



Planning Department
 231 NE Fifth Street ◦ McMinnville, OR 97128
 (503) 434-7311 Office ◦ (503) 474-4955 Fax
www.mcminnvilleoregon.gov

509-21-000282-Plan

Office Use Only:	
File No.	MP 2-21
Date Received	7-12-21
Fee	\$1565. ⁰⁰
Receipt No.	
Received by	SP

Partition Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name Wilco Farmers Phone 503-845-6122

Contact Name Jeff Piccolo Phone 253-209-8596
(If different than above)

Address PO Box 258

City, State, Zip Mt. Angel, OR 97362

Contact Email jeff@pointresourcesllc.com

Property Owner Information

Property Owner Name Wilco Farmers Phone 503-845-6122
(If different than above)

Contact Name Jeff Piccolo Phone 253-209-8596

Address PO Box 258

City, State, Zip Mt. Angel, OR 97362

Contact Email jeff@pointresourcesllc.com

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 2755 NE Highway 99W, McMinnville, OR 97128

Assessor Map No. R4 410C - 00 - 100 Total Site Area 9 acres

Subdivision _____ Block _____ Lot 00100

Comprehensive Plan Designation Commercial Zoning Designation C-3

General Description of Subject Property

- 1. Proposed Parcel Size: #1 5.0 acres #2 4.0 acres #3 _____
- 2. Current Land Use: Commercial - retail
- 3. Purpose of the partition request: Owner desires to sell the most northern four (4) acres of the existing nine (9) acre property. As part of the proposed sale, the owner will provide recorded access to the new four acre parcel via the existing driveway on NE Grandhaven Dr.
- 4. Topography: The four acre parcel is relatively flat and generally slopes south to north and east to west. One foot Contour lines are shown on the included Tentative Partion Map. Existing storm sewer catch basin also shown on Tentative Partition Map.
- 5. Method of Sewage Disposal: Existing septic tank for solids with liquids connected to sanitary sewer. (Note: If septic field, this application must be accompanied by a letter of approval from the County Sanitarian indicating their approval. The Sanitarian can be contacted through the Yamhill County Planning Department.)
- 6. Water Supply: The four acres is supplied by municipal water as shown on the Tentative Partition map.

In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating all required information as listed in the information sheet and in Section 17.53.060 (Submission of Tentative Partition Plan) of the Zoning Ordinance, or, if applicable, Section 17.53.080 (Submission of Future Development Plan).
- A Title Report or Subdivision Guarantee prepared within 60 (sixty) days of the application date.
- Payment of the applicable review fee, which can be found on the Planning Department web page.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Jeff Piccolo
Applicant's Signature

7/11/21
Date

Samuel R Bugarsky
Samuel R Bugarsky (Jul 12, 2021 09:32 PDT)
Property Owner's Signature

7/11/21
Date

Chuck Darnell

From: Jeff Piccolo <jeff@pointresourcesllc.com>
Sent: Monday, August 16, 2021 2:44 AM
To: Chuck Darnell
Cc: Sarah Sullivan
Subject: RE: Wilco Partition Application (MP 2-21)

Follow Up Flag: Follow up
Flag Status: Completed

This message originated outside of the City of McMinnville.

Chuck,

As a follow up to our conversation on 8/6/21, please see the below Findings to MMC 17.53.100 as requested to complete Wilco's pending Partition Application. I believe you said that you would accept an email response that you would then integrate into the Partition application. I hope the below content meets your needs but please let me know if you need a different format.

Although I am out of the office this week, this Partition Application is time sensitive for Wilco so please let me know if you need something else to

17.53.100

C. An easement providing access to property and which is created to allow the partitioning of land for the purpose of lease, transfer of ownership, or building development, whether immediate or future, shall be in the form of a street in a subdivision, except that a private easement to be established by deed without full compliance with these regulations may be approved by the planning director under the following conditions:

- 1. If it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration that is large enough to warrant partitioning into two more new parcels, i.e., a total of not more than three parcels including the original may then exist, that may be provided with access and said access shall be not less than 15 feet in width and shall have a hard surfaced drive of 10 feet width minimum;*

Findings:

The applicant proposes to partition the existing Parcel 1 consisting of approximately 9 acres, into two (2) parcels labeled Proposed Parcel 3 consisting of approximately (4) four acres and Proposed Parcel 4 consisting of approximately (5) acres. The applicant is the owner Parcel 1 and is under contract to sell the Proposed Parcel 3 and retain ownership of Proposed Parcel 4. The proposed parcels are shown on the enclosed Tentative Partition Map.

The Proposed Parcel 3 is located approximately 543' or 181 yards north from Hwy 99 with the Wilco retail store and parking field on Proposed Parcel 4 separating Parcel 3 from Hwy 99. However, there is an existing driveway located on NE Grandhaven Street at the Northwest corner Proposed Parcel 4 immediately adjacent to Proposed Parcel 3. This existing Grandhaven driveway is fully paved and is approximately (40) forty feet wide.

The applicant has proposed a (40) forty foot wide by (100) one hundred foot deep easement located at the Grandhaven driveway to provide access to Proposed Parcel 3. The proposed (40) forty foot wide easement is well above the minimum width of (15) fifteen feet required under Section 17.53.100(C)(1). The proposed easement will utilize existing improvements and not negatively impact traffic flow on NE Grandhaven Street. Given the existing driveway

improvements and proximity to Proposed Parcel 3, the proposed 40' x 100' easement is the only reasonable method to provide access to the Proposed Parcel 3 at the rear portion of the unusually deep Parcel 1

2. The planning director shall require the applicant to provide for the improvement and maintenance of said access way, and to file an easement for said access way which includes the right to passage and the installation of utilities. Such requirements shall be submitted to and approved by the city Attorney.

The proposed easement area is over an existing improved driveway as shown on the enclosed Tentative Partition map. The applicant will prepare an easement for said access, subject to approval by the city Attorney, and file as a closing condition of the Proposed Parcel 3 pending sale.

3. Access easements shall be the preferred form of providing access to the rear lots created by partition if the alternative is the creation of a flag lot.

By utilizing existing driveway improvements that exceed the minimum width standard and are also positioned in immediate proximity to the Proposed Parcel 3 to be served by the access, the proposed easement meets the requirements of MMC Section 17.53.100 (C) by providing the only reasonable method by which the rear portion of the unusually deep lot being partitioned may be accessed.

Thank you!

Jeff Piccolo | Point Resources LLC | 253-209-8596 | Jeff@pointresourcesllc.com

From: Chuck Darnell [mailto:Charles.Darnell@mcminnvilleoregon.gov]

Sent: Friday, August 6, 2021 11:54 AM

To: Jeff Piccolo <jeff@pointresourcesllc.com>

Cc: Sarah Sullivan <Sarah.Sullivan@mcminnvilleoregon.gov>

Subject: Wilco Partition Application (MP 2-21)

Hi Jeff,

I am writing to follow up on the Tentative Partition application that you submitted to the McMinnville Planning Department for the property at 2755 NE Highway 99W here in McMinnville, OR. The subject property is more specifically identified as Tax Lot 100, Section 10C, R. 4 S., T. 4 W., W.M.

The Tentative Partition application has been officially filed with the Planning Department as docket number MP 2-21.

The application has been reviewed for completeness, and based on the materials provided, has been deemed incomplete. Attached you will find the formal incomplete letter, which describes the reasoning for the application being deemed incomplete and includes the information that is requested in order to deem the application complete.

Please confirm that you have received this email and the attached letter. If you have any questions about the incomplete items requested, please let me know. I would be happy to discuss them in more detail.

Also, as we discussed on the phone, below is contact information for a staff person in the City's Engineering Department, who could be contacted to discuss the sanitary and septic system specifics and potential required improvements in more detail:

Larry Sherwood
Engineering Services Manager
Desk: (503) 474-7511
Larry.Sherwood@mcminnvilleoregon.gov

Thanks,
Chuck



Chuck Darnell
Senior Planner
231 NE 5th Street
McMinnville, OR 97128

503-434-7330
chuck.darnell@mcminnvilleoregon.gov

*The City of McMinnville, due to budget shortfalls, has implemented an employee furlough program. **Until further notice I will not be working on Fridays.** All of our development services programs (building, code compliance, engineering, and planning) will still be offered Monday – Friday, 8:00 am – 5:00 pm. We will do everything that we can to maintain timely customer service, but due to the reduced work weeks for staff you may experience some delays in our programs. We apologize in advance and appreciate your patience as we work through this situation.*






Wilco McMinnville partition application

Final Audit Report

2021-07-12

Created:	2021-07-12
By:	Jeff Piccolo (jeff@pointresourcesllc.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAZuFrpUFIMA_oDUrowGPTfeOwGndLVf-

"Wilco McMinnville partition application" History

-  Document created by Jeff Piccolo (jeff@pointresourcesllc.com)
2021-07-12 - 3:37:35 AM GMT- IP address: 76.28.226.118
-  Document emailed to Samuel R Bugarsky (sam.bugarsky@wilco.coop) for signature
2021-07-12 - 3:38:30 AM GMT
-  Email viewed by Samuel R Bugarsky (sam.bugarsky@wilco.coop)
2021-07-12 - 3:45:26 AM GMT- IP address: 54.176.163.143
-  Document e-signed by Samuel R Bugarsky (sam.bugarsky@wilco.coop)
Signature Date: 2021-07-12 - 4:32:33 PM GMT - Time Source: server- IP address: 65.182.240.150
-  Agreement completed.
2021-07-12 - 4:32:33 PM GMT



**First American Title Insurance Company
National Commercial Services
200 SW Market Street, Suite 250
Portland, Oregon 97201**

Escrow Officer: **Wayne Wagner**
Phone: **(503)795-7603**
Fax: **(866)678-0591**
E-mail **wwagner@firstam.com**

File No: **NCS-1056935-OR1**

Title Officer: **Jody Matlock**
Phone: **(503)795-7600**
Fax: **(866)678-0591**
E-mail **jmatlock@firstam.com**

File No: **NCS-1056935-OR1**

PRELIMINARY TITLE REPORT

ALTA Owners Standard Coverage	Liability	\$	TBD	Premium	\$	TBD
ALTA Owners Extended Coverage	Liability	\$		Premium	\$	
ALTA Lenders Standard Coverage	Liability	\$		Premium	\$	
ALTA Lenders Extended Coverage	Liability	\$		Premium	\$	
ALTA Leasehold Standard Coverage	Liability	\$		Premium	\$	
ALTA Leasehold Extended Coverage	Liability	\$		Premium	\$	
Endorsements	Liability	\$		Premium	\$	
Govt Service Charge				Cost	\$	20.00
Other					\$	

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit "A" attached hereto.

and as of May 14, 2021 at 8:00 a.m., title to Fee Simple is vested in:

Farmers' Cooperative of Yamhill County, Oregon; and Farmers Cooperative Oil of Yamhill County, an Oregon corporation; and Farmers Cooperative Oil of Yamhill County, a cooperative corporation

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
 6. Water rights, claims to water or title to water, whether or not such rights are a matter of public record.
 7. City liens, if any, of the City of MCMINNVILLE.
- Note: There are no liens as of March 24, 2021. All outstanding utility and user fees are not liens and therefore are excluded from coverage.
8. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
 9. An easement reserved in a deed, including the terms and provisions thereof;

Recorded:	December 11, 1962 in Film Volume 26 Page 991
From:	Farmers' Cooperative Oil of Yamhill County, Oregon, formerly Farmers' Cooperative of Yamhill County, Oregon, an Oregon corporation
To:	State of Oregon, by and through its State Highway Commission

- For: Permanent Easement for slope purposes
10. Easement, including terms and conditions contained therein:
Granted to: General Telephone Company of the Northwest, Inc., a corporation
For: Perpetual Right of Way and Easement
Recorded: October 24, 1972
Recording Information: Film [Volume 91, Page 1449](#)
11. Reservation of utilities in vacated county road and the right to maintain the same as set forth in Board Order No.83-489, a copy of which was recorded January 28, 1985 in Film [Volume 191, Page 1805](#) .
12. Easement, including terms and provisions contained therein:
Recording Information: June 30, 1992, Film [Volume 271, Page 0484](#), Deed and Mortgage Records
In Favor of: City of McMinnville, a Municipal Corporation, in Yamhill County, Oregon
For: Utility Lines
13. Easement, including terms and conditions contained therein:
Granted to: City of McMinnville, a municipal corporation of the State of Oregon, acting by and through its Water & Light Commission
For: Utility Easement
Recorded: March 9, 1995
Recording Information: Instrument No. [199502915](#)
14. Easement, including terms and conditions contained therein:
Granted to: City of McMinnville, a Municipal Corporation of the State of Oregon, acting by and through its Water & Light Commission
For: Right of Way Easement
Recorded: March 2, 2007
Recording Information: Instrument No. [200704821](#)
15. Easement, including terms and conditions contained therein:
Granted to: City of McMinnville, a Municipal Corporation of the State of Oregon, acting by and through its Water & Light Commission
Recorded: July 16, 2007
Recording Information: Instrument No. [200715725](#)
16. Easement, including terms and provisions contained therein:
Recording Information: January 14, 2011, Instrument No. [201100732](#), Deed and Mortgage Records
In Favor of: City of McMinnville, a Municipal Corporation of the State of Oregon, acting by and through its Water & Light Commission
For: Electric Distribution System and a Water Distribution System
17. 10 foot storm drain easement as shown on said Partition Plat [2011-04](#).

18. 10 foot utilities easement as shown on said Partition Plat [2011-04](#).
19. Reciprocal Easement Agreement (Access Easement) Agreement and the terms and conditions thereof:
 Between: Wilco Farmers, an Oregon cooperative corporation
 And: LLJ ARS C-Store Ventures 1, LLC, a Delaware limited liability company
 Recording Information: February 09, 2012, Instrument No. [2012-01611](#), Deed and Mortgage Records
20. Deed of Trust and terms and conditions thereof.
 Grantor/Trustor: Wilco Farmers, an Oregon cooperative corporation, which acquired title as Farmers' Cooperative of Yamhill County, Oregon; and Farmers Cooperative Oil of Yamhill County
 Grantee/Beneficiary: Northwest Farm Credit Services, FLCA
 Trustee: First American Title Insurance Company of Oregon
 Amount: \$5,000,000.00
 Recorded: July 02, 2008
 Recording Information: Instrument No. [200811332](#), Deed and Mortgage Records
- Modification and/or amendment by instrument:
 Recording Information: December 28, 2009 as Instrument No. [200920074](#), Deed and Mortgage Records
- A document recorded February 29, 2012 as Instrument No. [2012-02542](#), Deed and Mortgage Records of Official Records provides that Ticor Title Company was substituted as trustee under the deed of trust.
- Modification and/or amendment by instrument:
 Recording Information: July 22, 2013 as Instrument No. [201311676](#), Deed and Mortgage Records
- The beneficial interest under said Deed of Trust has been assigned to Northwest Farm Credit Services, FLCA, in its capacity as administrative agent for CoBank, ACB, a Corporation, by Assignment recorded January 19, 2016 as Instrument No. [201600621](#), Deed and Mortgage Records.
- Deed of Partial Reconveyance recorded February 29, 2012 as Instrument No. [201202543](#), Deed and Mortgage Records.
21. Deed of Trust and terms and conditions thereof.
 Grantor/Trustor: Wilco Farmers, an Oregon cooperative corporation, which also acquired title as Wilco Farmers, Inc., an Oregon Corporation; as Wilco Farmers Cooperative; as Wilco Farmers, successor by consolidation of Canby Co-op, Donald Farmers Cooperative, Santiam Farmers' Cooperative, Mt. Angel Farmers Warehouse and Valley Farmers Co-op; and as West Valley Farmers, a cooperative corporation, successor by merger with Farmers Cooperative Oil of Yamhill County, Amity Cooperative Warehouse and Sheridan Grain Company
 Grantee/Beneficiary: Northwest Farm Credit Services, PCA
 Trustee: First American Title Insurance Company of Oregon
 Amount: \$2,009,395.65
 Recorded: February 02, 2010
 Recording Information: Instrument No. [201001547](#), Deed and Mortgage Records

(Affects this and other property)

A document recorded February 29, 2012 as Instrument No. [2012-02540](#), Deed and Mortgage Records of Official Records provides that Ticor Title Company was substituted as trustee under the deed of trust.

Modification and/or amendment by instrument:

Recording Information: December 26, 2014 as Instrument No. [201416169](#), Deed and Mortgage Records

Modification and/or amendment by instrument:

Recording Information: May 14, 2015 as Instrument No. [201506525](#), Deed and Mortgage Records

Modification and/or amendment by instrument:

Recording Information: January 19, 2016 as Instrument No. [201600620](#), Deed and Mortgage Records

The beneficial interest under said Deed of Trust has been assigned to Northwest Farm Credit Services, FLCA, in its capacity as administrative agent for CoBank, ACB, a Corporation, by Assignment recorded January 19, 2016 as Instrument No. [201600622](#), Deed and Mortgage Records.

Modification and/or amendment by instrument:

Recording Information: November 28, 2016 as Instrument No. [201618355](#), Deed and Mortgage Records

Modification and/or amendment by instrument:

Recording Information: September 22, 2017 as Instrument No. [201715273](#), Deed and Mortgage Records

Modification and/or amendment by instrument:

Recording Information: October 07, 2019 as Instrument No. [201914398](#), Deed and Mortgage Records

Modification and/or amendment by instrument:

Recording Information: March 24, 2020 as Instrument No. [202004805](#), Deed and Mortgage Records

Modification and/or amendment by instrument:

Recording Information: January 6, 2021 as Instrument No. [202100310](#), Deed and Mortgage Records

The effect of Deed of Partial Reconveyance recorded July 11, 2013 as Instrument No. [201311105](#), Deed and Mortgage Records.

22. Unrecorded leases or periodic tenancies, if any.

-END OF EXCEPTIONS-

INFORMATIONAL NOTES

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$81,974.80
Map No.:	R4410C 00100
Property ID:	126848
Tax Code No.:	40.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$6,938.22
Map No.:	P15434
Property ID:	386415
Tax Code No.:	40.0

NOTE: This Preliminary Title Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering Fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

Situs Address as disclosed on YAMHILL County Tax Roll:

2755 NE HIGHWAY 99W, MCMINNVILLE, OR 97128

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE
WE KNOW YOU HAVE A CHOICE!**



First American Title Insurance Company of Oregon

SCHEDULE OF EXCLUSIONS FROM COVERAGE

1. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 2006 EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

2. American Land Title Association OWNER POLICY - 2006 EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

Exhibit "A"

Real property in the County of Yamhill , State of Oregon, described as follows:

PARCEL 1 OF PARTITION PLAT [2011-04](#), RECORDED FEBRUARY 3, 2011 AS INSTRUMENT NO. [201101662](#), DEED AND MORTGAGE RECORDS, YAMHILL COUNTY, STATE OF OREGON.

OFFICIAL YAMHILL COUNTY RECORDS
 REBEKAH STERN DOLL, COUNTY CLERK

201101662

\$81.00

PR-PARPR Cnl=1 Sln=2 ANITA
 02/03/2011 12:30:41 PM

0036482220110016620040040
 \$45.00 \$10.00 \$11.00 \$15.00

PARTITION 2011-04 for: WILCO FARMERS

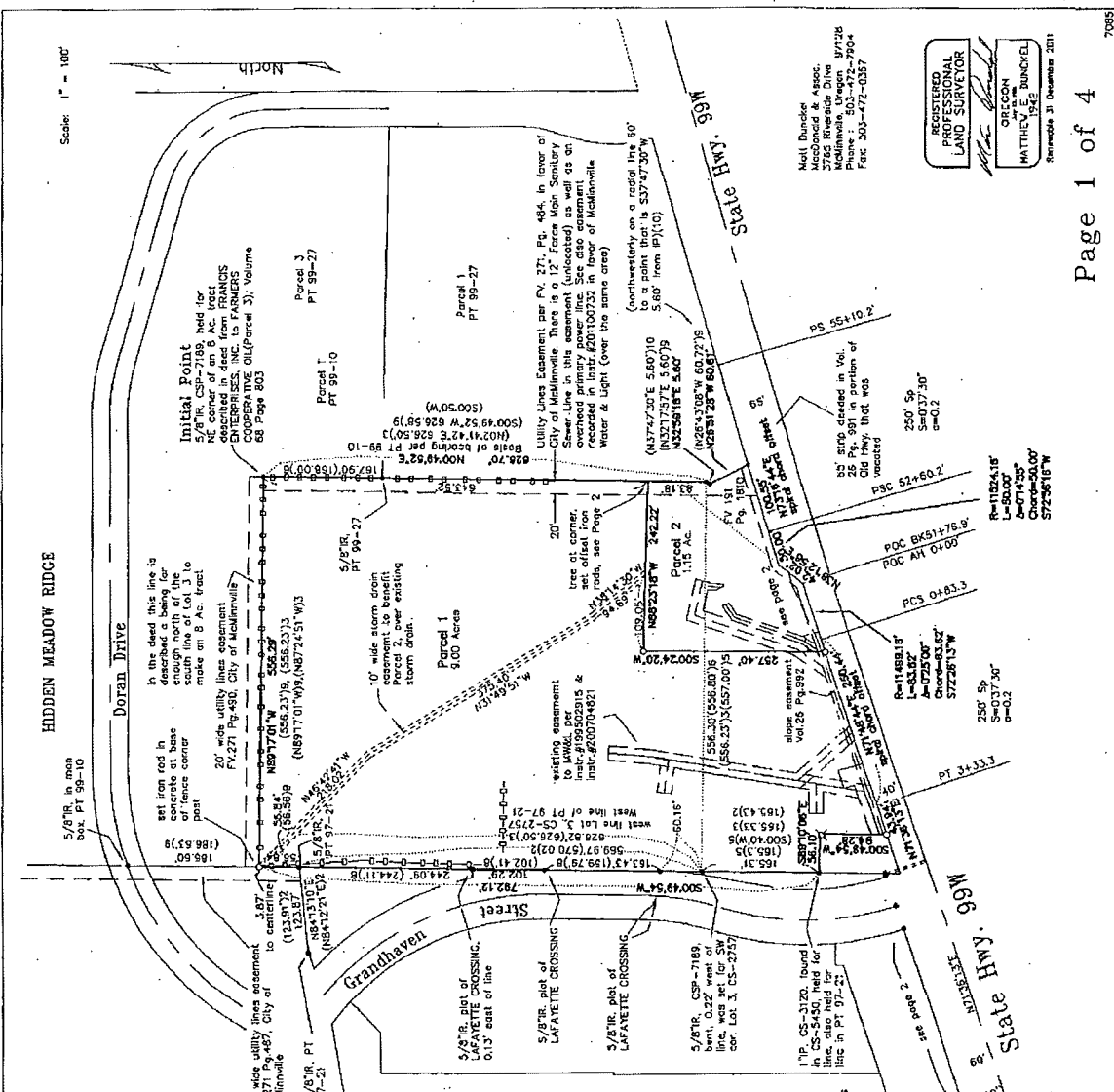
Docket No. McMinnville MP 4-10
 Location: SW 1/4 Section 10, NW 1/4 Section 15,
 T. 4 S. R. 4 W., Mt. Hood National Forest, OR
 City of McMinnville, Yamhill County, OR
 Tax Lot: 4410C - 100 Date: 10 Dec. 2010
 Date: 7 Jan. 2011

Legend

- = measurement found, flush to 0.2" down.
- = set 5/8" iron rod with yellow plastic cap marked "MacDonald & Assoc."
- ▽ = set brass screw & 3/4" brass washer marked "MacDonald & Assoc." in concrete
- ✕ = 5/8" iron rod with yellow plastic cap marked "MacDonald & Assoc. LLC"
- offset from true corner
- existing chain linked lines
- easement
- easement created by this plat
- () = date of record per CS-1218
- [] = date of record per Inst. #199804030
- [] = date of record per PT 97-21
- [] = date of record per CSP-7189
- [] = date of record per CSP-2757
- [] = date of record per CS-3120
- [] = date of record per Partition Plat 99-27
- [] = date of record per CS-2442
- [] = date of record per plat of LAFAYETTE CROSSING
- [] = date of record per Partition Plat 99-10
- [] = date of record per Film Volume 191 Page 1810
- [] = date of record per instrument 2007D4821

Page Index

- Sheet 1 - Boundary Solution, Legend
- Sheet 2 - Easement Dimensions, Parcel Dimensions
- Sheet 3 - Easement Dimensions, Parcel Dimensions
- Sheet 4 - Narrative, Approvals, Surveyor's Certificate, Declaration & Acknowledgment

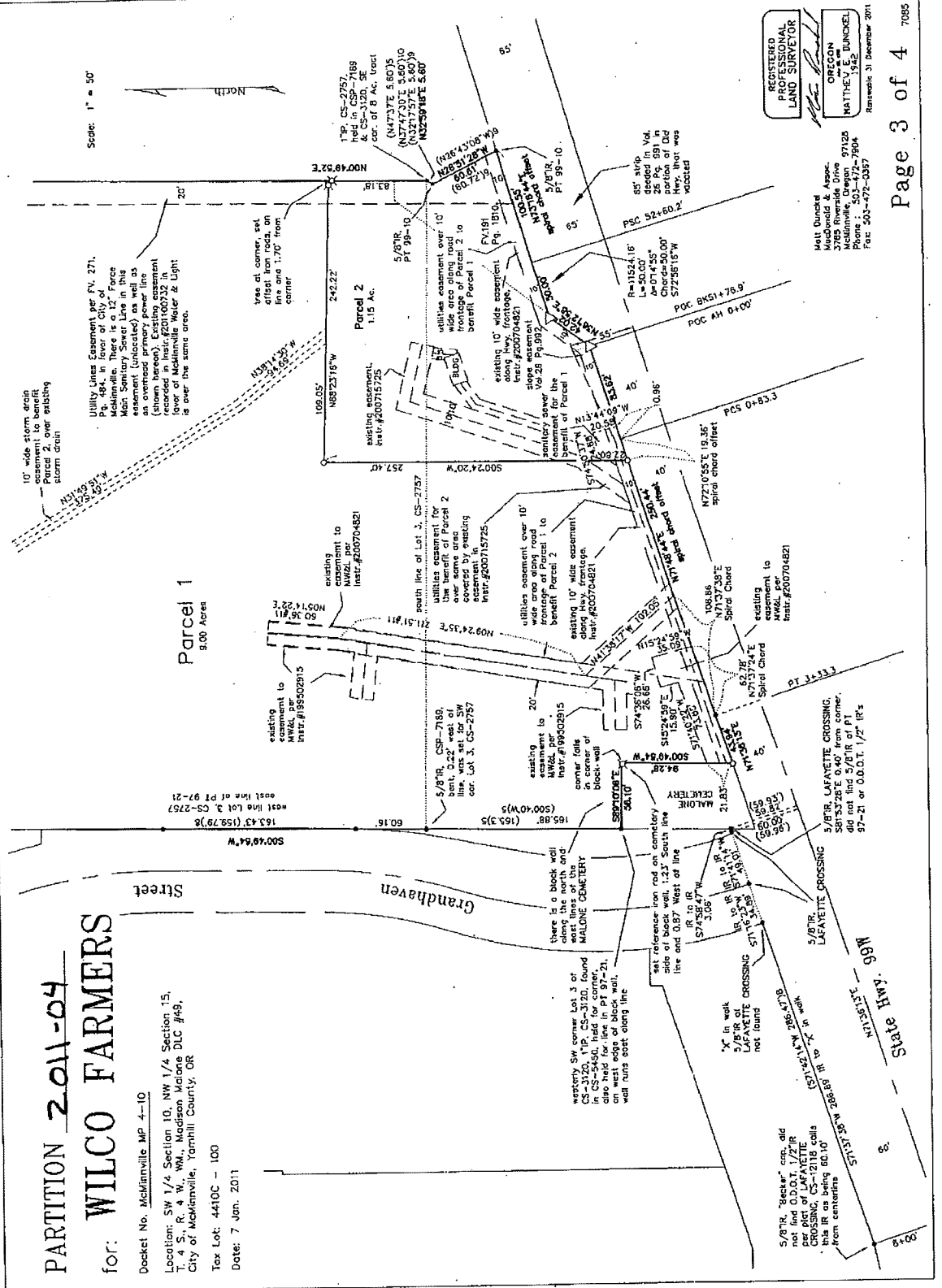


Matthew Dunder
 Macdonald & Assoc.
 3766 Riverside Drive
 McMinnville, Oregon 97126
 Fax: 503-472-0387

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 MATHIEVEISE
 ATTORNEY AT LAW
 MATTHEW EISE
 Surveyed 31 December 2011

PARTITION 2011-04
for: **WILCO FARMERS**

Docket No. McMinnville MP. 4-10
Location: SW 1/4 Section 10, NW 1/4 Section 15,
T. 5 S. R. 4 W. WA. Madison Malone DLC #49,
City of McMinnville, Yamhill County, OR
Tax Lot: 4410C - 100
Date: 7 Jun. 2011



REGISTERED
LAND SURVEYOR
OREGON
MATT DUNCEL
No. 12125
P.O. Box 472-3904
McMinnville, OR 97128
Phone: 503-472-0387
Renewal: 31 December 2011

PARTITION 2011-04 for: WILCO FARMERS

Docket No. McMinnville MP 4-10

Location: SW 1/4 Section 10, NW 1/4 Section 15,
T. 4 S., R. 4 W., WM., Madison-Molente DLC #49,
City of McMinnville, Yamhill County, OR

Tract: 4410C - 100

Date: 7 Jan. 2011

Narrative

The purpose of this survey is to partition the WILCO tract, most of which is described in deed from ENTERPRISES, INC. to FARMERS COOPERATIVE OIL of YAMHILL COUNTY, recorded in Volume 68 Page 803, Yamhill County Deed Records and the road vacation, cited by Yamhill County in Board Order 83-489 recorded in Volume 191 Page 1805-1819, the legal description of this WILCO tract is as follows:

The west line is the west line of Lot 3 of CS-2757 and I have held the west line as established in Partition Plat 97-21 although I find some of the monuments of LAFAYETTE CROSSING out of position (at the SE corner of LAFAYETTE CROSSING, the 5/8" R of Partition Plat 97-21 at the SE corner of LAFAYETTE CROSSING is gone. The southerly portion of the west line is the west line of Lot 2 of CS-3420 which is correct in the deed.

The north line of WILCO is described in the deed as being parcel with and for enough north of the south line of Lot 3 of Section 3333b and the highway, which is the north line of an 8 Acre tract. I have held the northeast corner of the monument found of CSP-7189 and have turned the record angle from the east line per CSP-7189 to set the direction of the north line. This also includes the line of Partition Plat 99-16.

The south line of WILCO is the northerly margin of Highway 99W. I used D.D.O.T. survey CS-12118 at monuments found at station 3733b and the highway. I cannot set all of my distances to match that of CS-12118 so I picked those two monuments.

The east line is held as set in CSP-7189 and PT 99-10 (monumented in PT 99-10 as shown. There are several bearing and distance calls in Film Volume 191 Page 1810 that and with "more or less" so I have held the monuments as shown. The "solid line of the old highway curve is held as monumented in PT 99-10.

APPROVALS

[Signature]
City of McMinnville
Community Development Director

[Signature] 1/7/11
Planning Director

[Signature] 1/7/11
City of McMinnville
Water & Light Commission

[Signature] 1/7/11
Yamhill County Surveyor

Notary Public Signature
[Signature]
Notary Public - Oregon (Print name)
Commission Number: 32216005

Acknowledgement

STATE OF OREGON)
COUNTY OF YAMHILL)
I, the undersigned, do hereby certify that the foregoing Declaration, which bears date herein, did say that he is identified person named in the foregoing instrument and that he executed said instrument freely and voluntarily.

Easement Notes

- Instrument 200715725 - Easement in favor of McMinnville Water & Light Commission
- Instrument 200704821 - Easement in favor of McMinnville Water & Light Commission
- Instrument 198502918 - Easement in favor of McMinnville Water & Light Commission
- Film Volume 81 Page 1149 - Easement in favor of McMinnville Water & Light Commission
- Film Volume 26 Page 982 - Slope easement in favor of State Highway Commission, 55' northerly of centerline of Station 0+00 tapering to 45' from centerline of Station 0+81.3.
- Instrument 201100722 - Easement in favor of McMinnville Water & Light Commission.

SURVEYOR'S CERTIFICATE

I, Matt Dunckel, do hereby certify that I have correctly surveyed and marked with proper monuments the land hereon shown as Parcel 1, and 2, the boundary of which is described as follows:

Beginning at the northeast corner of an 8 Acre tract described in deed from FRANCES ENTERPRISES, INC. to FARMERS COOPERATIVE OIL of YAMHILL COUNTY (Parcel 3), and recorded in Volume 68 Page 803, Yamhill County Deed Records; thence North 89°17'00" West, 396.29 feet to the northwest corner of said 8 Acre tract; thence South 33°-12'00" East, 100.00 feet to the southeast corner of said 8 Acre tract; thence South 89°10'00" East, 58.10 feet to an angle corner in the west line of Lot 2 of CS-3120; thence South 00°45'34" West, 54.22 feet along the west line of said Lot 2 to the northerly margin of Highway 99W; thence North 71°35'13" East, 43.94 feet along said northerly margin; thence northeasterly along said margin which is a spiral curve offset to the south having a radius of 20.00 feet and a central angle of 10.00 degrees to the south; thence North 11°49'00" East, 149.00 feet; thence northeasterly 83.62 feet (chord) North 72°26'13" East 83.62 feet) to Highway Station POC 0+00 ahead, POC 51+476.9 back; thence North 38°12'20" East, 42.02 feet along said northerly margin to Highway Station POC 54+10.2 which is a peak on a 50.00 feet along said curve (chord) North 72°55'16" East 50.00 feet; thence northeasterly along a spiral curve offset the chord of which bears North 72°16'44" East 100.55 feet to east line of that tract of land described in Yamhill County Board Order 83-489 recorded in Volume 191 Page 1805-1819; thence North 60°01'00" East, 100.00 feet along said northerly margin to Highway Station POC 59+00.00; thence North 37°59'18" East, 9.80 feet to an iron pipe at the northeast corner of that 8 acre tract of land described in deed from FRANCES ENTERPRISES, INC. to FARMERS COOPERATIVE OIL of YAMHILL COUNTY (Parcel 3), and recorded in Volume 68 Page 803; thence North 00°45'52" East 126.70 feet along the east line of said tract to the point of beginning.

REGISTERED PROFESSIONAL LAND SURVEYOR
[Signature]
MATT DUNCKEL
1942
OREGON
November 31 December 31 2011

[Signature]
Matt Dunckel
McDonald & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone: 503-738-7984
Fax: 503-472-0087

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT WILCO FARMERS is the owner of the parcel represented on the enclosed plat, and that said parcel is to be partitioned into the 2 parcels as shown, and grants all easements for the purposes as shown.

[Signature]
Notary Public Signature
Notary Public - Oregon (Print name)
Commission Number: 32216005
My Commission Expires June 11, 2011

2011062
\$1.00
PR-PRSR Col-1 Show Part
\$15.00 \$10.00 \$11.00 \$13.00

Tentative Partition Map:

for: **WILCO FARMERS**

Docket No. _____

Location: SW 1/4 Section 10, NW 1/4 Section 15,
T. 4 S., R. 4 W., W.M., Madison Malone
D.L.C. No. 49, Yamhill Co., OR

Tax Lot: 4410C - 100

Date: 25 JUNE 2021

Zone: C-3

Legend

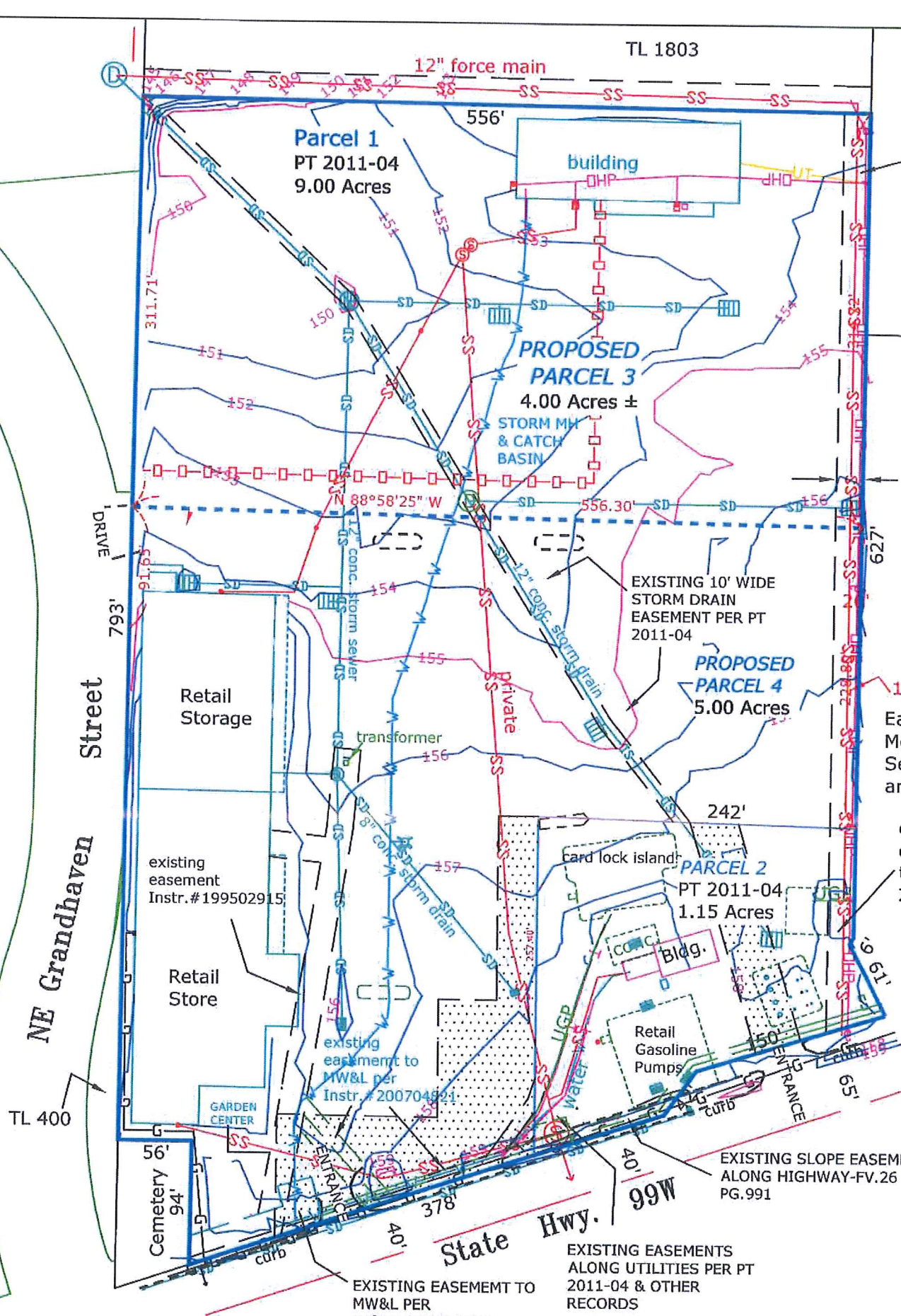
- = proposed property line
- = existing property line
- = existing easement
- = proposed easement
- = existing Northwest Natural Gas
- = existing sanitary sewer
- = existing storm drain
- = existing overhead power
- = existing underground power
- = existing water
- = existing Northwest Natural Gas
- = existing underground telephone
- = existing telephone
- = existing concrete
- = existing curb
- = existing chainlink fence
- = contour lines
- = area of reciprocal access easement per Instr. No. 2012-01611

Scale: 1" = 100'



TL 700

TL 800



existing power distribution Easement to MW&L, Inst. No. 201100732

EXISTING 10' WIDE STORM DRAIN EASEMENT PER PT 2011-04

12" force main Easement per FV. 271, Pg. 484. in favor of City of McMinnville. There is a 12" Force Main Sanitary Sewer Line in this easement (unlocated) as well as an overhead primary power line

existing power distribution Easement to MW&L, Inst. No. 201100732

REGISTERED PROFESSIONAL LAND SURVEYOR

[Signature]
OREGON
 January 16, 2002
LELAND A. MACDONALD
 53226

Renews 31 December 2022

BY : LELAND MACDONALD & ASSOC., LLC
 FORMERLY DBA MATT DUNCKEL & ASSOC.
 3765 RIVERSIDE DRIVE
 MCMINNVILLE, OREGON 97128
 PHONE : 503-472-7904
 FAX: 503-472-0367
 EMAIL: LEE@MACDONALDSURVEYING.COM

EXISTING CONDITIONS

Tentative Partition Map:

for: **WILCO FARMERS**

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Location: SW 1/4 Section 10, NW 1/4 Section 15,
T. 4 S., R. 4 W., W.M., Madison Malone
D.L.C. No. 49, Yamhill Co., OR

Tax Lot: 4410C - 100

Date: 25 JUNE 2021

Zone: C-3

TL 600

TL 700

TL 800

TL 1803

TL 1801

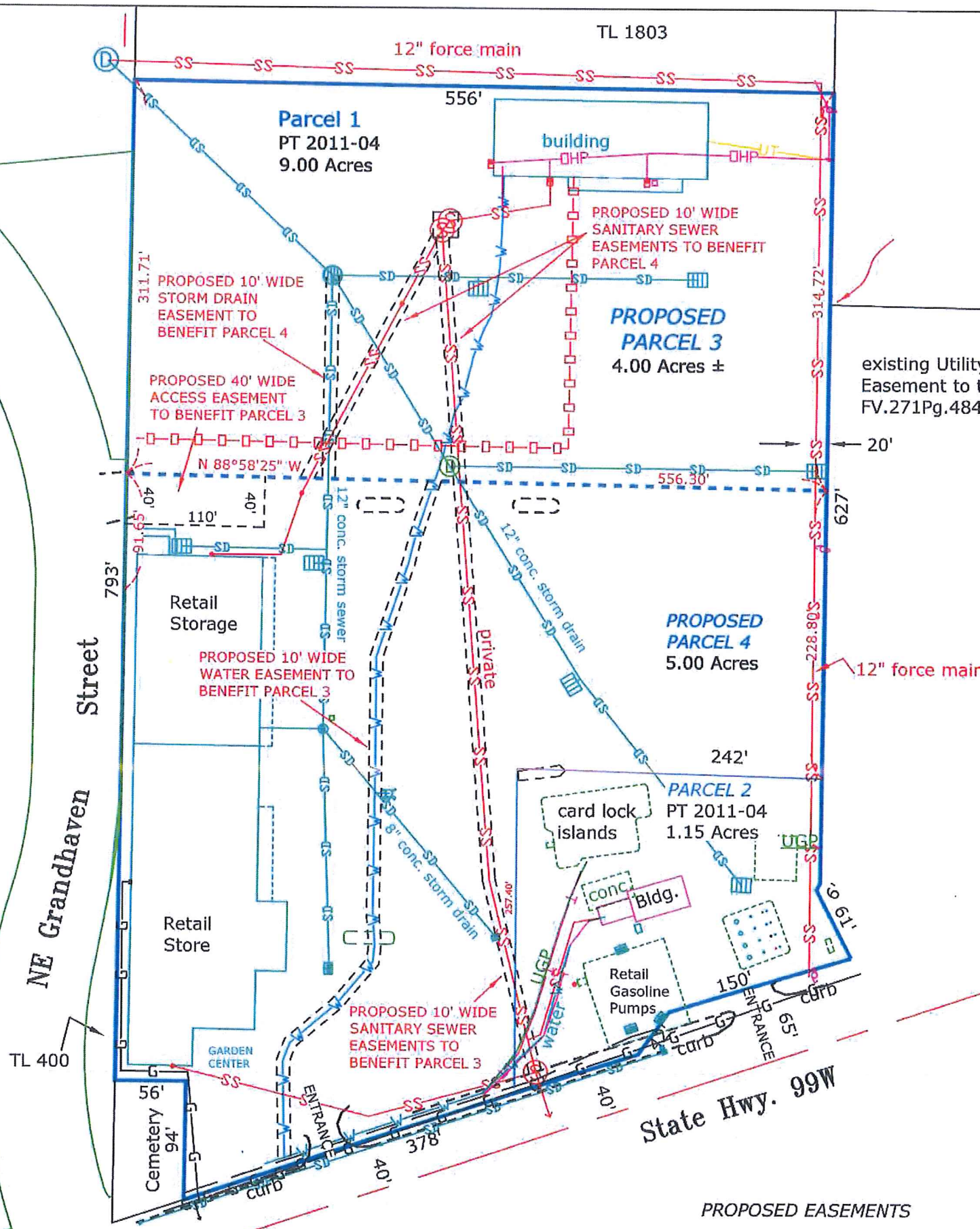
Scale: 1" = 100'

TL 1802

North

Legend

- = proposed property line
- = existing property line
- = existing easement
- = proposed easement
- G—G = existing Northwest Natural Gas
- SS = existing sanitary sewer
- SD = existing storm drain
- OHP = existing overhead power
- UGP = existing underground power
- W—W = existing water
- G—G = existing Northwest Natural Gas
- UT = existing underground telephone
- T—T = existing telephone
- = existing concrete
- = existing curb
- o-o-o- = existing chainlink fence



existing Utility Lines
Easement to the city,
FV.271Pg.484.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Leland A. MacDonald
OREGON
January 16, 2002
LELAND A. MACDONALD
53226

Renews 31 December 2022

BY : LELAND MACDONALD & ASSOC., LLC
FORMERLY DBA MATT DUNCKEL & ASSOC.
3765 RIVERSIDE DRIVE
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PHONE : 503-472-7904
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PROPOSED EASEMENTS