantee, a perpetual and permanent easement, for the purposes of constructing, installing, using, repairing, and maintaining a storm line and appurtenant structures across the following described real property:

A portion of that tract of land described in Document No. 201814321, Yamhill County deed records located in the Sebastian Brutscher D.L.C No. 51, Southwest 1/4 of Section 16, Township 3 South, Range 2 West of the Willamette Meridian, City of Newberg, Yamhill County, Oregon, more particularly described in Exhibit "E" sheet 1 and shown in Exhibit "E" sheet 2.

**TO HAVE AND TO HOLD** said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor(s) hereby release(s) the City of Newberg, its agents and employees, assigns and successors of any and all liability for damage to the remaining lands resulting from this conveyance and further absolves the Grantee from any damage not controlled by their actions.
2. The rights granted herein shall not be construed to interfere with or restrict use of the premises by Grantor(s), their heirs or assigns, with respect to the construction and maintenance of property improvements along and adjacent to the premises herein described, so long as the same are so constructed as to not impair or interfere with the use and maintenance of access of utilities herein above authorized.
3. The Grantee hereby agrees to restore the easement to its original condition, as close as is practical to do so, upon completion of the construction.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

PUBLIC STORMWATER PLANTER EASEMENT (Continued)

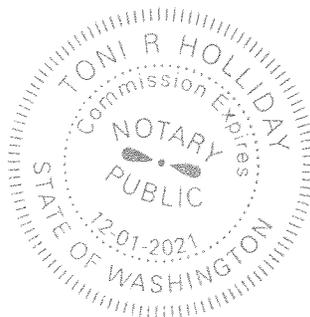
IN WITNESS WHEREOF, the parties have executed this document on this 21st day of August, 2020.

Gabe Duus  
Gabe Duus, Manager of Meadow Brook Villas LLC  
212 NE 83rd St  
Address  
VANCOUVER WA 98665  
City, State, Zip

STATE OF WA )  
County of CLATSOP ) s.s.

This instrument was acknowledged before me this 21st day of August, 2020,

by JASON G. DUUS  
Toni R Holliday  
Notary Public for Oregon - WA  
My Commission expires: 12-01-21



CITY OF NEWBERG  
ACCEPTED:

Sue Ryan  
Sue Ryan, City Recorder  
Dated: 11/18/2020

APPROVED AS TO FORM:

Truman A Stone  
Truman A Stone, City Attorney  
Basel Monahan  
Dated: 11/17/2020

EXHIBIT "E"

PUBLIC STORMWATER PLANTER EASEMENT  
FOR: MEADOW BROOK VILLAS LLC

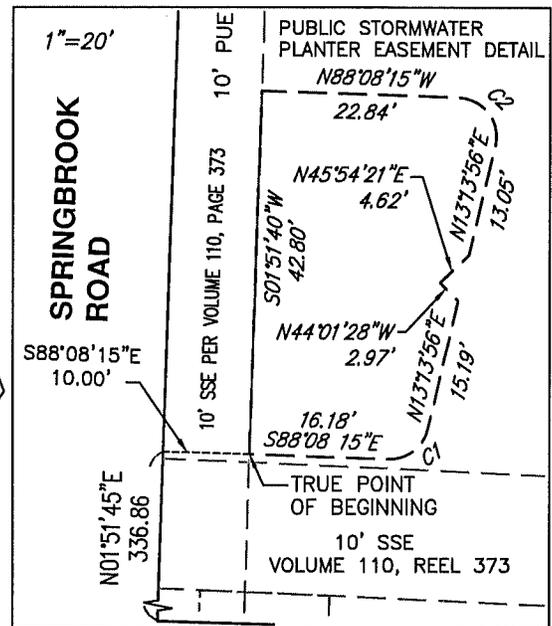
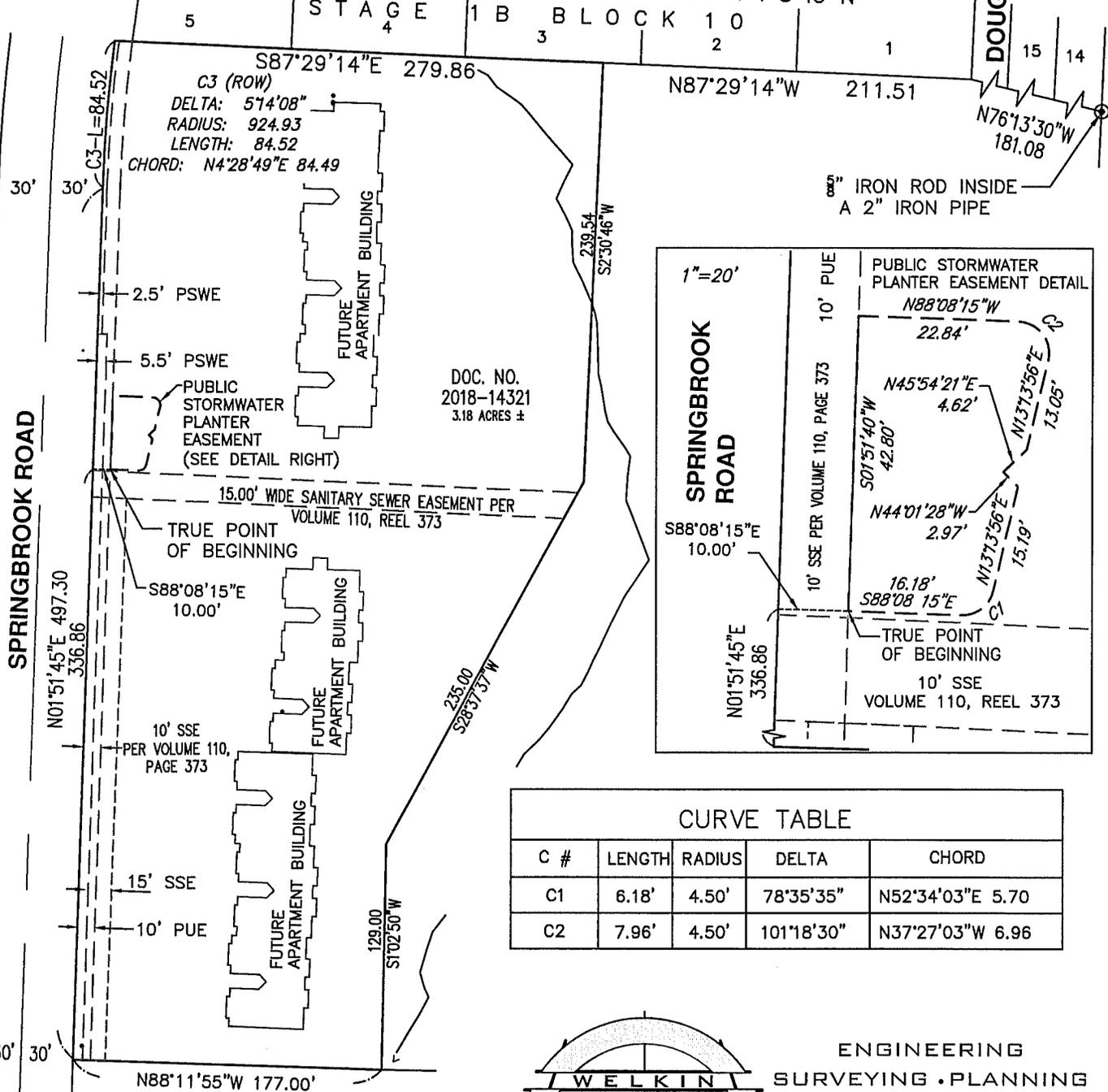
S.W. 1/4 OF SECTION 16, T.3S., R.2W., W.M.  
CITY OF NEWBERG, YAMHILL COUNTY OREGON.  
OCTOBER 5, 2020



1"=80'

DOUGLAS ST.

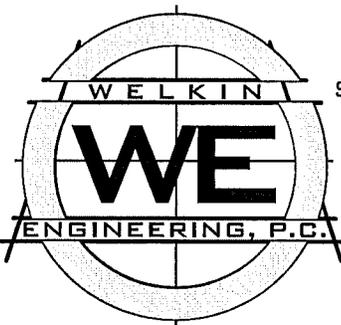
SPRING MEADOW SUBDIVISION  
STAGE 1B BLOCK 10



CURVE TABLE				
C #	LENGTH	RADIUS	DELTA	CHORD
C1	6.18'	4.50'	78°35'35"	N52°34'03"E 5.70
C2	7.96'	4.50'	101°18'30"	N37°27'03"W 6.96

SSE SANITARY SEWER EASEMENT  
 ESMT EASEMENT  
 PUE PUBLIC UTILITY EASEMENT  
 PSWE PUBLIC SIDEWALK EASEMENT  
 SF SQUARE FEET  
 TL TAX LOT  
 ROW RIGHT OF WAY  
 DOC. NO. DOCUMENT NO., YAMHILL COUNTY DEED RECORDS

INST. NO. 2004-19844



ENGINEERING SURVEYING • PLANNING

25260 SW PARKWAY AVE., SUITE G  
 WILSONVILLE, OR 97070  
 TEL: (503) 598-1866  
 FAX: (503) 598-1868

ekc@welkinpc.com  
 www.WELKINPC.com



**THIS SPACE PROVIDED FOR RECORDER'S USE**

**After recording return to:**  
MJG Development, Inc.  
901 N. Brutscher St., Suite 206  
Newberg, OR 97132

Until a change is requested all tax statements shall  
be sent to the following address: ,,  
NO CHANGE FROM CURRENT  
ADDRESS ON FILE

Yamhill County Official Records **201814321**  
DMR-DDMR  
Str=2 MILLSA **10/05/2018 11:50:05 AM**  
6Pgs \$30.00 \$11.00 \$5.00 \$60.00 **\$106.00**

I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify  
that the instrument identified herein was recorded in the Clerk  
records.

Brian Van Bergen - County Clerk

### **BARGAIN AND SALE DEED FOR PROPERTY LINE ADJUSTMENT**

MJG Development, Inc., an Oregon corporation, party of the First Part, convey to MJG Development, Inc.,  
an Oregon corporation, party of the Second Part the following described real property:

SEE EXHIBIT A FOR ADJUSTED TAX LOT 100 LEGAL DESCRIPTION  
SEE EXHIBIT B FOR ADJUSTED TAX LOT 200 LEGAL DESCRIPTION  
SEE EXHIBIT C FOR PORTION OF TAX LOT 100 CONVEYED TO TAX LOT 200  
SEE EXHIBIT D FOR PORTION OF TAX LOT 200 CONVEYED TO TAX LOT 100

Grantor is vested by Doc. No. 201707290, Yamhill County Deed Records

Grantee is vested by Doc. No. 201707290, Yamhill County Deed Records

Grantor and Grantee execute this deed to facilitate an approved Property Line Adjustment per Newberg  
Planning Case File No. ADJP-18-0001.

This property is free of liens and encumbrances, EXCEPT: THOSE OF PUBLIC RECORD, IF ANY.

True consideration for this conveyance is \$0.00 (Here comply with the requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD  
INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO  
195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17,  
CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS  
INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING  
TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010,  
TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS  
AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE  
RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305  
TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17,  
CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this Fifth day of October, 2018

FIRST AMERICAN TITLE 2998858

GRANTORS

MJG Development, Inc.

By: *G. Michael Gougler*

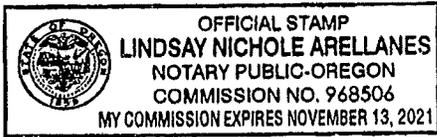
GRANTEES

MJG Development, Inc.

By: *G. Michael Gougler*

State of Oregon )  
County of Yamhill ) ss.

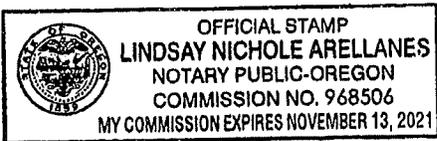
This instrument was acknowledged before me on October 5, 2018 by G. Michael Gougler as President of MJG Development, Inc., an Oregon Corporation.



*L. Arellanes*  
Notary Public - State of Oregon

State of Oregon )  
County of Yamhill ) ss.

This instrument was acknowledged before me on October 5, 2018 by G. Michael Gougler as President of MJG Development, Inc., an Oregon Corporation.



*L. Arellanes*  
Notary Public - State of Oregon

## EXHIBIT B

### Adjusted Tax Lot 200

A tract of land located in the Sebastian Brutscher D.L.C. in the Southwest One-Quarter of Section 16, Township 3 South, Range 2 West, Willamette Meridian, City of Newberg, Yamhill County, Oregon, and being more particularly described as follows:

Commencing at the southeasterly corner of Lot 14, Block 10 of the Plat "Spring Meadow Subdivision Stage 1B" being a 5/8" iron rod inside a 2" iron pipe; thence along the southerly line of said Plat North 76°13'30" West 181.08 feet to the southeasterly corner of Lot 1, Block 10 of said Plat; thence continuing along said southerly line North 87°29'14" West 211.51 feet to a set 5/8" iron rod with a yellow plastic cap inscribed "AKS ENGR." being the Point of Beginning; thence South 02°30'46" West 239.54 feet to a set 5/8" iron rod with a yellow plastic cap inscribed "AKS ENGR."; thence South 28°37'37" West 235.00 feet to a set 5/8" iron rod with a yellow plastic cap inscribed "AKS ENGR."; thence South 01°02'50" West 129.00 feet to a set 5/8" iron rod with a yellow plastic cap inscribed "AKS ENGR." on the northerly line of that tract of land described in Document Number 2004-19844; thence along said northerly line North 88°11'55" West 177.00 feet to the easterly right-of-way line of N Springbrook Road (30.00 feet from centerline); thence along said easterly right-of-way line North 01°51'45" East 497.30 feet; thence continuing along said easterly right-of-way line along a curve to the right with a Radius of 924.93 feet, a Delta of 5°14'08" a Length of 84.52 feet and a Chord of North 04°28'49" East 84.49 feet to the westerly projection of the southerly line of the Plat "Spring Meadow Subdivision Stage 1B"; thence along said southerly line South 87°29'14" East 279.86 feet to the Point of Beginning.

EXHIBIT "E"  
PUBLIC STORMWATER PLANTER EASEMENT  
FOR: MEADOW BROOK VILLAS LLC  
S.W. ¼ OF SECTION 16, T.3S., R.2W., W.M.  
CITY OF NEWBERG, YAMHILL COUNTY OREGON.  
OCTOBER 5, 2020

PUBLIC STORMWATER PLANTER EASEMENT

A PORTION OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 201814321, YAMHILL COUNTY DEED RECORDS LOCATED IN THE SEBASTIAN BRUTSCHER D.L.C NO. 51, SOUTHWEST ¼ OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, CITY OF NEWBERG, YAMHILL COUNTY OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEASTERLY CORNER OF LOT 14, BLOCK 10 OF THE RECORDED PLAT OF "SPRING MEADOW SUBDIVISION STAGE 1 B", MARKED BY A 5/8" IRON ROD INSIDE OF A 2" IRON PIPE; THENCE N76°13'30"W ALONG THE SOUTHERLY LINE THEREOF A DISTANCE OF 181.08; THENCE N87°29'14"W ALONG THE SOUTHERLY LINE THEREOF A DISTANCE OF 211.51 TO THE NORTHEASTERLY CORNER OF THE SUBJECT PROPERTY DESCRIBED IN DOCUMENT NO. 201814321; THENCE ALONG THE EAST BOUNDARY LINE THE FOLLOWING COURSES: S02°30'46"W 239.54 FEET, S28°37'37"W 235.00 FEET AND S01°02'50"W 129.00 FEET TO THE SOUTH LINE THEREOF; THENCE N88°11'55"W ALONG THE SOUTHERLY LINE OF SAID TRACT 177.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SPRINGBROOK ROAD (30 FEET FROM CENTERLINE); THENCE N01°51'45"E ALONG SAID EASTERLY RIGHT OF WAY LINE OF SPRINGBROOK ROAD A DISTANCE OF 336.86 FEET; THENCE LEAVING SAID RIGHT OF WAY S88°08'15"E 10.00 FEET TO THE TRUE POINT BEGINNING; THENCE S88°08'15"E 16.18 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A 4.50 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 78°35'35" A DISTANCE OF 6.18 FEET, THE LONG CHORD OF WHICH BEARS N52°34'03"E 5.70 FEET; THENCE N13°13'56"E 15.19 FEET; THENCE N44°01'28"W 2.97 FEET; THENCE N45°54'21"E 4.62 FEET; THENCE N13°13'56"E 13.05 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A 4.50 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 101°18'30" A DISTANCE OF 7.96 FEET, THE LONG CHORD OF WHICH BEARS N37°27'03"W 6.96 FEET; THENCE N88°08'15"W 22.84 FEET; THENCE S01°51'40"W 42.80 FEET TO THE TRUE POINT OF BEGINNING.

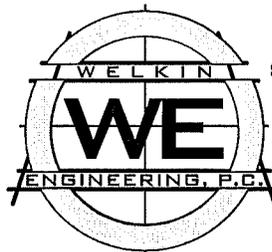
CONTAINING 998 SQUARE FEET, MORE OR LESS.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Dan Sporer*

OREGON  
JANUARY 15, 1987  
DAN SPORER  
2266

EXPIRES: 06-30-22



ENGINEERING  
SURVEYING • PLANNING  
25260 SW PARKWAY AVE., SUITE G  
WILSONVILLE, OR 97070  
TEL: (503) 598-1866  
FAX: (503) 598-1868

ekc@welkinpc.com  
www.WELKINPC.com