

After Recording, release to:
Subdivider to return to
City of Newberg
Engineering Division
Mail: P.O. Box 970
Street: 414 E. First Street
Newberg, Oregon 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507311



\$41.00

04/12/2005 09:56:11 AM

PR-AGRPR Cnt=1 Stn=2 ANITA
\$20.00 \$10.00 \$11.00

SUBDIVISION COMPLIANCE AGREEMENT

The Greens at Springbrook Phase 1

Tax Lot 3216-2014 and 2015

Planning Division File #: S-44-04

THIS AGREEMENT made and entered into this 3rd day of March, 2005, by and between the **CITY OF NEWBERG**, a municipal corporation in the County of Yamhill, State of Oregon, hereinafter referred to as **CITY** and **The Greens at Springbrook, LLC**, an Oregon Limited Liability Company hereinafter referred to as **SUBDIVIDER**.

RECITALS

1. **SUBDIVIDER** has petitioned the **CITY** to accept a subdivision plat known as The Greens at Springbrook, Phase 1 located in the City of Newberg, Oregon.
2. The **CITY's** Code and applicable ordinances and laws of the **CITY**, require that the **SUBDIVIDER** execute and file with the **CITY** an agreement providing for, among other things, the period within which all required improvements shall be made within said subdivision and that if such work is not completed within the period specified, the **CITY** may complete the same and recover the full cost and expenses thereof from the **SUBDIVIDER**.
3. The **CITY** is agreeable to acceptance of said subdivision plat upon the execution of this agreement and compliance by the **SUBDIVIDER** with the provisions of the **CITY** Code, as amended.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements of the parties, it is agreed as follows:

1. The **SUBDIVIDER** agrees to install all of the required public improvements as provided in the **CITY** Code and binds itself to use such materials and to so construct all of the improvements according to **CITY** standards as defined by the applicable ordinances, the approved construction plans, and the rules and regulations of the **CITY** as shown on the subdivision plat.
2. The **SUBDIVIDER** agrees to provide for the restoration of any monuments erected or used for the purpose of designating a survey marker or boundary of any town, tract, plat or parcel of land which monument is broken down, damaged or obliterated, removed or destroyed, whether willfully or not, by the **SUBDIVIDER**, its agents, employees or contractors.
3. If the subdivision plat is recorded prior to completion and acceptance of all improvements and conditions of approval: The **SUBDIVIDER** agrees that all remaining public improvements shall be completed on or before the

NORTHWEST TITLE COMPANY

1st day of July, 2005; the **SUBDIVIDER** agrees that in case it shall abandon the work or fail to make satisfactory progress on the work, the **CITY** may cause the work to be completed by contract or by its own forces; the **SUBDIVIDER** shall be liable to the **CITY** for any and all loss and damage from such default, either from the greater expense of so completing or repairing faulty or damaged work, or from any other related course; and upon execution of this agreement, the **SUBDIVIDER** shall deliver to the **CITY** a bond for the purpose of assuring **SUBDIVIDER's** full and faithful completion of the remaining public improvements in the subdivision. The amount of the bond is to be 150% of the \$60,320.25 estimated cost of the unfinished work which amounts to **\$90,480.38**. The **SUBDIVIDER** shall deliver 10% of the value of the bond in cash (**\$9,048.04**), or \$500.00 whichever is greater to be deposited into an escrow account. The **CITY** shall retain one percent of the value of the security, minimum of \$500.00, from the cash escrow account as an administrative fee to manage the performance agreement. The **CITY** will continue to retain an additional one percent, minimum \$500.00, at the end of each ensuing month that the improvements are not complete until such time as the cash escrow account is exhausted.

4. The **SUBDIVIDER** shall deliver to the **CITY** a bond for the purpose of assuring that the dry utilities (Verizon and PGE) along Fernwood Road will be relocated underground. The amount of the bond is to be 150% of the \$95,233.03 estimated cost (Verizon \$80,714.96; PGE \$14,518.07) to underground the utilities which amounts to **\$142,849.55**. The **CITY** agrees to waive the fee normally required to manage this performance agreement.

5. The **SUBDIVIDER** shall deliver to the **CITY**, a bond for the purpose of assuring that a recorded easement across the Thiessen Property (Tax Lot 4400) will be submitted, in order to proceed with the required public improvements in that area. The **SUBDIVIDER** agrees to submit the easement no later than the **1st day of July, 2005**. The amount of the bond is to be 150% of the \$30,000.00 valuation which amounts to **\$45,000.00**. The **SUBDIVIDER** shall deliver 10% of the value of the bond in cash (**\$4,500.00**), or \$500.00 whichever is greater to be deposited into an escrow account. The **CITY** shall retain one percent of the value of the security, minimum of \$500.00, from the cash escrow account as an administrative fee to manage the performance agreement. The **CITY** will continue to retain an additional one percent, minimum \$500.00, at the end of each ensuing month that the recorded easement is not completed until such time as the cash escrow account is exhausted.

6. The amount of the **landscaping bond** is to be 110% of the \$25,893.00 estimated cost of the work which amounts to **\$28,482.30**. The street trees must be planted in front of any home prior to receiving final occupancy on that home.

7. At such time as all required improvements, except sidewalks along the vacant parcels and miscellaneous improvements, within the subdivision, **have been completed** in accordance with the **CITY's** requirements, the **SUBDIVIDER** shall serve written notification to the **CITY** of the readiness for final inspection. Upon certification by the City Engineer that all requirements of the **CITY** have been met, the **SUBDIVIDER** will submit to the **CITY** a maintenance bond or other such security in a form approved by the **CITY** in the sum of **15%** of the total public improvement costs as per the estimate dated July 20, 2004, to provide for the correction of and defective materials or workmanship for a period of two (2) years after final acceptance as defined by **CITY** Code. The amount of the bond is to be 15% of the \$562,935.50 total cost of public improvements which amounts to **\$84,440.33**.

8. The **SUBDIVIDER** agrees that sidewalks and miscellaneous improvements within said subdivision shall be completed no later than the time that such buildings are erected upon lots in the subdivision and occupancy permits are issued. Occupancy permits for said buildings may be withheld pending completion of sidewalks and miscellaneous improvements.

9. The conditions, covenants and restrictions, if any, shall be approved by the **CITY** and recorded prior to the sale of any lots.

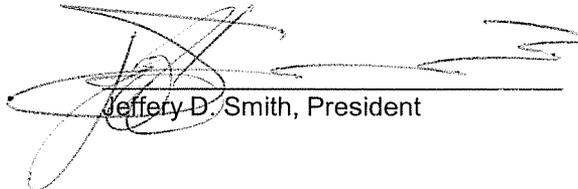
10. The **CITY** agrees to accept the completed required subdivision improvements upon certification by the City Engineer:

- (a) That all required subdivision improvements have been constructed in accordance with applicable **CITY** standards;
- (b) **SUBDIVIDER** has fulfilled the requirements of the **CITY's** Code;
- (c) **SUBDIVIDER** has provided a copy of the recorded maintenance agreement for any common improvements that are not accepted for maintenance by the **CITY**;
- (d) **SUBDIVIDER** has provided a maintenance bond or other form of security as indicated in paragraph 7;
- (e) The water and sewer development fees will be charged in accordance with the appropriate **CITY** ordinances and resolutions **at the time that the building permits are issued** for each additional lot;
- (f) **SUBDIVIDER** shall provide accurate as-built construction plans to the Engineering Division;
- (g) **SUBDIVIDER** agrees to comply with all the conditions of the Planning Commission approval of the preliminary plat;
- (h) Prior to issuance of any building permit for the construction of each detached dwelling unit, **SUBDIVIDER** agrees to submit to **CITY** construction plan drawings showing that no identical detached dwelling unit designs are or will be located nearer than two lots on either side of the lot for which a construction permit is issued;
- (i) Building permits may be issued for the first twenty-five (25) homes prior to issuance of a Yamhill County Conditional Use Permit for access onto Corral Creek Road. No additional building permits shall be issued subsequent to the twenty-fifth home until the Yamhill County Conditional Use Permit for access onto Corral Creek Road has been submitted to **CITY**;
- (j) **SUBDIVIDER** agrees to upgrade the emergency access road into a City standard public street at such time as requested by **CITY**, such as when the Corral Creek Road/99W intersection is closed or modified to become right-in/right-out;
- (k) Prior to issuance of any building permit for the construction of each attached dwelling unit, **SUBDIVIDER** agrees to submit to **CITY** construction plan drawings showing that no two adjoining units have or will have the same setback and that the setbacks shall differ by at least 2 (two) feet;
- (l) **SUBDIVIDER** has paid an engineering fee to cover final review and inspection of public improvements. The total engineering fee is \$28,146.78. Receipt Nos. 25557 and 25693.

9. The date of this agreement shall be the date the City Manager signs on behalf of the City of Newberg.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above mentioned.

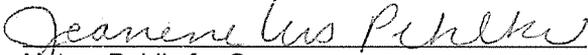
Oakridge Estates Development Corporation,
an Oregon Corporation

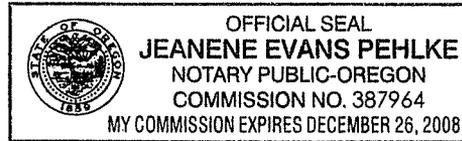


Jeffery D. Smith, President

State of Oregon)
) :s.s.
County of multnomah)

This instrument was acknowledged before me this 17th day of march, 2005, by Jeffery D. Smith, known to me to be President of The Greens at Springbrook, LLC, an Oregon Limited Liability Corporation, by authority of its Board of Directors.

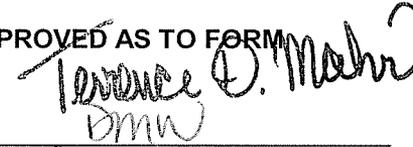

Notary Public for Oregon
My Commission Expires: 12/26/08



CITY OF NEWBERG



James H. Bennett
City Manager

APPROVED AS TO FORM


Terrence D. Mahr
City Attorney

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

CITY OF NEWBERG
CITY RECORDER INDEX NO. 2136

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507296



\$36.00

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04/12/2005 09:56:11 AM

DMR-DDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

PUBLIC RIGHT-OF-WAY DEED

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., herein called Grantor, does hereby dedicate, grant and convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, for public street and utilities purposes, the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

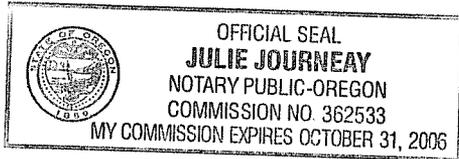
TO HAVE AND TO HOLD said right-of-way to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor hereby release 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, 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, maintenance of, and access to utilities herein above authorized.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 16th day of February, 2005.



The Greens At Springbrook L.L.C.
~~Oakridge Estates Development Corporation, Managing Member~~

Signature: [Signature]
Jeffery D. Smith, President
4886 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 16th day of February, 2005, by Jeffery D. Smith, President of Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

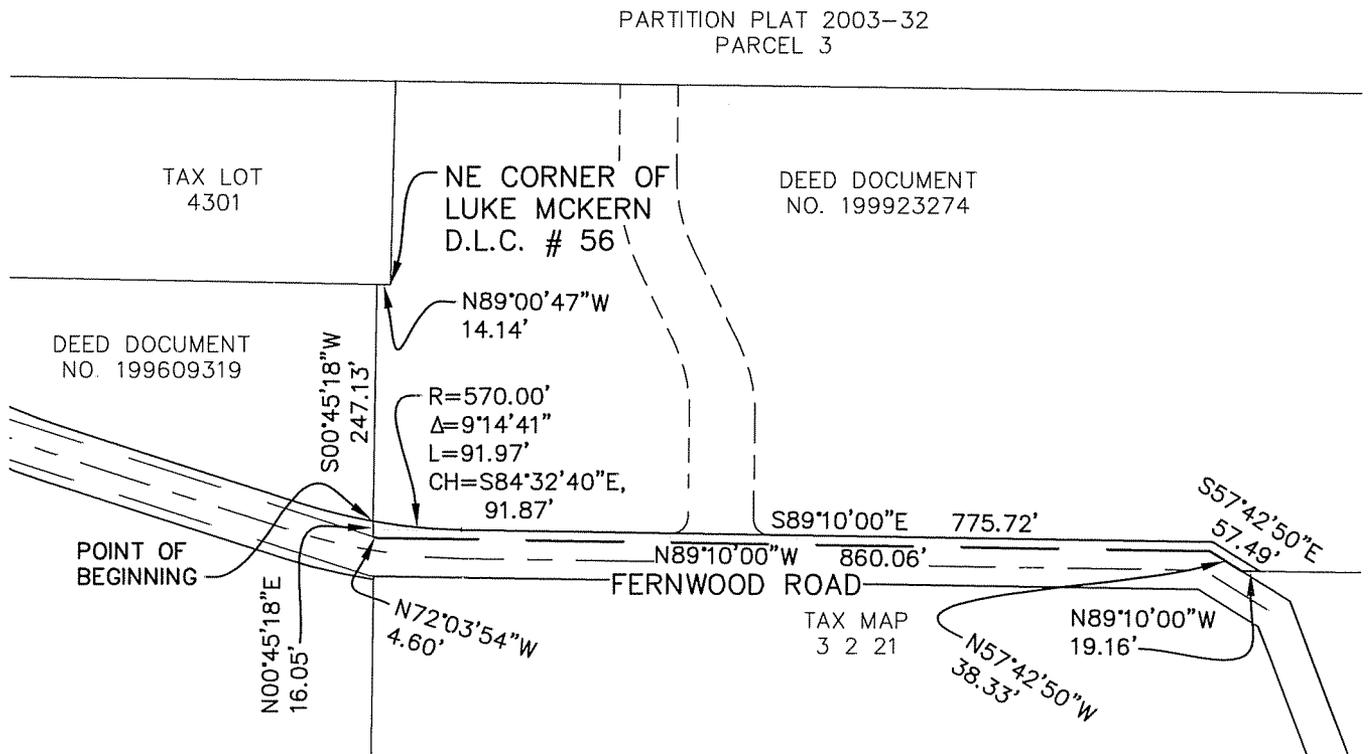
Before me: [Signature]
Notary Public for Oregon
My Commission expires: October 31, 2006

CITY OF NEWBERG
ACCEPTED
[Signature]
James H. Bennett, City Recorder
Dated: 3/23/05

APPROVED AS TO FORM
[Signature]
Terrence D. Mahy, City Attorney
Dated: 3/23/05

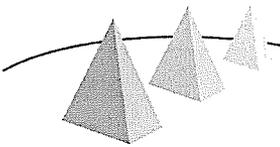
NORTHWEST TITLE COMPANY

EXHIBIT "B"
RIGHT-OF-WAY DEDICATION



N:\proj\784-001\dwg\survey\07330004\EXB13.dwg - SHEET: 6x11 Feb 03, 2005 - 11:30am mem

DRAWN BY: MEM DATE: 02/02/05
 REVIEWED BY: MRG DATE: _____
 PROJECT NO.: 0784-0001
 SCALE: 1"=200'



alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

213



EXHIBIT "A"

FEBRUARY 3, 2005

LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
FERNWOOD ROAD
THE GREENS AT SPRINGBROOK

JOB NO. 0784-0001

A PARCEL OF LAND, SITUATE IN A PORTION OF THE LUKE MCKERN D.L.C. #56 AND ALSO WITHIN THE NORTHEAST QUARTER OF SECTION 21, AND ALSO THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND BEING A PORTION OF THAT PROPERTY DESCRIBED IN DEED DOCUMENT NO. 199923274 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE LUKE MCKERN D.L.C. NO. 56; THENCE ALONG THE NORTH BOUNDARY LINE OF SAID D.L.C., NORTH 89°00'47" WEST, 14.14 FEET; THENCE LEAVING SAID LINE, ALONG THE EASTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN DEED DOCUMENT NO. 196909319, YAMHILL DEED RECORDS, SOUTH 0°45'18" WEST, 247.13 FEET TO A POINT ON A 570.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE, (THE RADIUS POINT BEARS NORTH 10°04'41" EAST) AND THE **POINT OF BEGINNING**; THENCE LEAVING SAID LINE, ALONG SAID CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 9°14'41", 91.97 FEET (THE CHORD BEARS SOUTH 84°32'40" EAST, 91.87 FEET); THENCE SOUTH 89°10'00" EAST, 775.72 FEET; THENCE SOUTH 57°42'50" EAST, 57.49 FEET TO A POINT ON THE NORTH LINE OF THE JESSE PARISH D.L.C. NO. 57; THENCE ALONG SAID LINE NORTH 89°10'00" WEST, 19.16 FEET TO THE NORTHERLY RIGHT-OF-WAY OF FERNWOOD ROAD (40.00 FEET WIDE); THENCE LEAVING SAID D.L.C. LINE AND FOLLOWING SAID RIGHT-OF-WAY NORTH 57°42'50" WEST, 38.33 FEET; THENCE NORTH 89°10'00" WEST, 860.06 FEET; THENCE 72°03'53" WEST, 4.60 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, ALONG SAID DEED DOCUMENT 196909319 BOUNDARY, NORTH 0°45'18" EAST, 16.05 FEET TO THE **POINT OF BEGINNING**.

CONTAINS APPROXIMATELY 9,360 SQUARE FEET.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.



Valid Until 6/30/05

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507297



\$36.00

04/12/2005 09:56:11 AM

DMR-DDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

PUBLIC RIGHT-OF-WAY DEED

NORTHWEST TITLE COMPANY

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., and Chehalem Park and Recreation District herein called Grantors, does hereby dedicate, grant and convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, for public street and utilities purposes, the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

TO HAVE AND TO HOLD said right-of-way to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantors hereby release 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 Grantors, 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, maintenance of, and access to utilities herein above authorized.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 25th day of February, 2005.

Chehalem Park and Recreation District

Signature: William Clements

Print name: W Don Clements

The Greens At Springbrook L.L.C.
Oakridge Estates Development Corporation, Managing Member

Signature: Jeffery D. Smith
Jeffery D. Smith, President
4386 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Washill) s.s.

This instrument was acknowledged before me this 25th day of February, 2005, by W. Dun Clements,
The Superintendent, of Chehalem Park and Recreation District.

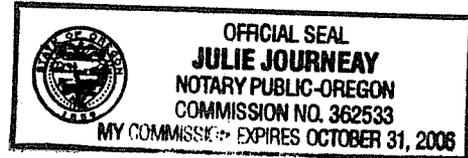
Before me: Kathleen L Barr
Notary Public for Oregon
My Commission expires: May 18, 2007



STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 25th day of February, 2005, by Jeffery D. Smith, President of
Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

Before me: Julie Journey
Notary Public for Oregon
My Commission expires: October 31, 2006



CITY OF NEWBERG
ACCEPTED
JH Bennett
James H. Bennett, City Recorder
Dated: 3/23/05

APPROVED AS TO FORM
TDM
Terrence D. Mahr, City Attorney
Dated: 3/22/05



EXHIBIT "A"

FEBRUARY 3, 2004

LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
FERNWOOD ROAD
THE GREENS AT SPRINGBROOK

JOB NO. 0784-0001

A PARCEL OF LAND, SITUATE IN THE LUKE MCKERN D.L.C. #56 BEING WITHIN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL 3, PARTITION PLAT 2003-32, YAMHILL COUNTY RECORDS; THENCE SOUTH 89°20'12" EAST, 125.75 FEET ALONG THE SOUTH LINE OF SAID PARCEL; THENCE LEAVING SAID LINE, SOUTH 1°13'08" WEST, 210.74 FEET; THENCE SOUTH 0°45'18" WEST, 127.66 FEET ALONG THE WESTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN DEED DOCUMENT NO. 1996 09319 TO THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID BOUNDARY SOUTH 0°45'18" WEST, 15.29 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY OF FERNWOOD ROAD (40.00 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY, NORTH 72°03'53" WEST, 16.86 FEET; NORTH 55°26'05" WEST, 200.53 FEET TO A POINT ON A 676.17 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE, (THE RADIUS POINT BEARS SOUTH 24°42'26" WEST); THENCE LEAVING SAID RIGHT-OF-WAY, ALONG SAID CURVE, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 9°51'29", 116.34 FEET (THE CHORD BEARS SOUTH 60°21'50" EAST, 116.34 FEET TO A POINT OF REVERSE CURVATURE WITH A 570.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°19'51", 92.83 FEET (THE CHORD BEARS SOUTH 60°06'00" EAST, 92.72 FEET) TO THE **POINT OF BEGINNING**.

CONTAINS APPROXIMATELY 1,982 SQUARE FEET.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.



Valid until 6/30/05



**PUBLIC RIGHT-OF-WAY AND
TEMPORARY CONSTRUCTION EASEMENT DEED**

CITY OF NEWBERG
CITY RECORDER INDEX NO 213

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

In consideration of the sum of \$0 and other valuable consideration, Chehalem Park and Recreation District, herein called Grantor, does hereby dedicate, grant and convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, for public street and utilities purposes, the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B", "B1, & "B2".

TO HAVE AND TO HOLD said right-of-way to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor hereby release 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, 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, maintenance of, and access to utilities herein above authorized.
3. The Grantee hereby agrees to restore the temporary construction easement to its original condition, as close as is practical to do so, upon completion of the construction.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 25th day of FEBRUARY, 2005.

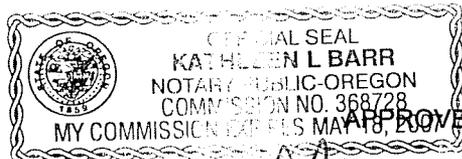
Chehalem Park and Recreation District

Signature: W Don Clements
Print name: W Don Clements

STATE OF Oregon)
County of Yamhill) s.s.

This instrument was acknowledged before me this 25th day of February, 2005, by W Don Clements
The Superintendent of Chehalem Park and Recreation District.

Before me: Kathleen L. Barr
Notary Public for Oregon
My Commission expires: May 18, 2007



CITY OF NEWBERG
ACCEPTED
James H. Bennett
James H. Bennett, City Recorder
Dated: 3/23/05

Terrance D. Mahr, City Attorney
Dated: 3/23/05

NORTHWEST TITLE COMPANY



EXHIBIT "A"

FEBRUARY 3, 2005

LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
FERNWOOD ROAD
THE GREENS AT SPRINGBROOK

JOB NO. 0784-0001

A PARCEL OF LAND, SITUATE IN THE LUKE MCKERN D.L.C. #56 BEING WITHIN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED DOCUMENT NO. 199708658 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF FERNWOOD ROAD (40.00 FEET WIDE) BEING SOUTH 0°59'13" WEST, 55.00 FEET FROM THE SOUTHERLY SOUTHEAST CORNER OF PARCEL 2 OF PARTITION PLAT NO. 2003-32, YAMHILL COUNTY PLAT RECORDS; THENCE ALONG SAID RIGHT-OF-WAY SOUTH 89°00'47" EAST, 159.16 FEET; THENCE SOUTH 55°26'05" EAST, 279.51 FEET; THENCE SOUTH 72°03'53" EAST, 445.77 FEET; THENCE SOUTH 89°10'00" EAST, 3.09 FEET TO THE WEST LINE OF THE JESSIE PARISH D.L.C. #57; THENCE LEAVING SAID RIGHT-OF-WAY ALONG SAID D.L.C. LINE, SOUTH 00°35'31" WEST, 3.53 FEET TO A POINT ON A 630.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE, (THE RADIUS POINT BEARS NORTH 9°03'08" EAST); THENCE LEAVING SAID D.L.C. LINE, ALONG SAID CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 8°52'59", 97.67 FEET (THE CHORD BEARS NORTH 76°30'22" WEST, 97.58 FEET); THENCE NORTH 72°03'53" WEST, 261.88 FEET; THENCE ALONG A 630.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 16°37'48", 182.86 FEET (THE CHORD BEARS NORTH 63°44'59" WEST, 182.22 FEET) TO A POINT OF REVERSE CURVATURE WITH A 616.17 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°48'25", 331.30 FEET (THE CHORD BEARS NORTH 70°50'18" WEST, 327.33 FEET); THENCE NORTH 00°59'13" EAST, 10.72 FEET TO THE POINT OF BEGINNING.

CONTAINS APPROXIMATELY 11,519 SQUARE FEET.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.

TOGETHER WITH A PERMANENT SLOPE EASEMENT OVER THE FOLLOWING DESCRIBED PARCEL OF LAND:

LOCATED IN THE LUKE MCKERN D.L.C. #56 AND OVER LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL 3 OF PARTITION PLAT 2003-32, THENCE ALONG THE SOUTH LINE OF SAID PARCEL 3, SOUTH 89°20'12" EAST, 125.75 FEET; THENCE LEAVING SAID LINE, SOUTH 1°13'08" WEST, 210.74 FEET, THENCE SOUTH 0°45'18" WEST, 127.66 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF FERNWOOD ROAD (60 FEET WIDE); THENCE SOUTH 02°08'05" WEST, 64.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID ROAD AND ON A 630.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE (THE RADIUS POINT BEARS NORTH 22°55'35" EAST); THENCE ALONG SAID RIGHT-OF-WAY AND CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 4°59'47", 54.94 FEET (THE CHORD BEARS NORTH 64°34'32" WEST, 54.92 FEET) TO THE **POINT OF BEGINNING** OF SAID EASEMENT; THENCE NORTH 67°04'16" WEST, 364.07 FEET TO A POINT ON SAID RIGHT-OF-WAY AND A 616.17 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE, (THE RADIUS POINT BEARS SOUTH 7°08'57" WEST); THENCE ALONG SAID RIGHT-OF-WAY AND CURVE, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 27°24'58", 294.84 FEET (THE CHORD BEARS SOUTH 69°08'34" EAST, 292.03 FEET) TO A POINT OF REVERSE CURVATURE WITH A 630.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 6°38'34", 73.04 FEET (THE CHORD BEARS SOUTH 58°45'22" EAST, 73.00 FEET) TO THE **POINT OF BEGINNING**.

CONTAINS APPROXIMATELY 5,297 SQUARE FEET OR 0.12 ACRES.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.

AND SUBJECT TO A TEMPORARY CONSTRUCTION EASEMENT DESCRIBED AS FOLLOWS:

LOCATED IN THE LUKE MCKERN D.L.C. #56 AND OVER LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL 3 OF PARTITION PLAT 2003-32, THENCE ALONG THE SOUTH LINE OF SAID PARCEL 3, SOUTH 89°20'12" EAST, 125.75 FEET; THENCE LEAVING SAID LINE, SOUTH 1°13'08" WEST, 210.74 FEET, THENCE SOUTH 0°45'18" WEST, 127.66 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF FERNWOOD ROAD (60 FEET WIDE); THENCE SOUTH 02°08'05" WEST, 64.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID ROAD AND THE

POINT OF BEGINNING OF SAID EASEMENT; THENCE NORTH 72°13'40 WEST, 239.88 FEET; THENCE NORTH 60°26'12 WEST, 188.72 FEET TO A POINT ON SAID RIGHT-OF-WAY BEING ON A 616.17 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE (THE RADIUS POINT BEARS SOUTH 6°25'51" WEST); THENCE ALONG SAID RIGHT-OF-WAY AND CURVE, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 0°43'06", 7.72 FEET, (THE CHORD BEARS SOUTH 83°12'36" EAST, 7.72 FEET); THENCE LEAVING SAID RIGHT-OF-WAY, SOUTH 67°04'16 EAST, 364.07 FEET TO A POINT ON SAID RIGHT-OF-WAY BEING ON A 630.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE (THE RADIUS POINT BEARS NORTH 27°55'21" EAST); THENCE ALONG SAID RIGHT-OF-WAY AND CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 4°59'47", 54.94 FEET (THE CHORD BEARS SOUTH 64°34'32" EAST, 54.92 FEET) TO THE **POINT OF BEGINNING**.

CONTAINS APPROXIMATELY 5,497 SQUARE FEET OR 0.13 ACRES.

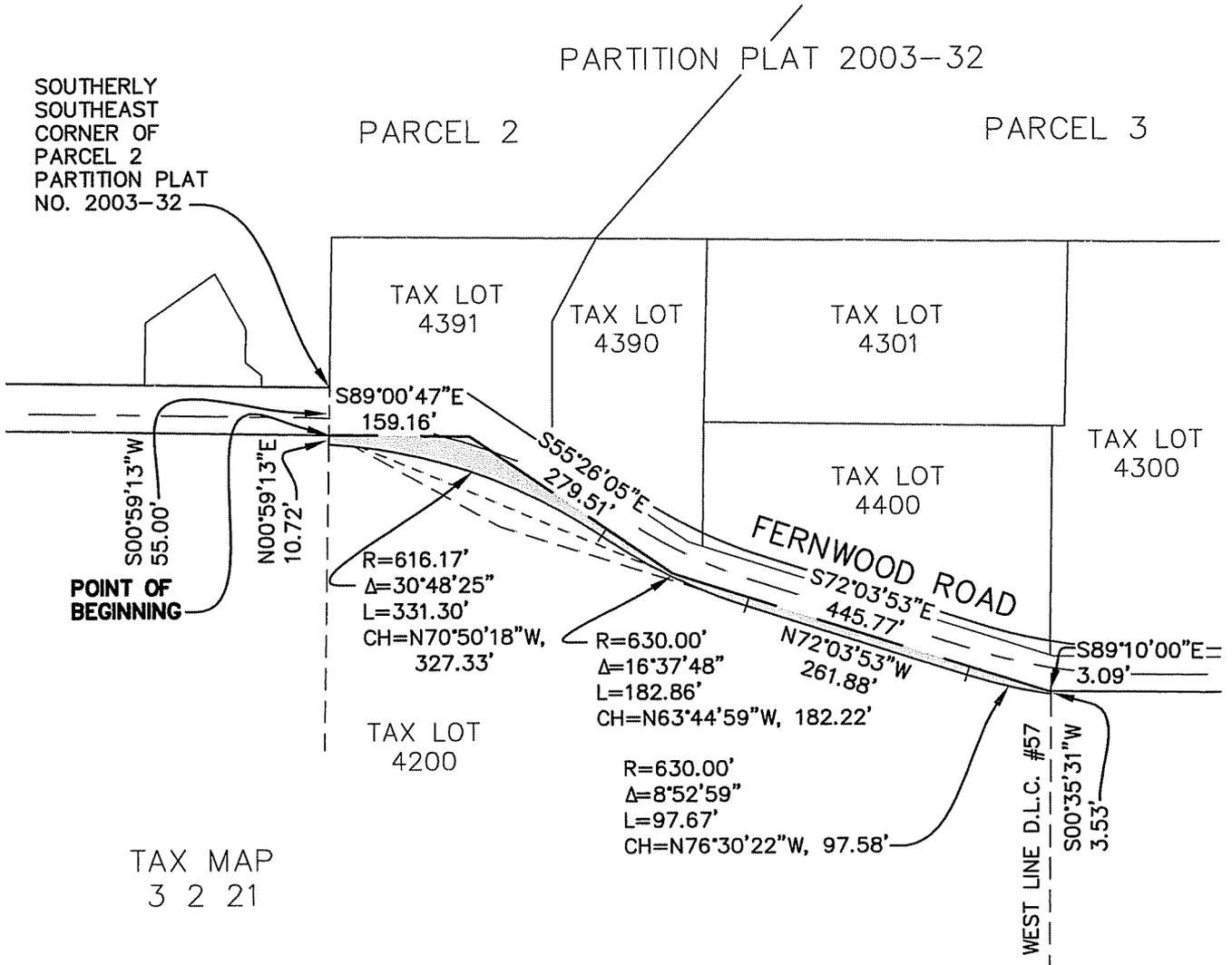
THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.

SAID TEMPORARY CONSTRUCTION EASEMENT TO BE AUTOMATICALLY EXTINGUISHED UPON ACCEPTANCE BY THE CITY OF NEWBERG OF THE ROAD CONSTRUCTED WITHIN THE ABOVE DESCRIBED RIGHT-OF-WAY.



Valid Until 6/30/05

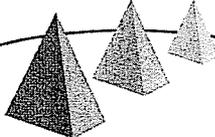
EXHIBIT "B"
RIGHT-OF-WAY DEDICATION



TAX MAP
3 2 21

N:\p\01\784-001\dwg\survey\07330004\EXB15.dwg - SHEET: 8x11 Feb 03, 2005 - 4:14pm mem

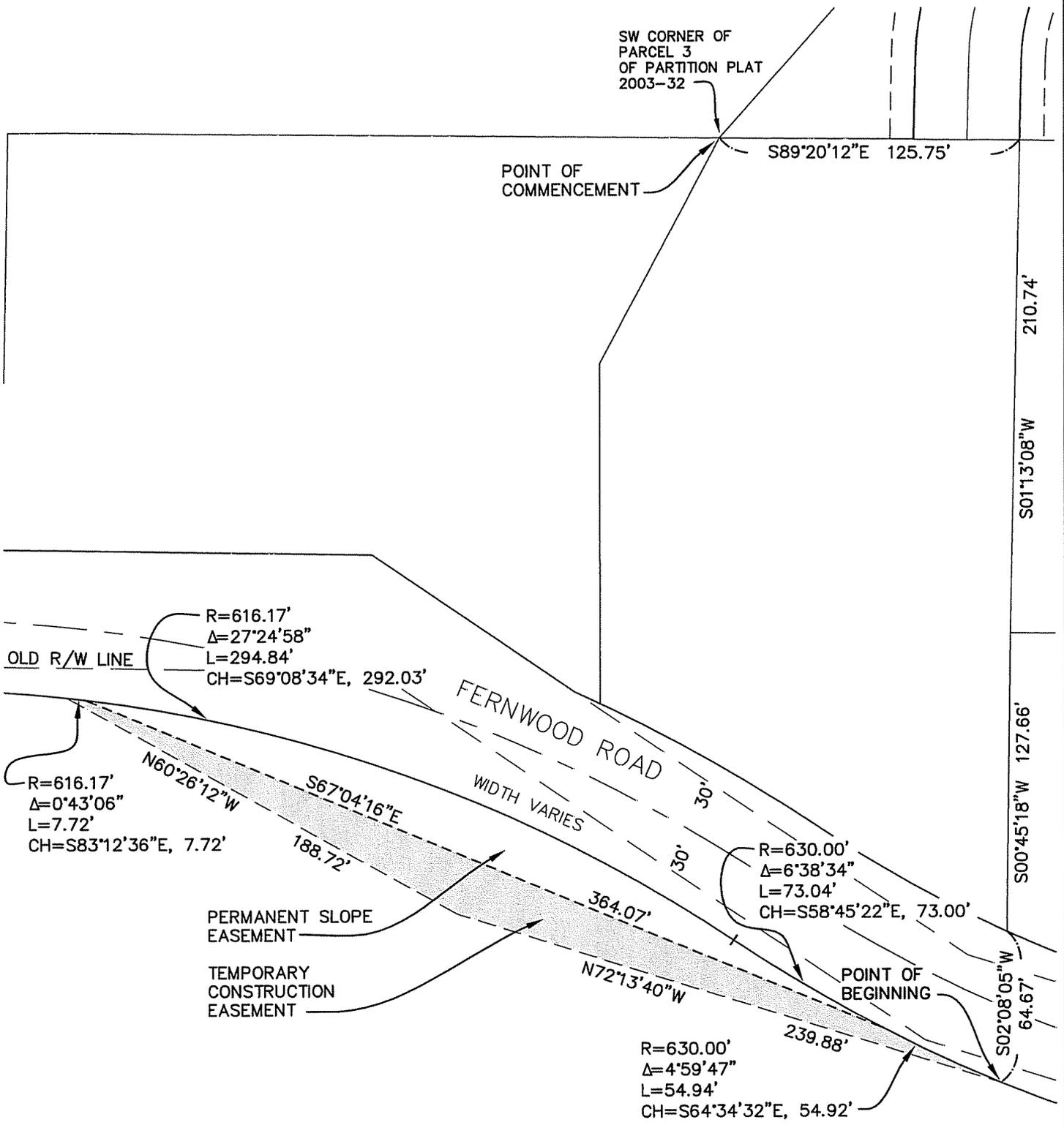
DRAWN BY: MEM DATE: 02/02/05
 REVIEWED BY: MRG DATE: _____
 PROJECT NO.: 0784-0001
 SCALE: 1"=200'



alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

517

EXHIBIT "B2"



N:\proj\784-001\dwg\survey\07300004\EXB6.dwg - SHEET: 8x11 Feb 03, 2005 - 4:11pm mem

DRAWN BY: MEM DATE: 2/02/05

REVIEWED BY: MRG DATE: _____

PROJECT NO.: 0784-0001

SCALE: 1"=60'

alpha

COMMUNITY DEVELOPMENT

OFFICE 503-452-8003 FAX 503-452-8043
PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

7/7

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507299



\$36.00

04/12/2005 09:56:11 AM

DMR-DDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

PUBLIC RIGHT-OF-WAY DEED

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., herein called Grantors, does hereby dedicate, grant and convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, for public street and utilities purposes, the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

TO HAVE AND TO HOLD said right-of-way to said Grantee, for the use and purpose herein above described.

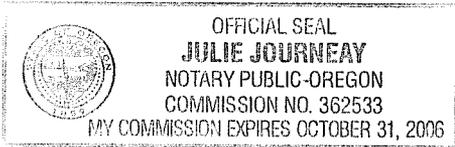
It is further understood that:

1. The Grantor hereby release 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, 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, maintenance of, and access to utilities herein above authorized.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 16th day of FEBRUARY, 2005.

NORTHWEST TITLE COMPANY



The Greens At Springbrook L.L.C.
Oakridge Estates Development Corporation, Managing Member

Signature: [Handwritten Signature]
Jeffery D. Smith, President
4586 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 16th day of February, 2005, by Jeffery D. Smith, President of Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

Notary Public for Oregon
My Commission expires: October 31, 2006

APPROVED AS TO FORM

CITY OF NEWBERG
ACCEPTED
[Handwritten Signature]
James H. Bennett, City Recorder
Dated: 3/23/05

[Handwritten Signature]
Terrence D. Mahr, City Attorney
Dated: 3/23/05



EXHIBIT "A"

SEPTEMBER 7, 2004

LEGAL DESCRIPTION
VARIABLE WIDTH ROADWAY DEDICATION
AND UTILITY EASEMENT
GREENS AT SPRINGBROOK

JOB NO. 0784-0001

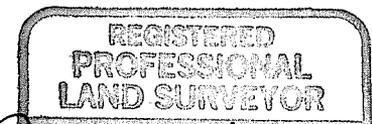
A PARCEL OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND BEING A PORTION OF THE PROPERTY DESCRIBED IN INSTRUMENT NO. 199923274 YAMHILL COUNTY DEED RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SEBASTIAN BRUTSCHER D.L.C. NO. 51 FROM WHICH THE SOUTHEAST CORNER BEARS SOUTH 89°20'12" EAST, 975.72 FEET, SAID POINT ALSO LYING ON THE NORTH LINE OF SAID PROPERTY; THENCE LEAVING SAID LINE SOUTH 0°39'48" WEST, 95.26 FEET; THENCE ALONG A 230.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26°21'42", 105.82 FEET (THE CHORD BEARS SOUTH 12°31'03" EAST, 104.89 FEET); THENCE SOUTH 25°41'54" EAST, 79.94 FEET; THENCE ALONG A 166.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°21'17", 76.36 FEET (THE CHORD BEARS SOUTH 12°31'16" EAST, 75.68 FEET); THENCE SOUTH 0°39'23" WEST, 109.70 FEET; THENCE ALONG A 16.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°10'37", 25.18 FEET (THE CHORD BEARS SOUTH 45°44'41" WEST, 22.66 FEET) TO THE NORTH RIGHT-OF-WAY LINE OF FERNWOOD ROAD (30.00 FEET NORTHERLY OF THE CENTERLINE THEREOF AT RIGHT-ANGLE-MEASURE); THENCE ALONG SAID RIGHT-OF-WAY LINE 30.00 FOOT NORTHERLY, AT RIGHT-ANGLE-MEASURE, FROM SAID CENTERLINE, SOUTH 89°10'00" EAST, 100.00 FEET TO A POINT ON A 16.00 FOOT RADIUS CURVE, THE PREVIOUS COURSE BEING AN EXTENSION OF ITS SEMI-TANGENT, (THE RADIUS POINT BEARS NORTH 0°50'00" EAST); THENCE LEAVING SAID RIGHT-OF-WAY, ALONG SAID CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 89°49'23", 25.08 FEET (THE CHORD BEARS NORTH 44°15'19" WEST, 22.59 FEET), THENCE NORTH 0°39'23" EAST, 107.91 FEET; THENCE ALONG A 166.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26°21'17", 76.36 FEET (THE CHORD BEARS NORTH 12°31'16" WEST, 75.68 FEET); THENCE NORTH 25°41'54" WEST, 112.01 FEET; THENCE ALONG A 170.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°21'42", 78.22 FEET (THE CHORD BEARS NORTH 12°31'03" WEST, 77.53 FEET); THENCE NORTH 0°39'48" EAST, 95.26 FEET TO A POINT ON THE SOUTH LINE OF SAID D.L.C. AND ON THE NORTH LINE OF SAID PROPERTY; THENCE ALONG SAID LINE NORTH 89°20'12" WEST, 60.00 FEET TO THE POINT OF BEGINNING.

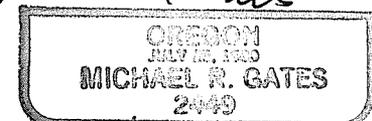
CONTAINING APPROXIMATELY 30,567 SQUARE FEET OR 0.70 ACRES.

THE BASIS OF BEARINGS IS PER PARTITION
PLAT NO. 2001-38 OF THE YAMHILL COUNTY PLAT RECORDS.

N:\proj\784-001\Survey\SOUTH ACCESS.doc



Michael R. Gates

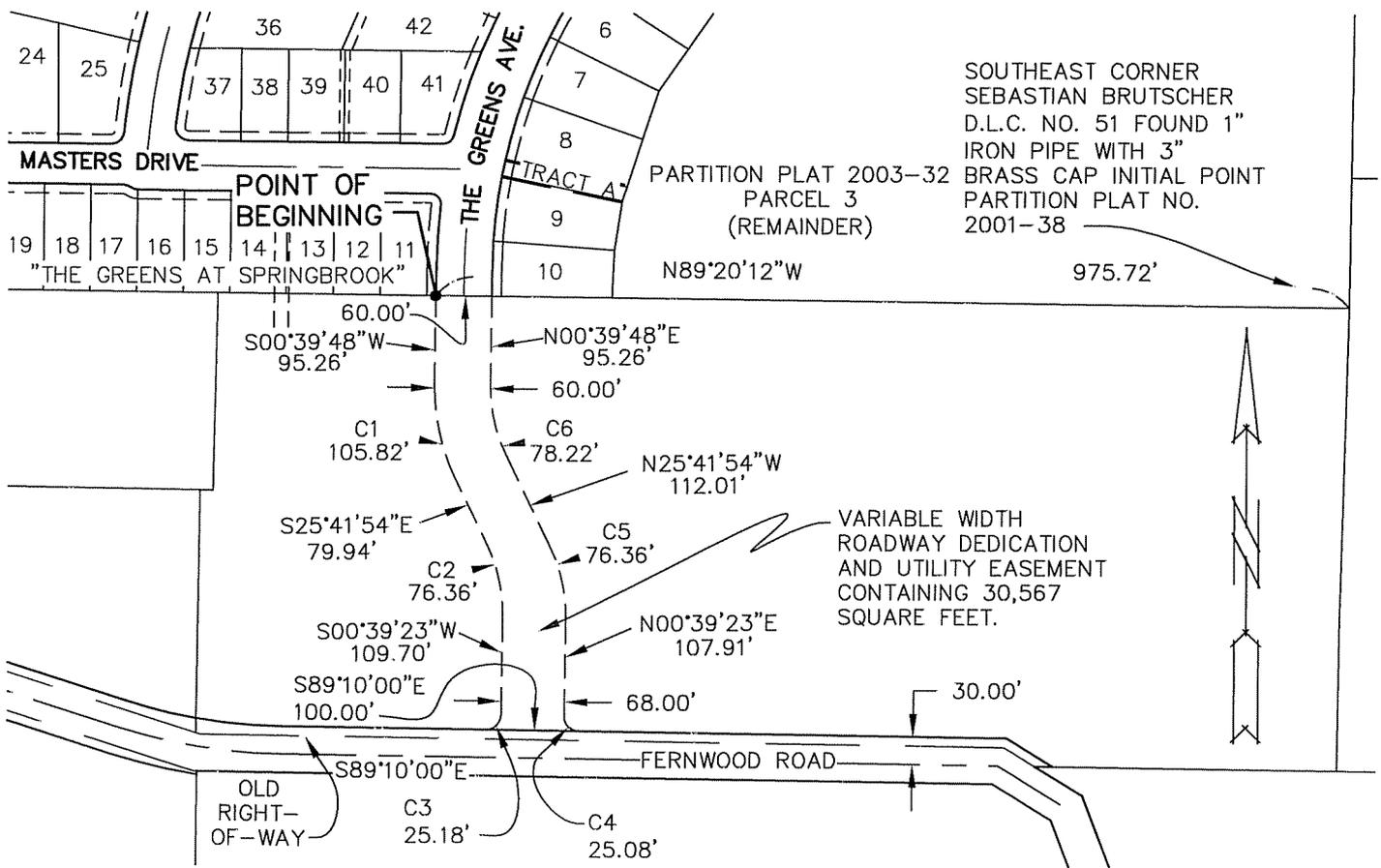


Valid Until 6/30/05

EXHIBIT "B"

VARIABLE WIDTH ROADWAY DEDICATION AND UTILITY EASEMENT
 LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22,
 TOWNSHIP 3 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN,
 YAMHILL COUNTY, OREGON.

CURVE DATA TABLE					
CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	230.00'	26°21'42"	105.82'	S 12°31'03" E	104.89'
C2	166.00'	26°21'17"	76.36'	S 12°31'16" E	75.68'
C3	16.00'	90°10'37"	25.18'	S 45°44'41" W	22.66'
C4	16.00'	89°49'23"	25.08'	N 44°15'19" W	22.59'
C5	166.00'	26°21'17"	76.36'	N 12°31'16" W	75.68'
C6	170.00'	26°21'42"	78.22'	N 12°31'03" W	77.53'



SOUTHEAST CORNER
 SEBASTIAN BRUTSCHER
 D.L.C. NO. 51 FOUND 1"
 IRON PIPE WITH 3"
 BRASS CAP INITIAL POINT
 PARTITION PLAT NO.
 2001-38

PARTITION PLAT 2003-32
 PARCEL 3
 (REMAINDER)

N89°20'12"W

975.72'

S00°39'48"W
 95.26'

N00°39'48"E
 95.26'

C1
 105.82'

C6
 78.22'

N25°41'54"W
 112.01'

S25°41'54"E
 79.94'

C2
 76.36'

C5
 76.36'

VARIABLE WIDTH
 ROADWAY DEDICATION
 AND UTILITY EASEMENT
 CONTAINING 30,567
 SQUARE FEET.

S00°39'23"W
 109.70'

N00°39'23"E
 107.91'

S89°10'00"E
 100.00'

68.00'

30.00'

OLD
 RIGHT-
 OF-WAY

C3
 25.18'

C4
 25.08'

FERNWOOD ROAD

N:\proj\784-001\dwg\survey\07330004EXB9.dwg

DRAWN BY: RAJ/MEM DATE: 2/04/05
 REVIEWED BY: MRG DATE: 9/08/04
 PROJECT NO.: 0784-0001
 SCALE: 1"=200'

alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK
200507300
\$41.00
00196268200500073000040046
04/12/2005 09:56:11 AM
DMR-EDMR Cnt=1 Stn=2 ANITA
\$20.00 \$10.00 \$11.00

PUBLIC UTILITY EASEMENT

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., herein called Grantors, 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 public utilities across the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

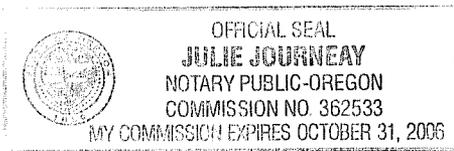
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor hereby release 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, 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.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 16th day of FEBRUARY, 2005.



The Greens At Springbrook L.L.C.
Oakridge Estates Development Corporation, Managing Member

Signature: [Signature]
Jeffery D. Smith, President
4386 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 16th day of February, 2005, by Jeffery D. Smith, President of Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

Notary Public for Oregon
My Commission expires: October 31, 2006

APPROVED AS TO FORM

CITY OF NEWBERG
ACCEPTED
[Signature]
James H. Bennett, City Recorder
Dated: 3/23/05

[Signature]
Terrence D. Mahr, City Attorney
Dated: 3/23/05

NORTHWEST TITLE COMPANY

YCI



EXHIBIT "A"

OCTOBER 11, 2004
LEGAL DESCRIPTION
PUBLIC UTILITY EASEMENT
GREENS AT SPRINGBROOK

JOB NO. 0784-0001

TWO PARCELS OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND BEING A PORTION OF THE PROPERTY DESCRIBED IN INSTRUMENT NO. 199923274 YAMHILL COUNTY DEED RECORDS, DESCRIBED AS FOLLOWS:

PARCEL A

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SEBASTIAN BRUTSCHER D.L.C. NO. 51 FROM WHICH THE SOUTHEAST CORNER BEARS SOUTH 89°20'12" EAST, 975.72 FEET, SAID POINT ALSO LYING ON THE NORTH LINE OF SAID PROPERTY; THENCE LEAVING SAID LINE SOUTH 0°39'48" WEST, 95.26 FEET; THENCE ALONG A 230.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26°21'42", 105.82 FEET (THE CHORD BEARS SOUTH 12°31'03" EAST, 104.89 FEET); THENCE SOUTH 25°41'54" EAST, 79.94 FEET; THENCE ALONG A 166.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°21'17", 76.36 FEET (THE CHORD BEARS SOUTH 12°31'16" EAST, 75.68 FEET); THENCE SOUTH 0°39'23" WEST, 109.70 FEET; THENCE ALONG A 16.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°10'37", 25.18 FEET (THE CHORD BEARS SOUTH 45°44'41" WEST, 22.66 FEET) TO THE NORTH RIGHT-OF-WAY LINE OF FERNWOOD ROAD (30.00 FEET NORTHERLY OF THE CENTERLINE THEREOF AT RIGHT-ANGLE-MEASURE); THENCE ALONG SAID RIGHT-OF-WAY LINE 30.00 FEET NORTHERLY, AT RIGHT-ANGLE-MEASURE, FROM SAID CENTERLINE, NORTH 89°10'00" WEST, 23.44 FEET; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 0°50'00" EAST, 46.20 FEET; THENCE SOUTH 89°10'00" EAST, 29.34 FEET; THENCE NORTH 0°39'23" EAST, 79.52 FEET; THENCE ALONG 156.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26°21'17", 71.76 FEET, (THE CHORD BEARS NORTH 12°31'16" WEST, 71.13 FEET); THENCE NORTH 25°41'54" WEST, 79.94 FEET; THENCE ALONG A 240.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°21'42", 110.42 FEET, (THE CHORD BEARS NORTH 12°31'03" WEST, 109.45 FEET); THENCE NORTH 0°39'48" EAST, 95.26 FEET TO SAID D.L.C. AND PROPERTY LINE; THENCE ALONG SAID LINE SOUTH 89°20'12" EAST, 10.00 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 6,125 SQUARE FEET.

N:\proj\784-001\Survey\SOUTH ACCESS PUE.doc



Valid Until 6/30/05

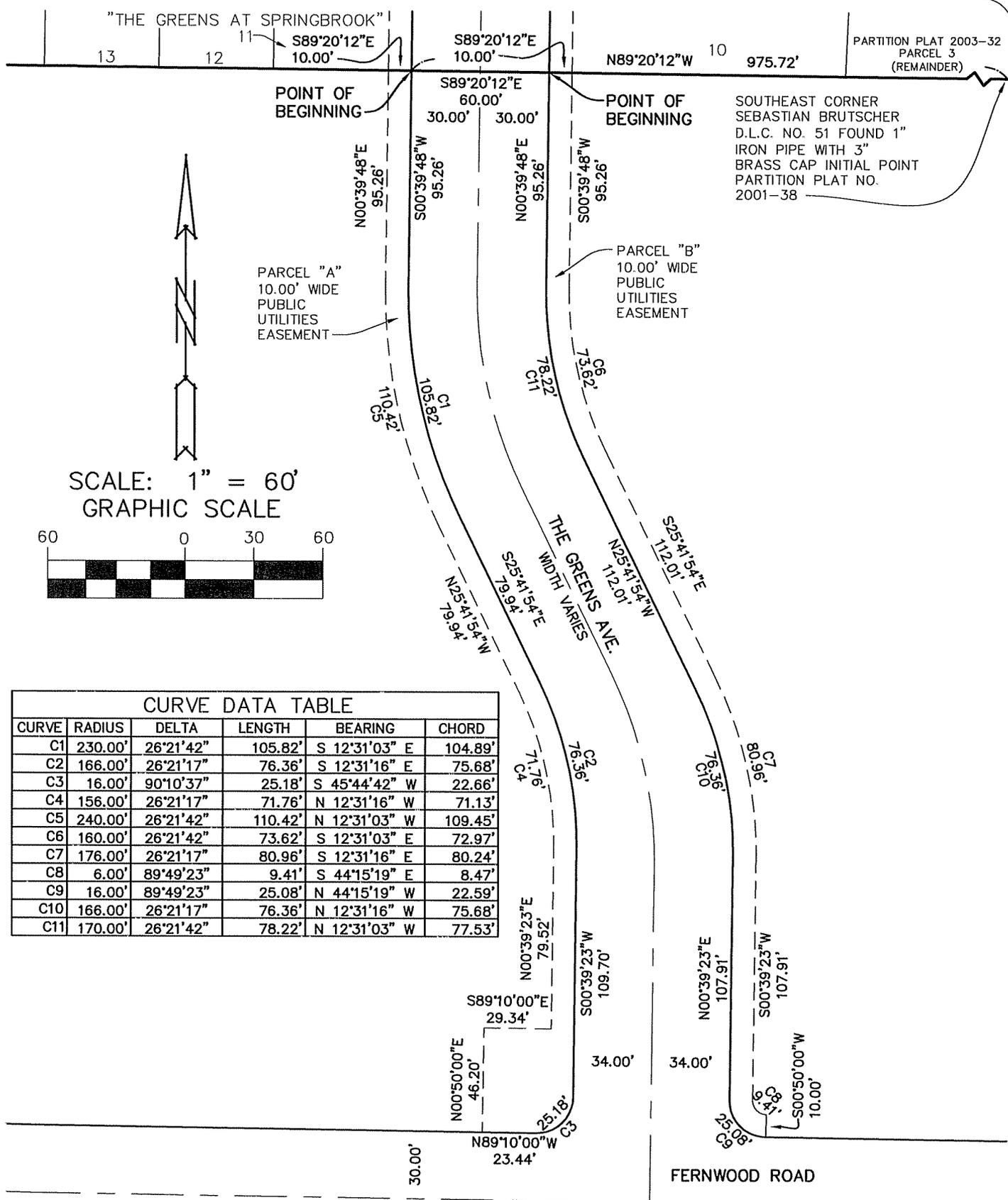
2/4

PARCEL "B"

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SEBASTIAN BRUTSCHER D.L.C. NO. 51 FROM WHICH THE SOUTHEAST CORNER BEARS SOUTH 89°20'12" EAST, 915.72 FEET, SAID POINT ALSO LYING ON THE NORTH LINE OF SAID PROPERTY; THENCE ALONG SAID LINE SOUTH 89°20'12" EAST, 10.00 FEET; THENCE LEAVING SAID LINE SOUTH 0°39'48" WEST, 95.26 FEET; THENCE ALONG A 160.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26°21'42", 73.26 FEET, (THE CHORD BEARS SOUTH 12°31'03" EAST, 72.97 FEET); THENCE SOUTH 25°41'54" EAST, 112.01 FEET; THENCE ALONG A 176.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°21'17", 80.96 FEET (THE CHORD BEARS SOUTH 12°31'16" EAST, 80.24 FEET); THENCE SOUTH 0°39'23" WEST, 107.91 FEET; THENCE ALONG A 6.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 89°49'23", 9.41 FEET, (THE CHORD BEARS SOUTH 44°15'19" EAST, 8.47 FEET); THENCE SOUTH 0°50'00" WEST, 10.00 FEET, BEING ALONG THE RADIAL OF THE FOLLOWING 16.00 FOOT RADIUS CURVE; THENCE ALONG SAID CURVE, CONCAVE NORTHEASTERLY, THROUGH A CENTRAL ANGLE OF 89°49'23", 25.08 FEET (THE CHORD BEARS NORTH 44°15'19" WEST, 22.59 FEET), THENCE NORTH 0°39'23' EAST, 107.91 FEET; THENCE ALONG A 166.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26°21'17", 76.36 FEET (THE CHORD BEARS NORTH 12°31'16" WEST, 75.68 FEET); THENCE NORTH 25°41'54" WEST, 112.01 FEET; THENCE ALONG A 170.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°21'42", 78.22 FEET (THE CHORD BEARS NORTH 12°31'03" WEST, 77.53 FEET); THENCE NORTH 0°39'48" EAST, 95.26 FEET TO SAID D.L.C. AND PROPERTY LINE AND THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 4,870 SQUARE FEET.

THE BASIS OF BEARINGS IS PER PARTITION PLAT NO. 2001-38 OF THE YAMHILL COUNTY PLAT RECORDS.



CURVE DATA TABLE

CURVE	RADIUS	DELTA	LENGTH	BEARING	CHORD
C1	230.00'	26°21'42"	105.82'	S 12°31'03" E	104.89'
C2	166.00'	26°21'17"	76.36'	S 12°31'16" E	75.68'
C3	16.00'	90°10'37"	25.18'	S 45°44'42" W	22.66'
C4	156.00'	26°21'17"	71.76'	N 12°31'16" W	71.13'
C5	240.00'	26°21'42"	110.42'	N 12°31'03" W	109.45'
C6	160.00'	26°21'42"	73.62'	S 12°31'03" E	72.97'
C7	176.00'	26°21'17"	80.96'	S 12°31'16" E	80.24'
C8	6.00'	89°49'23"	9.41'	S 44°15'19" E	8.47'
C9	16.00'	89°49'23"	25.08'	N 44°15'19" W	22.59'
C10	166.00'	26°21'17"	76.36'	N 12°31'16" W	75.68'
C11	170.00'	26°21'42"	78.22'	N 12°31'03" W	77.53'

N:\proj\1784-001\survey\07330004\EXB7.dwg - SHEET: 8x11 Feb 04, 2005 - 11:30am mem

DRAWN BY: MEM DATE: 10/11/04
 REVIEWED BY: MRG DATE: 10-11-04
 PROJECT NO.: 0784-0001
 SCALE: 1"=60'
EXHIBIT "B"

alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

4/a

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507301



\$36.00

04/12/2005 09:56:11 AM

DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

EMERGENCY VEHICLE ACCESS EASEMENT

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., herein called Grantors, 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 an emergency vehicle access across the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

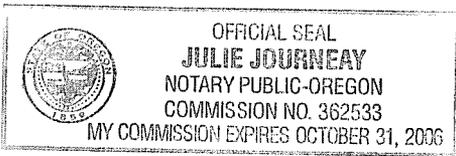
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor hereby release 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, 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.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 16th day of FEBRUARY, 2005.



The Greens At Springbrook L.L.C.
Oakridge Estates Development Corporation, Managing Member

Signature: [Signature]
Jeffery D. Smith, President
4386 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 16th day of February, 2005, by Jeffery D. Smith, President of Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

[Signature]
Notary Public for Oregon
My Commission expires: October 31, 2006

APPROVED AS TO FORM

CITY OF NEWBERG
ACCEPTED
[Signature]
James H. Bennett, City Recorder
Dated: 3/23/05

[Signature]
Terrence D. Mahr, City Attorney
Dated: 3/23/05

NORTHWEST TITLE COMPANY



EXHIBIT "A"

AUGUST 30, 2004

LEGAL DESCRIPTION
EMERGENCY ACCESS EASEMENT
THE GREENS AT SPRINGBROOK

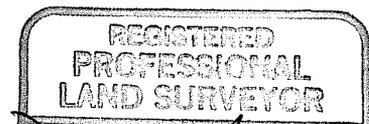
JOB NO. 0784-0001

AN EMERGENCY ACCESS OVER LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

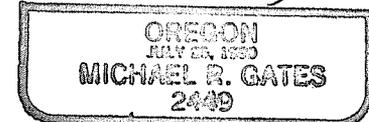
BEGINNING AT A POINT ON THE SOUTH LINE OF PARCEL 3 OF PARTITION PLAT NO. 2003-32 THAT BEARS SOUTH 89°20'12" EAST, 87.74 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL 3; THENCE ALONG SAID LINE, SOUTH 89°20'12" EAST, 32.00 FEET; THENCE LEAVING SAID LINE, SOUTH 1°13'08" WEST, 139.71 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A 41.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 255°58'13", 183.17 FEET (THE CHORD BEARS NORTH 50°47'45" WEST, 64.63 FEET) TO A POINT OF REVERSE CURVATURE WITH A 25.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 75°58'13", 33.15 FEET (THE CHORD BEARS NORTH 39°12'15" EAST, 30.77 FEET) TO A POINT OF TANGENCY; THENCE NORTH 1°13'08" EAST, 75.37 FEET TO THE POINT OF BEGINNING.

CONTAINS APPROXIMATELY 8,895 SQUARE FEET OR 0.20 ACRES.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.

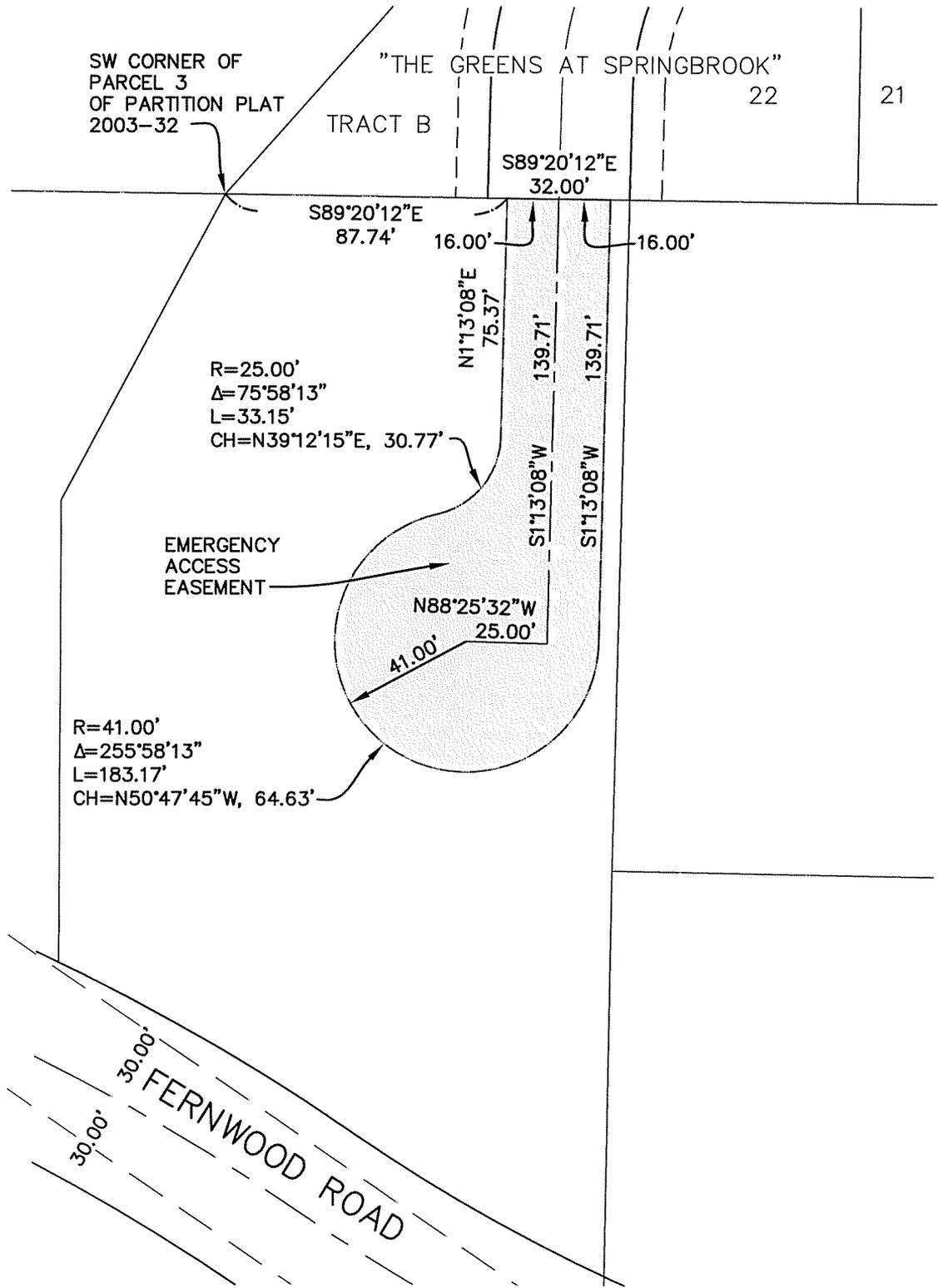


Michael R. Gates



Valid Until 6/30/05

EXHIBIT "A"



DRAWN BY: MEM DATE: 8/30/04
 REVIEWED BY: MRG DATE: _____
 PROJECT NO.: 0784-0001
 SCALE: 1"=50'

alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

M:\proj\784-001\dwg\survey\07330004\EXB2.dwg - SHEET: 8x11 Feb 04, 2005 - 12:22pm mem

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK
200507302
\$36.00
04/12/2005 09:56:11 AM
DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00



NORTHWEST TITLE COMPANY

PUBLIC ACCESS & PUBLIC UTILITY EASEMENT

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., herein called Grantors, 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 public access and public utilities across the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

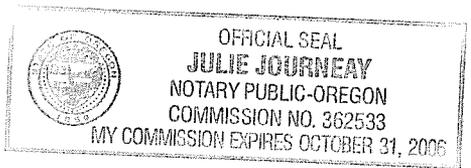
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor hereby release 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, 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.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 10th day of FEBRUARY, 2005.



The Greens At Springbrook L.L.C.
Oakridge Estates Development Corporation, Managing Member

Signature: [Signature]
Jeffery D. Smith, President
4300 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 10th day of February, 2005, by Jeffery D. Smith, President of Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

Notary Public for Oregon
My Commission expires: October 31, 2006

APPROVED AS TO FORM

CITY OF NEWBERG
ACCEPTED
[Signature]
James H. Bennett, City Recorder
Dated: 3/23/05

[Signature]
Terrence D. Mahr, City Attorney
Dated: 3/22/05



EXHIBIT "A"

AUGUST 31, 2004

LEGAL DESCRIPTION
ACCESS AND UTILITY EASEMENT
THE GREENS AT SPRINGBROOK

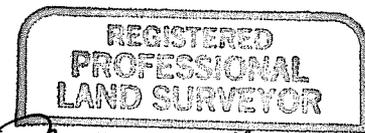
JOB NO. 0784-0001

A PUBLIC ACCESS AND UTILITY EASEMENT, SITUATE IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

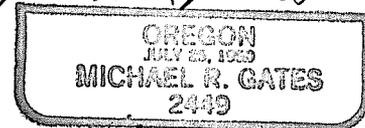
BEGINNING AT A POINT ON THE SOUTH LINE OF PARCEL 3 OF PARTITION PLAT NO. 2003-32 THAT BEARS SOUTH 89°20'12" EAST, 81.75 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL 3; THENCE CONTINUING ALONG SAID LINE, SOUTH 89°20'12" EAST, 44.00 FEET; THENCE LEAVING SAID LINE, SOUTH 1°13'08" WEST, 19.66 FEET; THENCE NORTH 88°46'52" WEST, 7.95 FEET; THENCE SOUTH 1°13'08" WEST, 11.02 FEET; THENCE SOUTH 12°21'08" WEST, 280.02 FEET TO THE NORTHERLY RIGHT-OF-WAY OF FERNWOOD ROAD (60.00' WIDE) AND A POINT ON A 570.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE, (THE RADIUS POINT BEARS NORTH 32°23'27" EAST); THENCE ALONG SAID CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 2°09'19", 21.44 FEET (THE CHORD BEARS NORTH 56°31'54" WEST, 21.44 FEET); THENCE NORTH 12°21'08" EAST, 270.35 FEET; THENCE NORTH 1°13'08" EAST, 9.08 FEET; THENCE NORTH 88°46'52" WEST, 16.05 FEET; THENCE NORTH 1°13'08" EAST, 19.24 FEET TO THE POINT OF BEGINNING.

CONTAINS APPROXIMATELY 6,562 SQUARE FEET OR 0.15 ACRES.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.

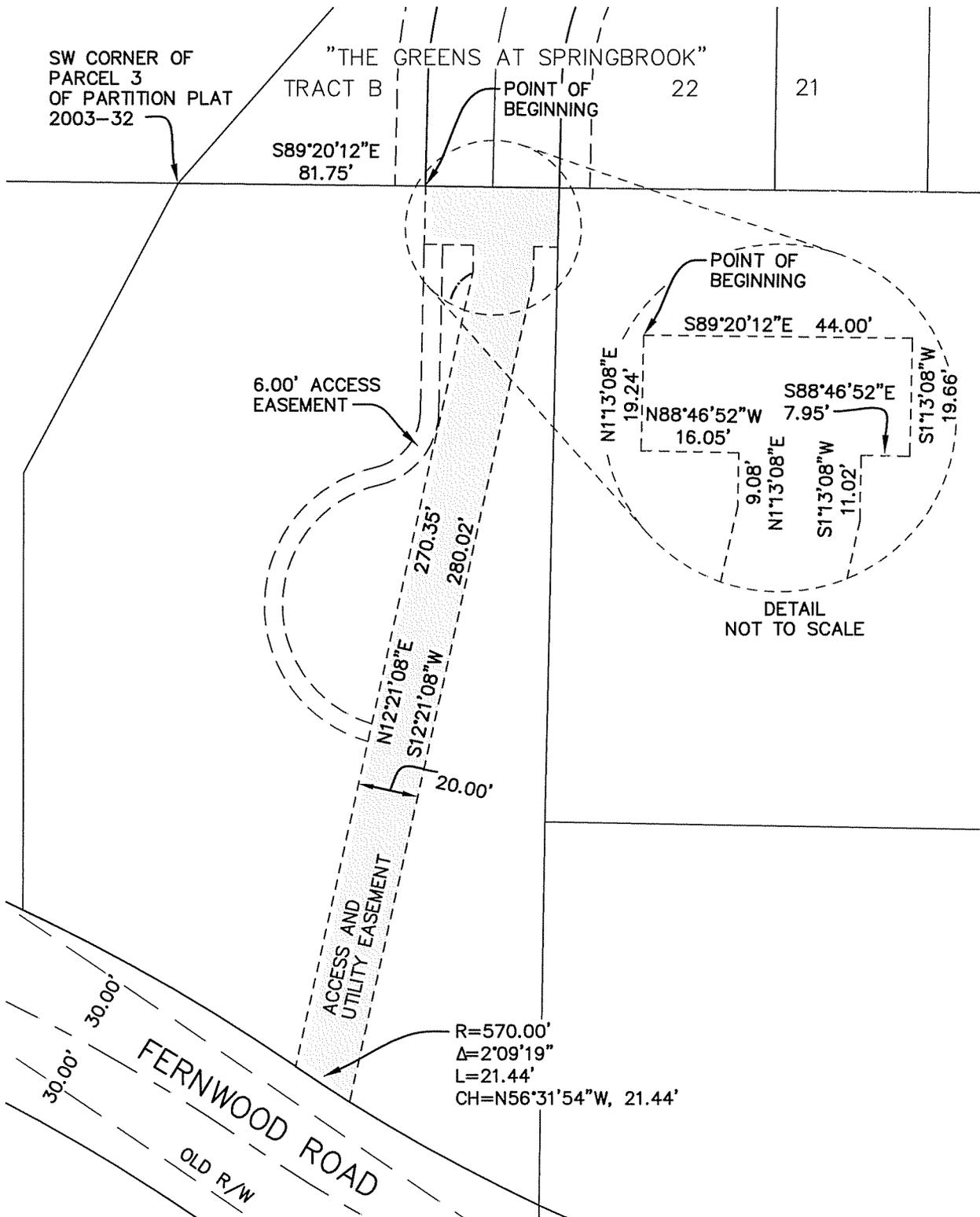


Michael R. Gates



Valid Until 6/30/05

EXHIBIT "B"



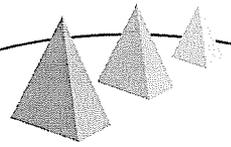
N:\proj\784-001\dwg\survey\07330004\EXB3.dwg - SHEET: 8x11 Feb 04, 2005 - 11:35am mem

DRAWN BY: MEM DATE: 8/31/04

REVIEWED BY: MRG DATE: _____

PROJECT NO.: 0784-0001

SCALE: 1"=50'



alpha

COMMUNITY DEVELOPMENT

OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507303



\$36.00

00196271200500073030030038

04/12/2005 09:56:11 AM

DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

PUBLIC ACCESS EASEMENT

NORTHWEST TITLE COMPANY

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., herein called Grantors, 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 public access across the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

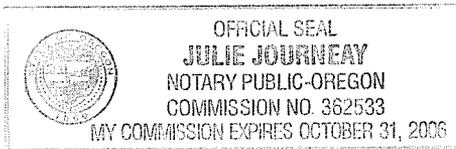
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor hereby release 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, 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.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 16th day of FEBRUARY, 2005.



The Greens At Springbrook L.L.C.
Oakridge Estates Development Corporation, Managing Member

Signature:
Jeffery D. Smith, President
4386 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 16th day of February, 2005, by Jeffrey D. Smith, President of Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

Notary Public for Oregon
My Commission expires: October 31, 2006

APPROVED AS TO FORM

CITY OF NEWBERG
ACCEPTED

James H. Bennett, City Recorder
Dated: 3/23/05

Terrence D. Mahr, City Attorney
Dated: 3/27/05



EXHIBIT "A"

AUGUST 31, 2004

LEGAL DESCRIPTION
ACCESS AND UTILITY EASEMENT
THE GREENS AT SPRINGBROOK

JOB NO. 0784-0001

A PUBLIC ACCESS AND UTILITY EASEMENT, SITUATE IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF PARCEL 3 OF PARTITION PLAT NO. 2003-32 THAT BEARS SOUTH 89°20'12" EAST, 81.75 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL 3; THENCE CONTINUING ALONG SAID LINE, SOUTH 89°20'12" EAST, 44.00 FEET; THENCE LEAVING SAID LINE, SOUTH 1°13'08" WEST, 19.66 FEET; THENCE NORTH 88°46'52" WEST, 7.95 FEET; THENCE SOUTH 1°13'08" WEST, 11.02 FEET; THENCE SOUTH 12°21'08" WEST, 280.02 FEET TO THE NORTHERLY RIGHT-OF-WAY OF FERNWOOD ROAD (60.00' WIDE) AND A POINT ON A 570.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE, (THE RADIUS POINT BEARS NORTH 32°23'27" EAST); THENCE ALONG SAID CURVE, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 2°09'19", 21.44 FEET (THE CHORD BEARS NORTH 56°31'54" WEST, 21.44 FEET); THENCE NORTH 12°21'08" EAST, 270.35 FEET; THENCE NORTH 1°13'08" EAST, 9.08 FEET; THENCE NORTH 88°46'52" WEST, 16.05 FEET; THENCE NORTH 1°13'08" EAST, 19.24 FEET TO THE POINT OF BEGINNING.

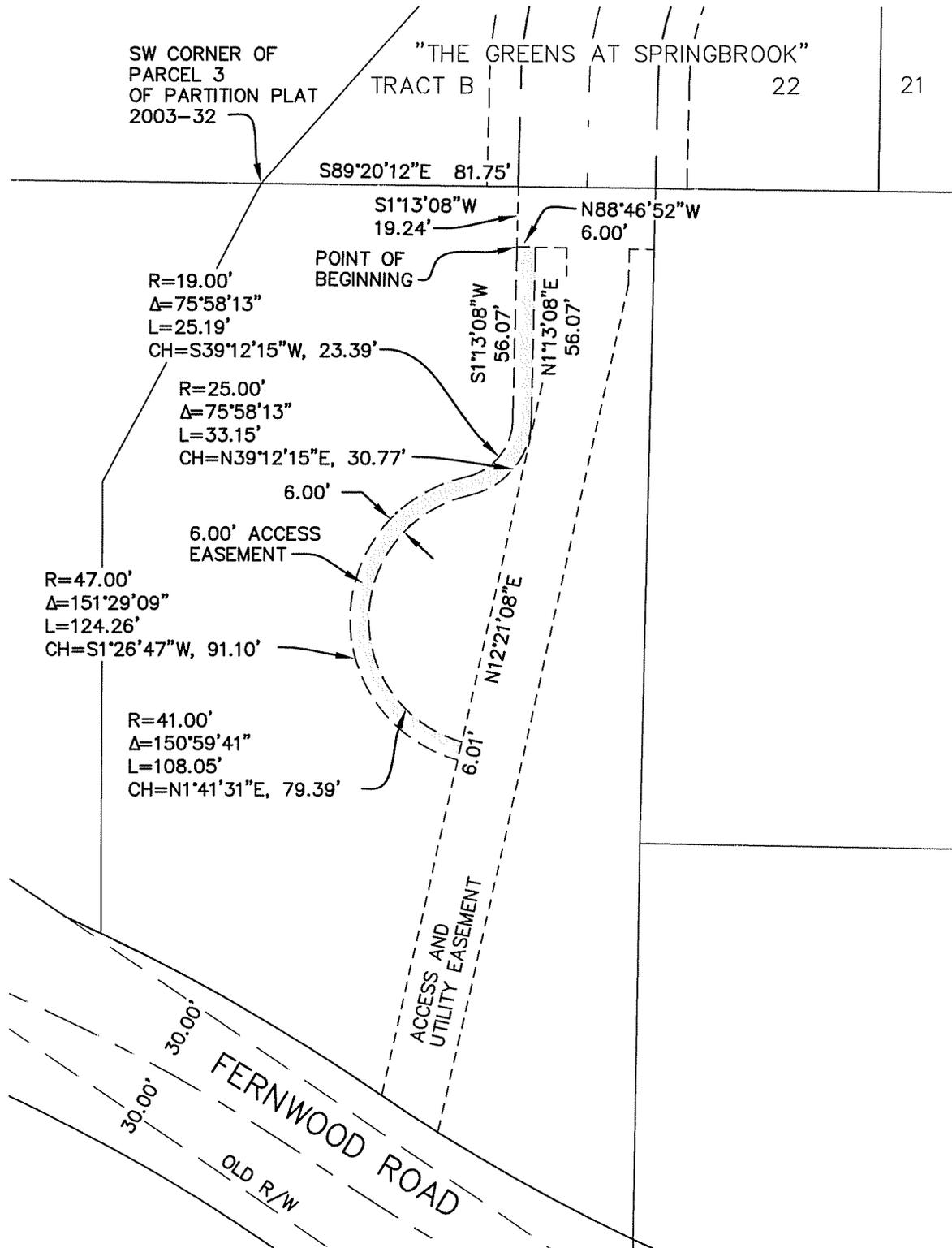
CONTAINS APPROXIMATELY 6,562 SQUARE FEET OR 0.15 ACRES.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.



Valid until 6/30/05

EXHIBIT "B"



DRAWN BY: MEM DATE: 2/02/05
 REVIEWED BY: MRG DATE: _____
 PROJECT NO.: 0784-0001
 SCALE: 1"=50'

alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

3/3

N:\proj\784-001\dwg\survey\07330004\EXB.B.dwg - SHEET: 8x11 Feb 04, 2005 - 11:43am mem

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507304



\$36.00

04/12/2005 09:56:11 AM

DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

SANITARY SEWER EASEMENT

NORTHWEST TITLE COMPANY

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., herein called Grantors, 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 sanitary sewer across the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

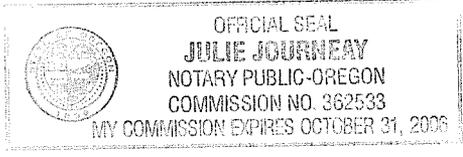
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor hereby release 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, 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.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 16th day of FEBRUARY, 2005.



The Greens At Springbrook L.L.C.
Oakridge Estates Development Corporation, Managing Member

Signature:
Jeffery D. Smith, President
4386 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 16th day of February, 2005, by Jeffery D. Smith, President of Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

Notary Public for Oregon
My Commission expires: October 31, 2006

CITY OF NEWBERG
ACCEPTED

APPROVED AS TO FORM

James H. Bennett, City Recorder
Dated: _____

Terrence D. Mahr, City Attorney
Dated: 3/22/05



EXHIBIT "A"

OCTOBER 12, 2004

LEGAL DESCRIPTION
SANITARY SEWER EASEMENT
THE GREENS AT SPRINGBROOK

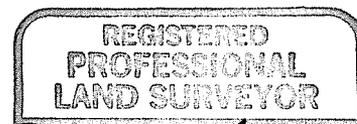
JOB NO. 0784-0001

A SANITARY SEWER EASEMENT, 15.00 FEET WIDE, OVER AND UNDER LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 21 AND THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF PARCEL 3 OF PARTITION PLAT NO. 2003-32 THAT BEARS SOUTH 89°20'12" EAST, 593.97 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL 3; THENCE ALONG SAID SOUTH LINE, SOUTH 89°20'12" EAST, 15.00 FEET; THENCE LEAVING SAID LINE, SOUTH 0°39'48" WEST, 47.72 FEET; THENCE SOUTH 35°03'33" EAST, 115.22 FEET; THENCE SOUTH 0°00'00" EAST, 174.21 FEET; THENCE SOUTH 89°10'00" EAST, 162.72 FEET MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE GREENS AVENUE AND A 166.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE, (THE RADIUS POINT BEARS SOUTH 81°22'48" WEST); THENCE ALONG SAID RIGHT-OF-WAY AND CURVE, CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 5°12'59", 15.11 FEET, (THE CHORD BEARS SOUTH 6°00'43" EAST, 15.11 FEET); THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 89°10'00" WEST, 179.30 FEET; THENCE NORTH 0°00'00" WEST, 184.26 FEET; THENCE NORTH 35°03'33" WEST, 115.31 FEET; THENCE NORTH 0°39'48" EAST, 52.56 FEET TO THE POINT OF BEGINNING.

CONTAINS APPROXIMATELY 7,736 SQUARE FEET.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.



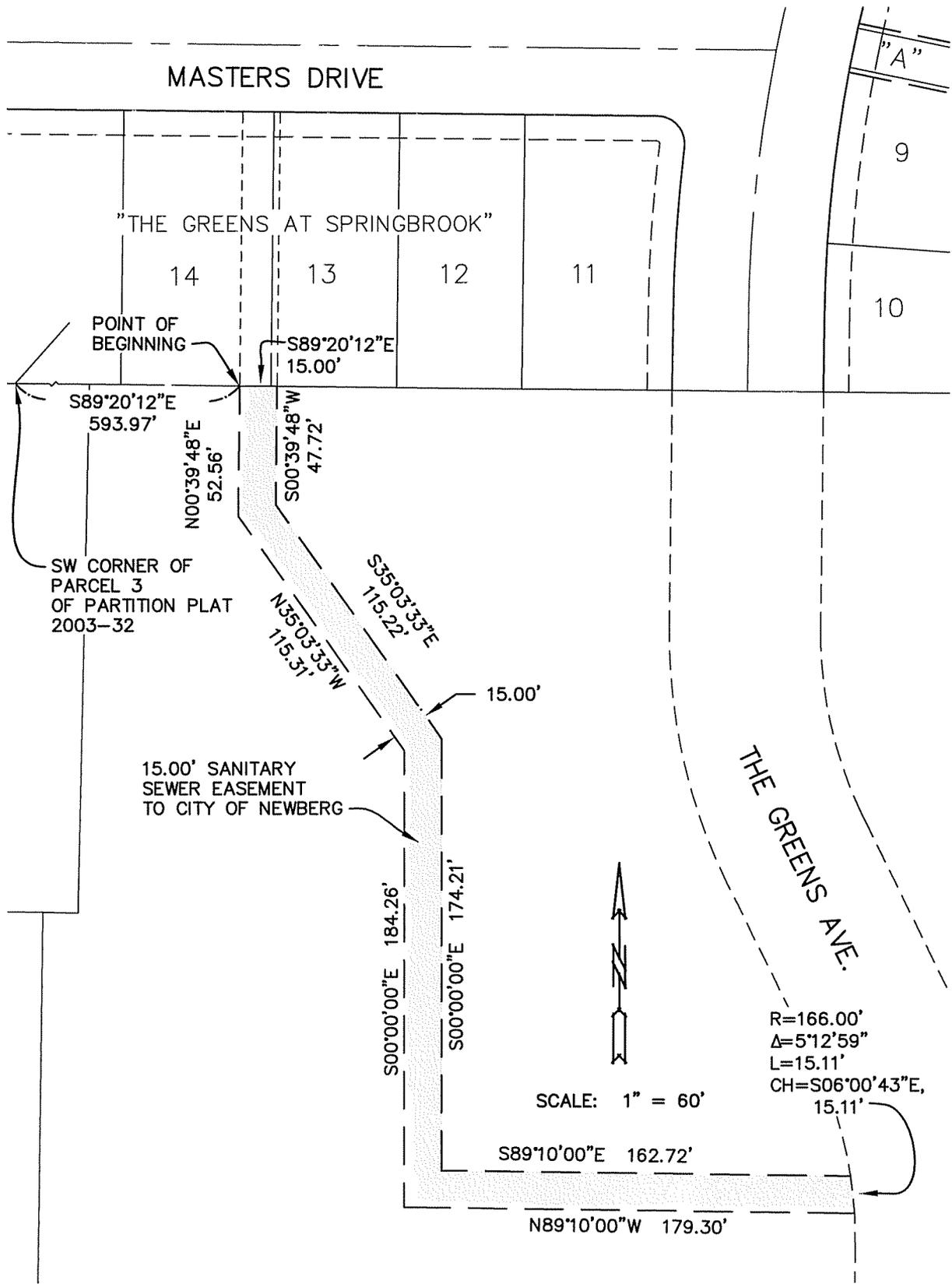
Michael R. Gates



Valid Until 6/30/05

N:\proj\784-001\Survey\SSE TO NEWBERG.doc

N:\pro\784-001\dwg\survey\07330004\EXB5.dwg - SHEET: 8x11 Feb 04, 2005 - 11:46am mem



DRAWN BY: MEM DATE: 10/12/04
 REVIEWED BY: MRG DATE: _____
 PROJECT NO.: 0784-0001
 SCALE: 1"=60'
EXHIBIT "B"

alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507305



\$36.00

00196273200500073050030031

04/12/2005 09:56:11 AM

DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

EMERGENCY VEHICLE ACCESS EASEMENT

NORTHWEST TITLE COMPANY

In consideration of the sum of \$0 and other valuable consideration, The Greens At Springbrook L.L.C., herein called Grantors, 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 an emergency vehicle access across the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

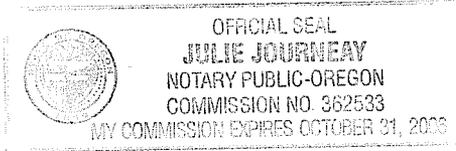
TO HAVE AND TO HOLD said easement to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantor hereby release 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, 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.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 16th day of February, 2005.



~~The Greens At Springbrook L.L.C.~~
~~Oakridge Estates Development Corporation, Managing Member~~

Signature: [Signature]
Jeffery D. Smith, President
4386 SW Macadam Avenue
Portland, OR 97239

STATE OF Oregon)
County of Multnomah) s.s.

This instrument was acknowledged before me this 16th day of February, 2005, by Jeffery D. Smith, President of Oakridge Estates Development Corporation, managing member of The Greens At Springbrook L.L.C.

Before me: [Signature]
Notary Public for Oregon
My Commission expires: October 31, 2006

CITY OF NEWBERG
ACCEPTED
[Signature]
James H. Bennett, City Recorder
Dated: 3/23/05

APPROVED AS TO FORM
[Signature]
Terrence D. Mahf, City Attorney
Dated: 3/22/05



EXHIBIT "A"

FEBRUARY 9, 2005

LEGAL DESCRIPTION
EMERGENCY ACCESS EASEMENT
THE GREENS AVENUE
THE GREENS AT SPRINGBROOK

JOB NO. 0784-0001

A RIGHT-OF-WAY, 54.00 FEET WIDE, SITUATE THE SEBASTIAN BRUTSCHER D.L.C. #51 BEING WITHIN THE SOUTHWEST QUARTER OF SECTION 15, AND THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF NEWBERG, YAMHILL COUNTY, OREGON, AND BEING A PORTION OF PARCEL 3 OF PARTITION PLAT NO. 2003-32, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

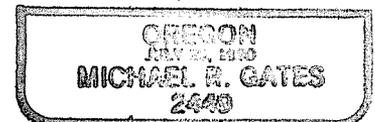
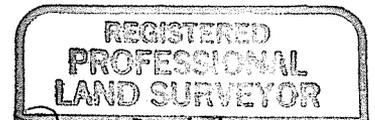
A RIGHT-OF-WAY FOR PUBLIC ROADWAY AND UTILITIES PURPOSES, 27.00 FOOT EACH SIDE, AT RIGHT-ANGLE-MEASURE, OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT POINT ON THE EAST LINE OF SAID PARCEL 3 WHICH BEARS SOUTH 0°49'56" WEST, 164.00 FEET FROM THE NORTHEAST CORNER THEREOF, BEING A POINT ON A 375.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE (THE RADIUS POINT BEARS SOUTH 5°19'44" EAST); THENCE ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 95°00'15", 621.80 FEET, (THE CHORD BEARS SOUTH 37°10'09" WEST, 552.98 FEET) TO A POINT OF REVERSE CURVATURE WITH A 2625.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 9°39'56", 442.82 FEET, (THE CHORD BEARS SOUTH 5°30'01" EAST, 442.30 FEET); THENCE SOUTH 0°40'03" EAST, 257.83 FEET; THENCE ALONG A 747.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 54°50'07", 714.92 FEET, (THE CHORD BEARS SOUTH 26°45'01" WEST, 687.95 FEET); THENCE SOUTH 54°10'04" WEST, 84.30 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF THE PLAT OF "THE GREENS AT SPRINGBROOK" AT THE CENTERLINE OF "THE GREENS AVENUE" AND THE ENDING POINT OF THIS CENTERLINE.

THE BOUNDARIES OF THIS RIGHT-OF-WAY EXTEND OR CONTRACT TO TERMINATE AT THE ADJOINING PROPERTY LINES.

CONTAINS APPROXIMATELY 114,571 SQUARE FEET OR 2.63 ACRES.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.

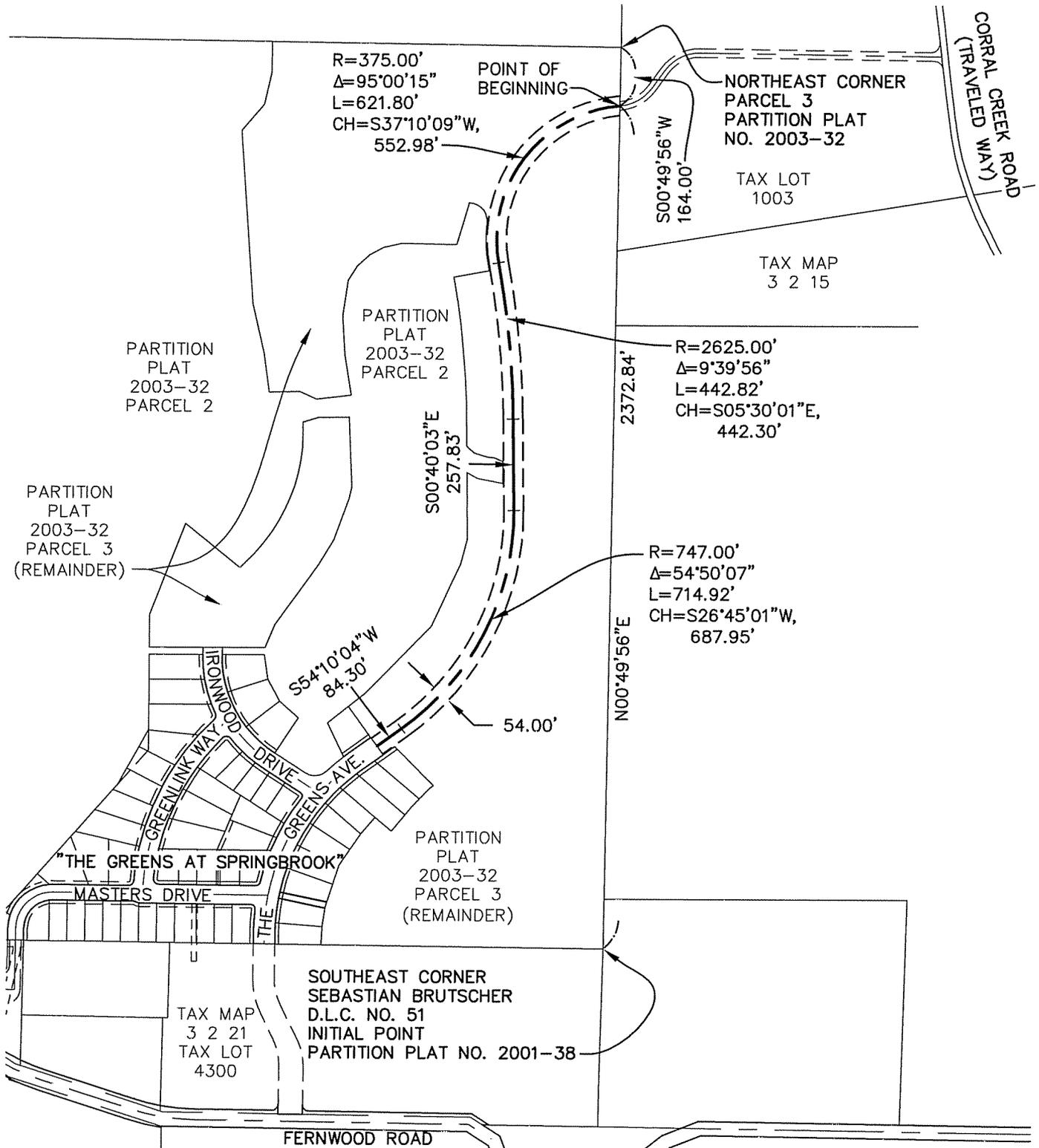


N:\proj\784-001\Survey\The Greens Ave - Emergency Access 54.doc

Valid Until 6/30/05

EXHIBIT "B"

54 FOOT EMERGENCY ACCESS EASEMENT



N:\proj\1784-001\dwg\survey\07330004\EXB10-54.dwg - SHEET: 8x11 Feb 09, 2005 - 10:19am mem

DRAWN BY: MEM DATE: 02/09/05
 REVIEWED BY: MRG DATE: _____
 PROJECT NO.: 0784-0001
 SCALE: 1"=400'

alpha

COMMUNITY DEVELOPMENT

OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

3/2

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

OFFICIAL YAMHILL COUNTY RECORDS
JAN COLEMAN, COUNTY CLERK

200507306



\$36.00

04/12/2005 09:56:11 AM

DMR-EDMR Cnt=1 Stn=2 ANITA
\$15.00 \$10.00 \$11.00

**PUBLIC PEDESTRIAN, BICYCLE AND
EMERGENCY VEHICLE ACCESS EASEMENT**

NORTHWEST TITLE COMPANY

In consideration of the sum of \$0 and other valuable consideration, Werth Family L.L.C., herein called Grantor, does hereby grant to the City of Newberg, a municipal corporation, hereinafter called Grantee, an easement for public pedestrian, bicycle and emergency vehicle access over the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

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 hereby releases 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, 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, maintenance of, and access to utilities herein above authorized.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 22 day of February, 2005.

Werth Family L.L.C.

Signature: Howard D. Werth
Howard D. Werth, Operating Manager
Werth Family L.L.C.

Signature: Jo Anne Yates
Jo Anne Yates, Operating Manager
Werth Family L.L.C.

STATE OF Oregon)
County of Yamhill) s.s.

This instrument was acknowledged before me this 22 day of February, 2005, by Howard D. Werth and Jo Anne Yates, Operating Managers of Werth Family L.L.C.

Before me: Janet L Winder
Notary Public for Oregon
My Commission expires: 5/6/05



CITY OF NEWBERG
ACCEPTED
James H. Bennett
James H. Bennett, City Recorder
Dated: 3/23/05

APPROVED AS TO FORM
Terrence D. Mahr
Terrence D. Mahr, City Attorney
Dated: 3/22/05



COMMUNITY DEVELOPMENT

EXHIBIT "A"

FEBRUARY 9, 2005

LEGAL DESCRIPTION
PUBLIC PEDESTRIAN, BICYCLE, AND
EMERGENCY VEHICLE ACCESS EASEMENT
CORRAL CREEK ROAD ACCESS
THE GREENS AT SPRINGBROOK

JOB NO. 0784-0001

A PUBLIC PEDESTRIAN, BICYCLE, AND EMERGENCY VEHICLE ACCESS EASEMENT, 60.00 FEET WIDE, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND EXTENDING FROM PARCEL 3 OF PARTITION PLAT 2003-32 TO CORRAL CREEK ROAD, IS A PORTION OF THAT PARCEL OF LAND DESCRIBED IN DEED DOCUMENT NO. 200319523, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT, 30.00 FOOT EACH SIDE, AT RIGHT-ANGLE-MEASURE, OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT POINT ON THE EAST LINE OF SAID PARCEL 3 WHICH BEARS SOUTH 0°49'56" WEST, 164.00 FEET FROM THE NORTHEAST CORNER THEREOF, BEING A POINT ON A 375.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE (THE RADIUS POINT BEARS SOUTH 5°19'44" EAST); THENCE ALONG SAID CURVE, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 0°26'23", 2.88 FEET (THE CHORD BEARS NORTH 48°53'28" EAST, 2.88 FEET) TO POINT OF REVERSE CURVATURE WITH A 120.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 49°16'43", 103.21 FEET (THE CHORD BEARS NORTH 60°28'18" EAST, 100.06 FEET); THENCE NORTH 35°49'56" EAST, 56.29 FEET; THENCE ALONG A 120.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 54°56'50", 115.08 FEET (THE CHORD BEARS NORTH 63°18'21" EAST, 110.72 FEET); THENCE SOUTH 89°13'14" EAST, 664.04 FEET, MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF CORRAL CREEK ROAD AND THE ENDING POINT OF THIS CENTERLINE.

THE BOUNDARIES OF THIS RIGHT-OF-WAY EXTEND OR CONTRACT TO TERMINATE AT THE EASTERLY BOUNDARY LINE OF SAID PARCEL 3 AND THE WESTERLY RIGHT-OF-WAY OF CORRAL CREEK ROAD. THE TERMINATION OF THIS RIGHT-OF-WAY AT SAID CORRAL CREEK ROAD IS THROUGH 25.00 FOOT RADIUS CURVES, TANGENT TO THIS RIGHT-OF-WAY AND THAT OF CORRAL CREEK ROAD, ONE CURVE CONCAVE NORTHWESTERLY FOR THE NORTHERLY RIGHT-OF-WAY LINE AND ONE CURVE CONCAVE SOUTHWESTERLY FOR THE SOUTHERLY RIGHT-OF-WAY LINE.

CONTAINS APPROXIMATELY 56,769 SQUARE FEET OR 1.30 ACRES.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS PARTITION PLAT 2003-32.

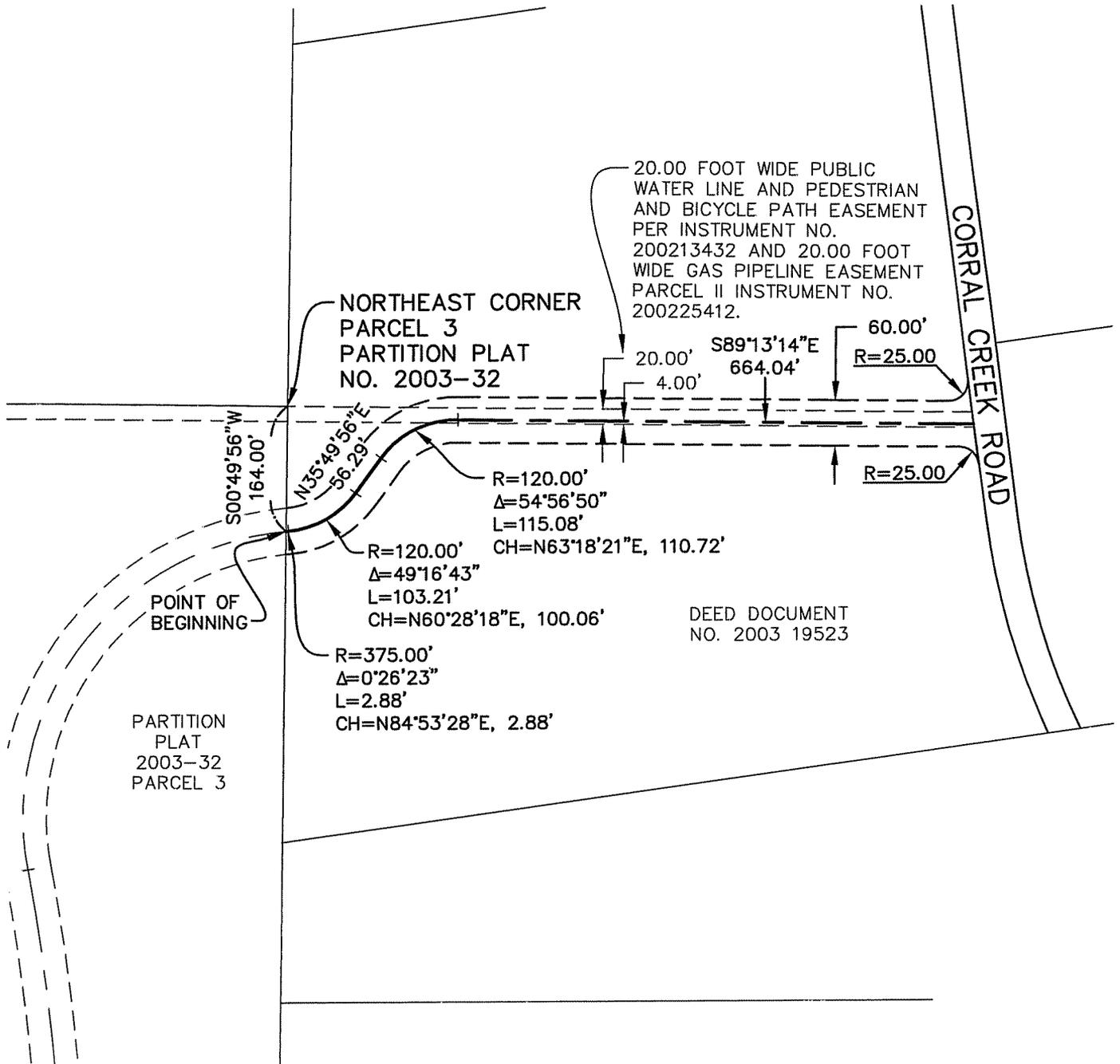
N:\proj\784-001\Survey\The Greens Ave - North Access 60 Easement.doc

Plaza West – Suite 230 – 9600 SW Oak – Portland – Oregon 97223
Office 503 452-8003 – Fax 503 452-8043
www.alphacommunity.com



EXHIBIT "B"

60 FOOT PUBLIC PEDESTRIAN, BICYCLE, AND EMERGENCY ACCESS EASEMENT



N:\proj\784-001\dwg\survey\07330004\EXB16-60.dwg - SHEET: 8x11 Feb 09, 2005 - 11:01am mem

DRAWN BY: MEM DATE: 02/09/05
 REVIEWED BY: MRG DATE: _____
 PROJECT NO.: 0784-0001
 SCALE: 1"=200'

alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223

AFTER RECORDING RETURN TO:
City of Newberg - Community Development
PO Box 970 - 414 E. First Street
Newberg, OR 97132

PUBLIC RIGHT-OF-WAY DEED

CITY OF NEWBERG
CITY RECORDER INDEX NO. 2136

In consideration of the sum of \$0 and other valuable consideration, Werth Family L.L.C., herein called Grantors, does hereby dedicate, grant and convey to the City of Newberg, a municipal corporation, hereinafter called Grantee, for public street and utilities purposes, the following described real property:

SEE ATTACHED EXHIBIT "A" and depicted on Exhibit "B".

TO HAVE AND TO HOLD said right-of-way to said Grantee, for the use and purpose herein above described.

It is further understood that:

1. The Grantors hereby release 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 Grantors, 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, maintenance of, and access to utilities herein above authorized.

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.

IN WITNESS WHEREOF, the parties have executed this document on this 22 day of February, 2005.

Werth Family L.L.C.

Signature: Howard D. Werth
Howard D. Werth, Operating Manager
Werth Family L.L.C.

Signature: JoAnne Yates
JoAnne Yates, Operating Manager
Werth Family L.L.C.

STATE OF Oregon)
County of Washouli) s.s.

This instrument was acknowledged before me this 22 day of February, 2005, by Howard D. Werth and Jo Anne Yates, Operating Managers of Werth Family L.L.C.

Before me:

Janet L Winder

Notary Public for Oregon
My Commission expires: 5/6/05



CITY OF NEWBERG
ACCEPTED

APPROVED AS TO FORM

James H. Bennett, City Recorder
Dated: _____

Terrence D. Mahr, City Attorney
Dated: _____



EXHIBIT "A"

FEBRUARY 9, 2005

LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
CORRAL CREEK ROAD ACCESS
THE GREENS AT SPRINGBROOK

JOB NO. 0784-0001

A RIGHT-OF-WAY, 60.00 FEET WIDE, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND EXTENDING FROM PARCEL 3 OF PARTITION PLAT 2003-32 TO CORRAL CREEK ROAD, IS A PORTION OF THAT PARCEL OF LAND DESCRIBED IN DEED DOCUMENT NO. 200319523, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A RIGHT-OF-WAY, 30.00 FOOT EACH SIDE, AT RIGHT-ANGLE-MEASURE, OF THE FOLLOWING DESCRIBED CENTERLINE:

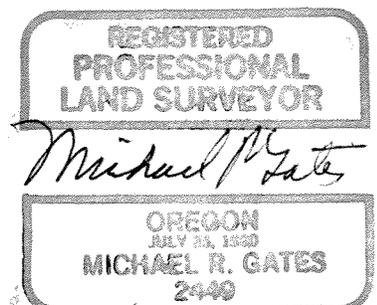
BEGINNING AT POINT ON THE EAST LINE OF SAID PARCEL 3 WHICH BEARS SOUTH 0°49'56" WEST, 164.00 FEET FROM THE NORTHEAST CORNER THEREOF, BEING A POINT ON A 375.00 FOOT RADIUS CURVE, NON-TANGENT TO THE PREVIOUS COURSE (THE RADIUS POINT BEARS SOUTH 5°19'44" EAST); THENCE ALONG SAID CURVE, CONCAVE SOUTHERLY, THROUGH A CENTRAL ANGLE OF 0°26'23", 2.88 FEET (THE CHORD BEARS NORTH 48°53'28" EAST, 2.88 FEET) TO POINT OF REVERSE CURVATURE WITH A 120.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 49°16'43", 103.21 FEET (THE CHORD BEARS NORTH 60°28'18" EAST, 100.06 FEET); THENCE NORTH 35°49'56" EAST, 56.29 FEET; THENCE ALONG A 120.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 54°56'50", 115.08 FEET (THE CHORD BEARS NORTH 63°18'21" EAST, 110.72 FEET); THENCE SOUTH 89°13'14" EAST, 664.04 FEET, MORE OR LESS TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF CORRAL CREEK ROAD AND THE ENDING POINT OF THIS CENTERLINE.

THE BOUNDARIES OF THIS RIGHT-OF-WAY EXTEND OR CONTRACT TO TERMINATE AT THE EASTERLY BOUNDARY LINE OF SAID PARCEL 3 AND THE WESTERLY RIGHT-OF-WAY OF CORRAL CREEK ROAD. THE TERMINATION OF THIS RIGHT-OF-WAY AT SAID CORRAL CREEK ROAD IS THROUGH 25.00 FOOT RADIUS CURVES, TANGENT TO THIS RIGHT-OF-WAY AND THAT OF CORRAL CREEK ROAD, ONE CURVE CONCAVE NORTHWESTERLY FOR THE NORTHERLY RIGHT-OF-WAY LINE AND ONE CURVE CONCAVE SOUTHWESTERLY FOR THE SOUTHERLY RIGHT-OF-WAY LINE.

CONTAINS APPROXIMATELY 56,769 SQUARE FEET OR 1.30 ACRES.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS
PARTITION PLAT 2003-32.

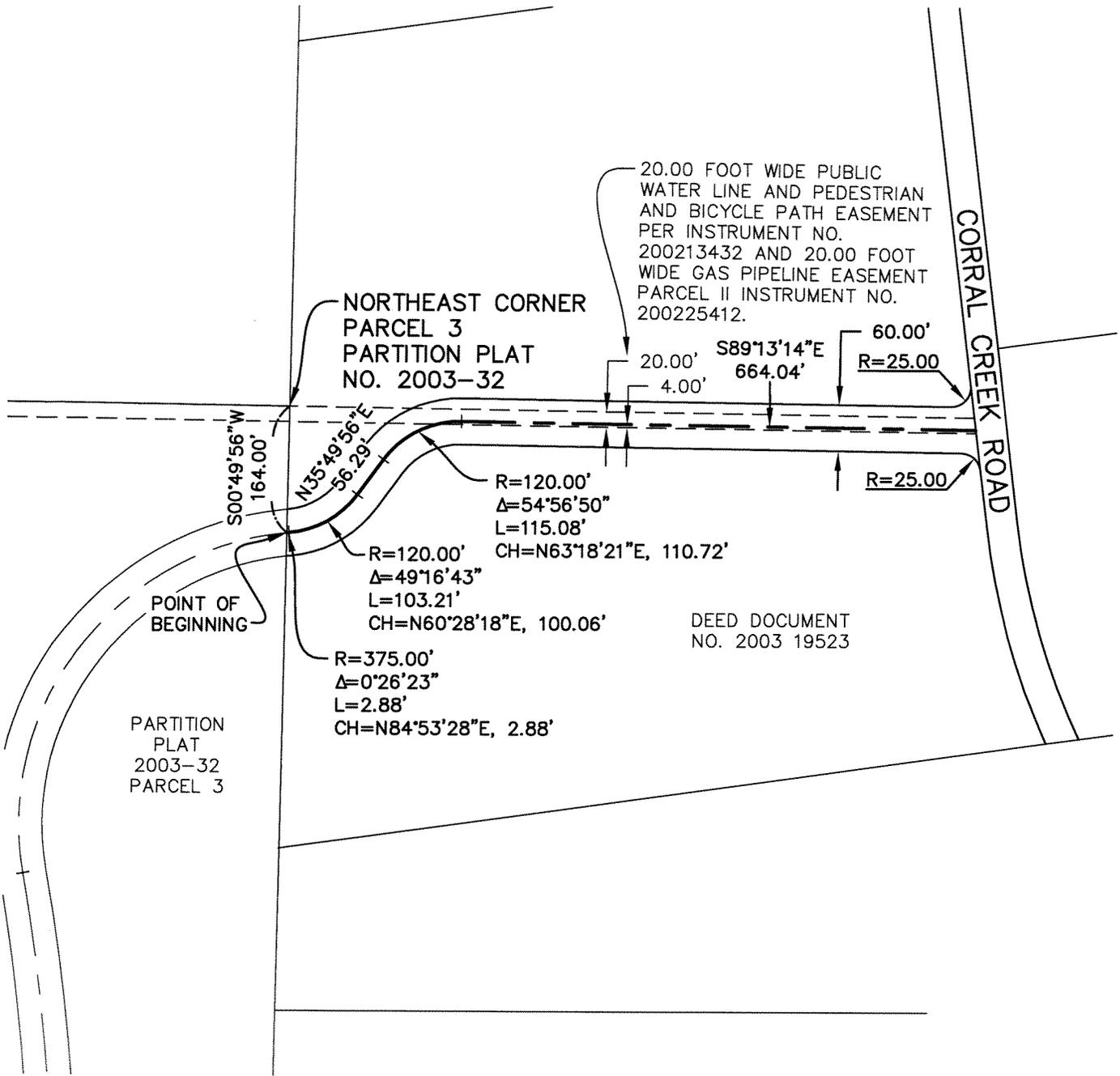
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Valid Until 6/30/05

EXHIBIT "B"

60 FOOT RIGHT-OF-WAY DEDICATION



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DRAWN BY: MEM DATE: 02/09/05
 REVIEWED BY: MRG DATE: _____
 PROJECT NO.: 0784-0001
 SCALE: 1"=200'

alpha
 COMMUNITY DEVELOPMENT
 OFFICE 503-452-8003 FAX 503-452-8043
 PLAZA WEST SUITE 230 9600 SW OAK PORTLAND, OR 97223



\$36.00

200607789

4:52:51 PM 4/07/2006

DMR-RELDNR Cnt=1 Stn=3 KENTV
\$15.00 \$10.00 \$11.00

AFTER RECORDING RETURN TO:

City of Newberg - Planning and Building Department
PO Box 970, 414 East First Street
Newberg, OR 97132

RELEASE OF EASEMENT

The City of Newberg, a municipal corporation, in consideration of \$0.00 does hereby release all rights of access and interests in the following described Sanitary Sewer Easement to the property owner, The Greens at Springbrook, LLC, being the owner of the land.

A portion of Sanitary Sewer Easement recorded as Instrument No. 200507304
See Attached Exhibit "A" & Exhibit "B."

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 [BALLOT MEASURE 37 (2004)]. 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 APPROVED USES, 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 CHAPTER 1, OREGON LAWS 2005 [BALLOT MEASURE 37 (2004)].

IN WITNESS WHEREOF, the parties have executed this document on this 2nd day of March, 2006.

STATE OF OREGON
County of YAMHILL

APPROVED AS TO FORM & CONTENT:

James H. Bennett
James H. Bennett, City Recorder
City of Newberg
By Authority of Resolution No. 2006-2621

Terrence D. Mahr
By: DMW Date: 03/02/06
Terrence D. Mahr, City Attorney
City of Newberg

This instrument was acknowledged before me this 2nd day of March, 2006, by James H. Bennett.

Norma I. Alley
Notary Public for Oregon
My Commission expires: March 23, 2008

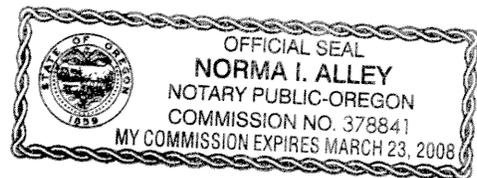




EXHIBIT "A"

NOVEMBER 17, 2005

LEGAL DESCRIPTION
RELEASE OF EASEMENT
THE GREENS AT SPRINGBROOK NO. 3

JOB NO. 0784-0005

A PORTION OF A SANITARY SEWER EASEMENT, SITUATE IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT THAT BEARS SOUTH 89°20'12" EAST, 2.50 FEET, AND SOUTH 00°39'48" WEST, 47.72 FEET FROM THE SOUTHWEST CORNER OF LOT 13 OF THE PLAT OF "THE GREENS AT SPRINGBROOK", YAMHILL COUNTY BOOK OF PLATS; THENCE SOUTH 35°03'33" EAST, 88.85 FEET TO A POINT ON A 68.00 FOOT RADIUS CURVE, (THE RADIUS POINT BEARS SOUTH 35°40'02" EAST); THENCE ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 0°26'54", 0.53 OF A FOOT, (THE CHORD BEARS SOUTH 54°06'31" WEST, 0.53 OF A FOOT); THENCE NORTH 44°21'13" WEST, 72.73 FEET; THENCE NORTH 00°39'48" EAST, 21.03 FEET TO THE POINT OF BEGINNING.

CONTAINS APPROXIMATELY 565 SQUARE FEET.

THE BASIS OF BEARINGS IS PER THE PLAT OF "THE GREENS AT SPRINGBROOK", YAMHILL COUNTY BOOK OF PLATS.



Valid until 6/30/07

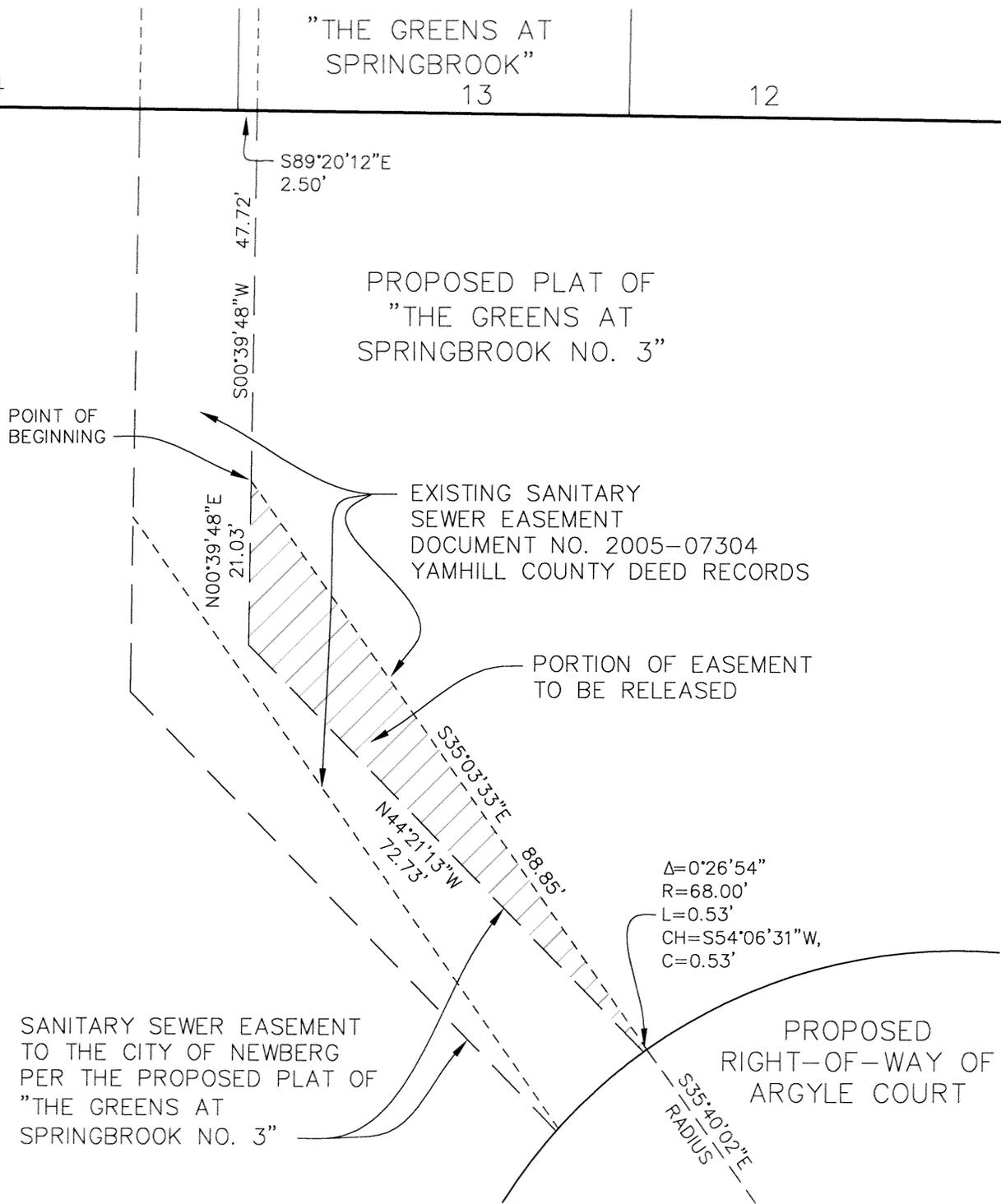
EXHIBIT "B"

14

"THE GREENS AT
SPRINGBROOK"

13

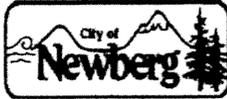
12



N:\proj\784-005\dwg\survey\784005EX1.dwg - SHEET: 8x11 Jan 03, 2006 - 2:59pm mem

DRAWN BY: MEM DATE: 11-17-05
 REVIEWED BY: MRG DATE: 11-18-05
 PROJECT NO.: 784-005
 SCALE: 1" = 20'





RESOLUTION No. 2006-2621

**A RESOLUTION AUTHORIZING THE CITY RECORDER TO SIGN A
RELEASE OF EASEMENT RELATING TO A SEWER EASEMENT AT
THE GREENS AT SPRINGBROOK SUBDIVISION**

RECITALS:

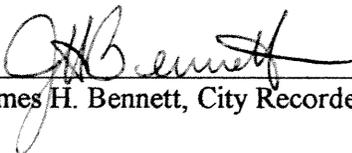
1. Greens at Springbrook, LLC (the owner) is in the final subdivision plat phase for tax lot 3221-4300. This lot is part of The Greens at Springbrook Subdivision No. 3, north of Fernwood Road. Tax lot 3221-4300 has a sewer easement dedicated to the public that was recorded in conjunction with the Greens at Springbrook Subdivision [No.1].
2. The sewer easement on Tax Lot 3221-4300 reflects the planned location for a public sewer line. Subsequently, actual placement of the public sewer line has shifted slightly. The applicant requested on January 23, 2006 that the City release this portion of the easement because it is no longer applicable. The additional easement area created by the shift will be dedicated as part of The Greens at Springbrook No. 3 Subdivision plat.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The Recorder of the City of Newberg is hereby authorized to sign a release of easement for the sewer easement as described in Exhibit "A" and shown in Exhibit "B" and "C".

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: February 22, 2006.

ADOPTED by the City Council of the City of Newberg, Oregon, this 21st day of February, 2006.



James H. Bennett, City Recorder

ATTEST by the Mayor this 23rd day of February, 2006.



Bob Stewart, Mayor

LEGISLATIVE HISTORY

By and through _____ Committee at ___ / ___ /200x meeting. Or, X None.

EXHIBIT "A"

NOVEMBER 17, 2005

LEGAL DESCRIPTION
RELEASE OF EASEMENT
THE GREENS AT SPRINGBROOK NO. 3

JOB NO. 0784-0005

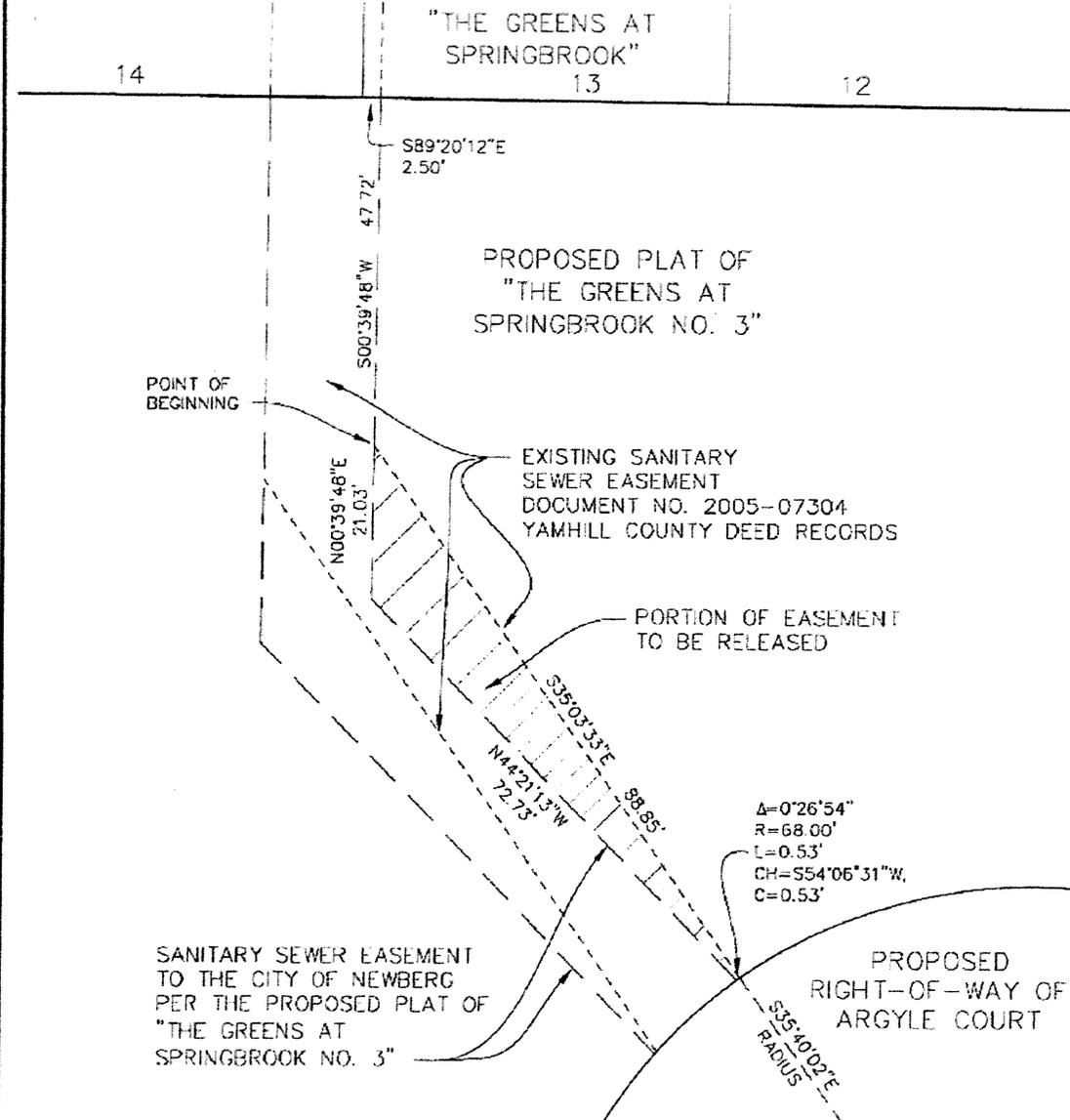
A PORTION OF A SANITARY SEWER EASEMENT, SITUATE IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, YAMHILL COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT THAT BEARS SOUTH 89°20'12" EAST, 2.50 FEET, AND SOUTH 00°39'48" WEST, 47.72 FEET FROM THE SOUTHWEST CORNER OF LOT 13 OF THE PLAT OF "THE GREENS AT SPRINGBROOK", YAMHILL COUNTY BOOK OF PLATS; THENCE SOUTH 35°03'33" EAST, 88.85 FEET TO A POINT ON A 68.00 FOOT RADIUS CURVE, (THE RADIUS POINT BEARS SOUTH 35°40'02" EAST); THENCE ALONG SAID CURVE, CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 0°26'54", 0.53 OF A FOOT, (THE CHORD BEARS SOUTH 54°06'31" WEST, 0.53 OF A FOOT); THENCE NORTH 44°21'13" WEST, 72.73 FEET; THENCE NORTH 00°39'48" EAST, 21.03 FEET TO THE POINT OF BEGINNING.

CONTAINS APPROXIMATELY 565 SQUARE FEET.

THE BASIS OF BEARINGS IS PER THE PLAT OF "THE GREENS AT SPRINGBROOK", YAMHILL COUNTY BOOK OF PLATS.

EXHIBIT "B"



N:\proj\784-005\dwg\survey\784005EX1.dwg - SHEET: 8x11 Jan 03, 2006 - 2:59pm mem

DRAWN BY: MEM DATE: 11-17-05
 REVIEWED BY: MRG DATE: 11-18-05
 PROJECT NO.: 784-005
 SCALE: 1" = 20'



Exhibit "C"
Location Map

