

AFTER RECORDING RETURN TO:

Michael R. Willcuts
Sunnyridge Partners
PO Box 490
Newberg, OR 97132

SEND ALL TAX STATEMENTS TO:

No Change

CITY OF NEWBERG
CITY RECORDER INDEX NO. 2011

OFFICIAL YAMHILL COUNTY RECORDS
CHARLES STERN, COUNTY CLERK

200316768



\$46.00

00132601200300167680050052

07/11/2003 01:45:18 PM

DMR-EDMR Cnt=1 Stn=2 ANITA

\$25.00 \$10.00 \$11.00

EASEMENT

This Easement Agreement (herein known as "EASEMENT") is made and executed this 9 day of May, 2003, by Sunnyridge Partners LLC (herein known as "Sunnyridge");

WITNESSETH:

WHEREAS, Sunnyridge is the owner of real property more particularly described on attached Exhibit "A".

WHEREAS, Sunnyridge has obtained preliminary subdivision plat approval associated with the said real property described on Exhibit "A" with the subdivision name to be "WHISTLERS RIDGE PHASE 4" with the said subdivision to contain six (6) lots.

WHEREAS, as a condition of obtaining the City of Newberg approval to record the final plat associated with WHISTLERS RIDGE PHASE 4, Sunnyridge is required to convey and record an emergency vehicle easement which will be resident on a portion of the real property more particularly described on attached Exhibit "A".

WHEREAS, Sunnyridge is agreeable to conveying and recording an emergency vehicle easement but only upon the express terms and conditions set forth herein.

NOW, WHEREFORE, in consideration of the mutual covenants and restrictions contained herein, Sunnyridge bargains and agrees as follows:

1. Sunnyridge conveys to the public (City of Newberg) and allows to be recorded a non-exclusive easement for purposes of emergency vehicle turnaround over real property more particularly described on attached Exhibit "A" with the said easement more particularly described on attached Exhibit "B" and the associated map attached as Exhibit "C".

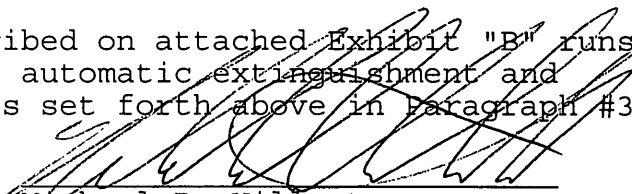
2. Sunnyridge or its successors in interest are responsible for the payment of all maintenance, repairs, and improvements to the said easement.

3. This said emergency vehicle easement will automatically terminate and be extinguished and will no longer be an encumbrance associated with real property more particularly

described on attached Exhibit "A" upon the occurrence of the following event:

A. The connection of Juniper Drive and Edgewood Drive.

4. The said easement described on attached Exhibit "B" runs with the land, subject to the automatic extinguishment and termination of the easement as set forth above in Paragraph #3.

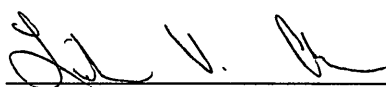

Michael R. Willcuts
Managing Member


APPROVED BY:
The City of Newberg
by: James H. Bennett, City Manager

State of Oregon)
) ss
County of Yamhill)

Personally appeared the above-named Michael R. Willcuts before me and stated that he was the managing member of Sunnyridge Partners LLC and further acknowledged the foregoing instrument to be his voluntary act and deed.

Subscribed and sworn to before me this 9th day of May, 2003.


Notary Public for Oregon
My commission expires: 10/12/05

/willeas4

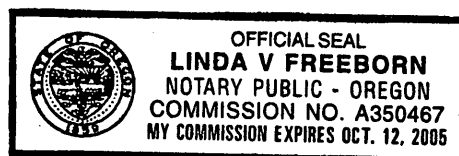


EXHIBIT "B"

Matt DuncKel & Assoc.
3765 Riverside Drive
McMinnville, Oregon. 97128
Phone: 472-7904
Fax : 472-0367

Date: 1 May 2003

Sunnyridge LLC - Legal Description of (WHISTLER'S RIDGE 4)
Emergency Vehicle Easement - Juniper Drive

An easement for Emergency Vehicle access in Section 8,
Township 3 South, Range 2 West, City of Newberg, Yamhill
County, Oregon, the perimeter of which is described as
follows:

Beginning at a point that is South 63°11'14" East
105.31 feet from the northeast corner of Lot 25 of
WHISTER'S RIDGE - Phase 3; thence North 89°54'59" East
90.00 feet; thence South 00°00'40" West 20.00 feet; thence
South 89°54'59" West 90.00 feet; thence
North 00°00'40" East 20.00 feet to the point of beginning.

EXHIBIT "A"

Beginning at the INITIAL POINT, said point being the northeast corner of WHISTLERS RIDGE - PHASE 3; thence South 00°00'40" West 324.84' to the southeast corner of Tract "F" of WHISTLERS RIDGE - PHASE 2 and the north line of Parcel 3 of Partition Plat 1998-60; thence North 89°54'59" East 279.00' along the north line of said Parcel 3 to an iron rod; thence North 00°00'40" East 324.94' to the south line of OAK KNOLL No. 8; thence South 89°53'46" West 279.00' along the south line of OAK KNOLL No. 8 to the point of beginning.

Exhibit " --- "

City of Newberg

Location: SW 1/4 of Section 8, T.2S., R.3 W., W.M.
City of Newberg, Yamhill County, Oregon.

Date: 25 April 2003

By : Matt Dunckel & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone : 503-472-7904
Fax: 503-472-0367
Email: dunckel@viclink.com

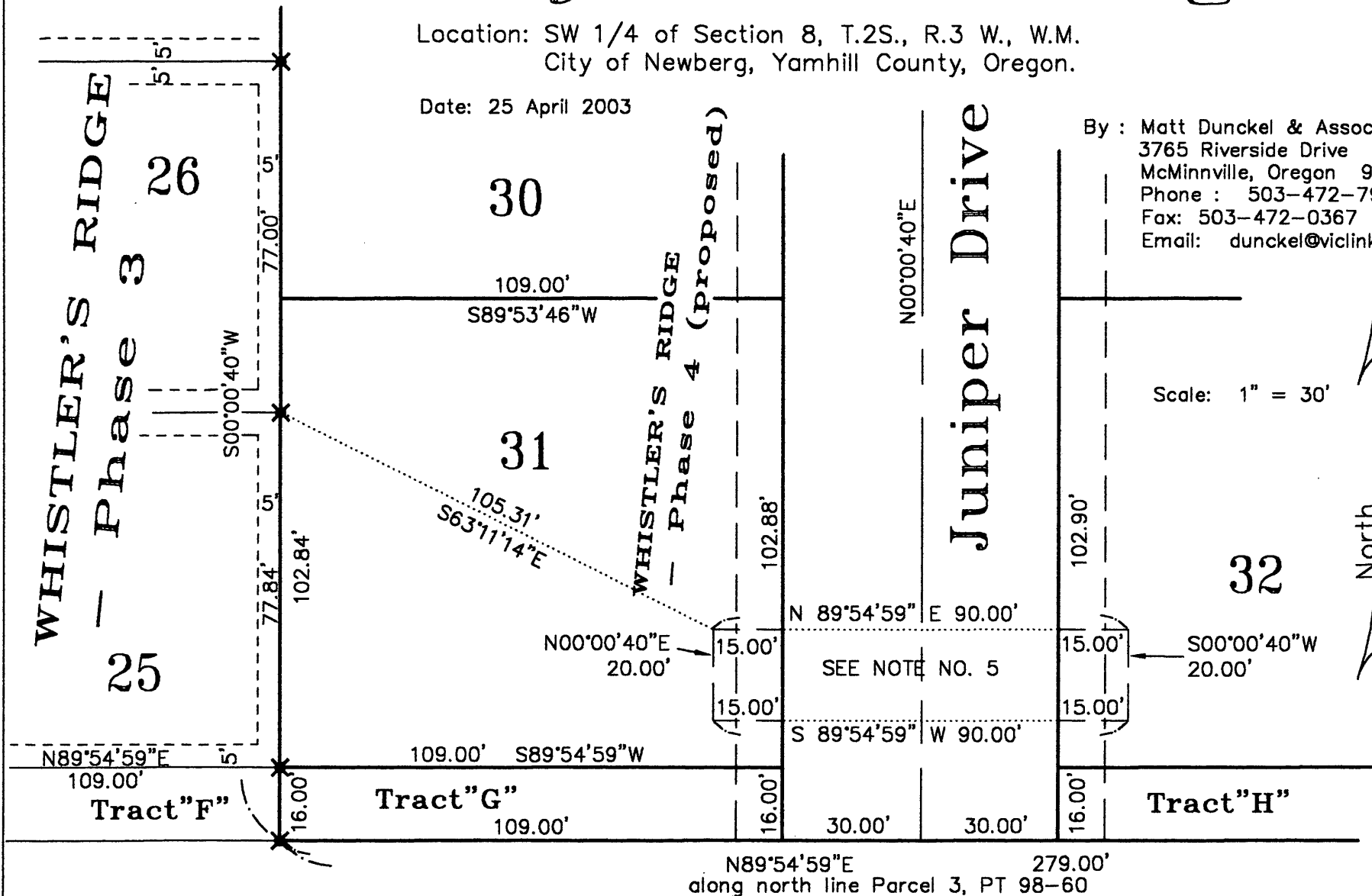


EXHIBIT "C"