



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

Office Use Only:	
File No.	MP 2-18
Date Received	5-1-18
Fee	440. ⁰⁰
Receipt No.	18M0085
Received by	SP

Partition Application

Applicant Information

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

Applicant Name Stafford Development Company, LLC Phone 503-305-7647

Contact Name Morgan Will Phone 971-206-8615
(If different than above)

Address 485 S State St

City, State, Zip Lake Oswego, OR 97034

Contact Email morgan@staffordlandcompany.com

Property Owner Information

Property Owner Name Baker Creek Development, LLC Phone 503-305-7647
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

SAME AS
APPLICANT

Site Location and Description

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

Property Address Corner of Baker Creek Rd & Hill Rd

Assessor Map No. R4 W - 18 - 203 Total Site Area 9.846 Acres

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation C3-PD / R1-PD Zoning Designation C3-PD / R1-PD

General Description of Subject Property

3.337 Acres

1. Proposed Parcel Size: #1 2145, 058 SF #2 6.309 Acres #3 _____

2. Current Land Use: Farming

3. Purpose of the partition request: Partition proposed Lot 126 of the approved phased planned development as Parcel 1 separate from the rest of the phase as Parcel 2, so the developer has two distinct ~~distinct~~ parcels of land to use as collateral for development financing.

The intent is to use Parcel 2 for development financing and Parcel 1 will have a separate loan for development of multi-family improvements.
↳ Flat

5. Method of Sewage Disposal: Public sewer to both parcels has been provided.
(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: Public, McMinnville Water & Light

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.

x [Signature]
Applicant's Signature

4/25/18
Date

x [Signature]
Property Owner's Signature

4/25/18
Date



First American

First American Title Company of Oregon

825 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

Order No.: 7000-2934636
April 11, 2018

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

JOYCE JAMESON, Escrow Officer/Closer
Phone: (503)350-5005 - Fax: (866)656-1602 - Email:jjameson@firstam.com
First American Title Company of Oregon
5335 SW Meadows Road, Suite 100, Lake Oswego, OR 97035

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Larry Ball, Title Officer
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: lball@firstam.com

2nd Supplemental Preliminary Title Report

County Tax Roll Situs Address: Adjusted Tax Lot 203, (Proposed Baker Creek West Phase 2), McMinnville, OR

2006 ALTA Owners Standard Coverage	Liability \$	1,458,000.00	Premium \$	1,812.00	BLDR
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$		
2006 ALTA Lenders Standard Coverage	Liability \$	2,607,605.00	Premium \$	1,825.00	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$		
Endorsement OTIRO 208.1-06, 64			Premium \$	226.00	
Govt Service Charge			Cost \$	20.00	
Other			Cost \$		

Proposed Insured Lender: Community Financial Corporation

Proposed Borrower: Stafford Development Company LLC

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation 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 April 06, 2018 at 8:00 a.m., title to the fee simple estate is vested in:

Baker Creek Development LLC, an Oregon limited liability company

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

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

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. Taxes for the year 2017-2018

Tax Amount	\$	214.76
Unpaid Balance:	\$	214.76, plus interest and penalties, if any
Code No.:		40.0
Map & Tax Lot No.:		R4418-00203
Property ID No.:		532606

 (Covers additional property)
8. City liens, if any, of the City of McMinnville.

9. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
10. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
11. Deed of Trust and the terms and conditions thereof.
 Grantor/Trustor: Baker Creek Development LLC, an Oregon limited liability company
 Grantee/Beneficiary: Blum Commercial Properties, L.L.C., an Oregon limited liability company
 Trustee: David R. Ambrose
 Amount: \$5,000,000.00
 Recorded: January 15, 2016
 Recording Information: Instrument No. 201600558, Deed and Mortgage Records
 (Covers additional property)
12. Any conveyance or encumbrance by Baker Creek Development LLC should be executed pursuant to their Operating Agreement , a copy of which should be submitted to this office for inspection.

- END OF EXCEPTIONS -

NOTE: This report has been supplemented to update taxes, add sale and loan amounts, and to bring forward plant date.

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: Statutory Bargain and Sale Deed recorded January 15, 2016 as Instrument No. 201600557, Deed and Mortgage Records, Bankruptcy Estate of Berjac of Oregon, acting by and through Thomas A. Huntsberger, Chapter 7 Bankruptcy Trustee, Oregon bankruptcy case number 12-63884-tmr7 to Baker Creek Development LLC, an Oregon limited liability company, and

Property Line Adjustment Deed recorded October 12, 2017 as Instrument No. 201716418, Deed and Mortgage Records, Baker Creek Development LLC to Baker Creek Development LLC.

NOTE: We find no matters of public record against Stafford Land Company that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

Situs Address as disclosed on Yamhill County Tax Roll:

Adjusted Tax Lot 203, (Proposed Baker Creek West Phase 2), McMinnville, OR

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

RECORDING INFORMATION

Filing Address: **Yamhill County**
 535 NE Fifth Street
 McMinnville, OR 97128

Recording Fees: \$ **41.00** for the first page
 \$ **5.00** for each additional page

cc: Stafford Development Company LLC

cc: Baker Creek Development LLC



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

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).

ALTA OWNER'S POLICY (06/17/06)

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.

SCHEDULE OF STANDARD EXCEPTIONS

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.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



First American Title

Privacy Information

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our subsidiaries we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information Values. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Information Obtained Through Our Web Site

First American Financial Corporation is sensitive to privacy issues on the Internet. We believe it is important you know how we treat the information about you we receive on the Internet.

In general, you can visit First American or its affiliates' Web sites on the World Wide Web without telling us who you are or revealing any information about yourself. Our Web servers collect the domain names, not the e-mail addresses, of visitors. This information is aggregated to measure the number of visits, average time spent on the site, pages viewed and similar information. First American uses this information to measure the use of our site and to develop ideas to improve the content of our site.

There are times, however, when we may need information from you, such as your name and email address. When information is needed, we will use our best efforts to let you know at the time of collection how we will use the personal information. Usually, the personal information we collect is used only by us to respond to your inquiry, process an order or allow you to access specific account/profile information. If you choose to share any personal information with us, we will only use it in accordance with the policies outlined above.

Business Relationships

First American Financial Corporation's site and its affiliates' sites may contain links to other Web sites. While we try to link only to sites that share our high standards and respect for privacy, we are not responsible for the content or the privacy practices employed by other sites.

Cookies

Some of First American's Web sites may make use of "cookie" technology to measure site activity and to customize information to your personal tastes. A cookie is an element of data that a Web site can send to your browser, which may then store the cookie on your hard drive.

FirstAm.com uses stored cookies. The goal of this technology is to better serve you when visiting our site, save you time when you are here and to provide you with a more meaningful and productive Web site experience.

Fair Information Values

Fairness We consider consumer expectations about their privacy in all our businesses. We only offer products and services that assure a favorable balance between consumer benefits and consumer privacy.

Public Record We believe that an open public record creates significant value for society, enhances consumer choice and creates consumer opportunity. We actively support an open public record and emphasize its importance and contribution to our economy.

Use We believe we should behave responsibly when we use information about a consumer in our business. We will obey the laws governing the collection, use and dissemination of data.

Accuracy We will take reasonable steps to help assure the accuracy of the data we collect, use and disseminate. Where possible, we will take reasonable steps to correct inaccurate information. When, as with the public record, we cannot correct inaccurate information, we will take all reasonable steps to assist consumers in identifying the source of the erroneous data so that the consumer can secure the required corrections.

Education We endeavor to educate the users of our products and services, our employees and others in our industry about the importance of consumer privacy. We will instruct our employees on our fair information values and on the responsible collection and use of data. We will encourage others in our industry to collect and use information in a responsible manner.

Security We will maintain appropriate facilities and systems to protect against unauthorized access to and corruption of the data we maintain.

Exhibit "A"

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

A tract of land situated in the northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, in the City of McMinnville, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 6" in that instrument recorded in Document No. 201600557, Deed Records for Yamhill County, Oregon, said point being North 00°02'49" East 10.05 feet from the northwest corner of Lot 105, SHADDEN CLAIM SECOND ADDITION, as platted and recorded in Volume 12, Page 10, Book of Town Plats for Yamhill County, Oregon; and running thence along the east line of said "Parcel 6" on the following four courses:

thence South 00°02'49" West 116.05 feet;

thence South 10°35'05" West 50.17 feet;

thence South 00°02'49" West 342.17 feet;

thence South 04°49'35" West 29.19 feet;

thence leaving said east line, North 89°40'20" West 106.63 feet;

thence North 83°16'37" West 50.31 feet;

thence North 89°17'50" West 200.00 feet;

thence North 89°17'31" West 50.00 feet;

thence North 89°17'50" West 100.00 feet;

thence South 00°19'40" West 50.01 feet;

thence North 89°34'50" West 217.53 feet to an angle point on the east line of that parcel of land conveyed to the City of McMinnville, a Municipal Corporation of the State of Oregon, in that Dedication Deed recorded in Instrument No. 201713025, Yamhill County Deed Records.;

thence along said east line and the south line of said parcel the following eight courses:

thence North 72°45'55" West 9.65 feet to an angle point;

thence North 52°11'13" West 9.66 feet to an angle point, said point being 48.00 feet at a perpendicular distance Easterly of the centerline of North Hill Road;

thence North 00°18'08" East 589.18 feet to an angle point;

thence North 32°15'30" East 15.68 feet to an angle point;

thence North 46°16'08" East 15.68 feet to an angle point;

thence North 60°16'46" East 15.68 feet to a point that is 48.00 feet at a perpendicular distance Southerly from the centerline of Baker Creek Road;

thence South 84°07'51" East 235.63 feet to an angle point;

thence North 05°52'38" East 18.00 feet to a point on the south right of way that is 30.00 feet at a perpendicular distance Southerly from the centerline of said Baker Creek Road;

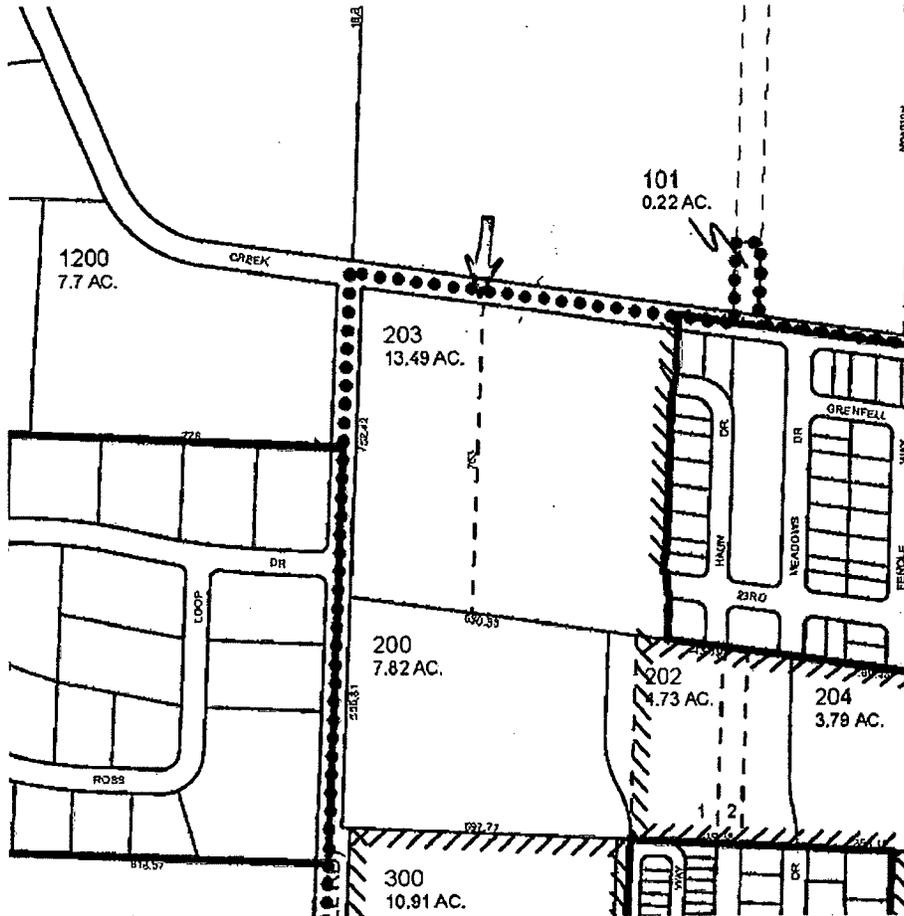
thence South 84°07'51" East 483.14 feet along said south right of way to the Point of Beginning



First American



This map is furnished for illustration and to assist in property location. The company assumes no liability for any variation in dimensions by location ascertainable by actual survey



After recording, return to:
Baker Creek Development LLC
485 S. State St.
Lake Oswego, OR 97034

Send tax statements to:
Baker Creek Development LLC
485 S. State St.
Lake Oswego, OR 97034

Yamhill County Official Records	201716418
DMR-DDMR	
Stn=2 MILLSA	10/12/2017 11:41:00 AM
8Pgs \$40.00 \$11.00 \$5.00 \$20.00	\$76.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

Property Line Adjustment Deed

Baker Creek Development LLC, an Oregon limited liability company, hereinafter called Grantor, 485 S. State Street, Lake Oswego, OR 97034, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. Baker Creek Development LLC, an Oregon limited liability company, hereinafter called Grantee, 485 S. State Street, Lake Oswego, OR 97034, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 2.887 acres and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 2.887 acres and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured lots as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Yamhill County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

FATCO NO. 2905386-TO

First American Title Accommodation
Recording Assumes No Liability

After recording, return to:
Baker Creek Development LLC
485 S. State St.
Lake Oswego, OR 97034

Send tax statements to:
Baker Creek Development LLC
485 S. State St.
Lake Oswego, OR 97034

FATCO NO. 2905386-TO

First American Title Accommodation
Recording Assumes No Liability

Property Line Adjustment Deed

Baker Creek Development LLC, an Oregon limited liability company, hereinafter called Grantor, 485 S. State Street, Lake Oswego, OR 97034, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. Baker Creek Development LLC, an Oregon limited liability company, hereinafter called Grantee, 485 S. State Street, Lake Oswego, OR 97034, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 2.887 acres and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 2.887 acres and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured lots as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Yamhill County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336, AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.”

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

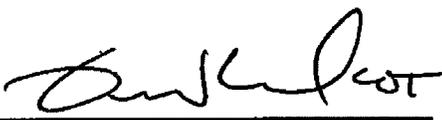
This property line adjustment deed is executed this 12TH day of OCTOBER, 2017.

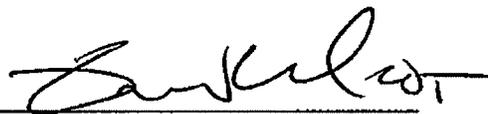
GRANTOR

GRANTEE

Baker Creek Development LLC

Baker Creek Development LLC

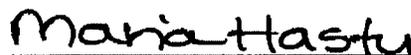
By: 
Gordon C. Root, Manager

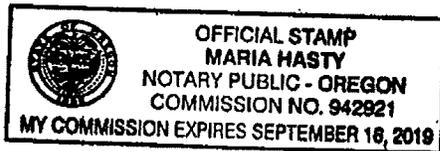
By: 
Gordon C. Root, Manager

State of OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on October 12, 2017,
by Gordon C. Root as Manager of Baker Creek Development LLC, an Oregon limited
liability company.

Before me:


Notary Public for Oregon



My Commission Expires: 9/18/19

EXHIBIT "A"

Legal Description For: Original Property "A"

A tract of land in Section 18, Township 4 South, Range 4 West, Yamhill County, Oregon, being Parcel 1 of that tract of land described in deed from Frances J. Collier to VJ-2 Development, Inc. and recorded in Instrument No. 199806909, Yamhill County Deed Records, and a portion of that tract of land described in deed from Emmerson J. Collier and Frances J. Collier to VJ-2 Development, Inc. and recorded in Instrument No. 199620926, Yamhill County Deed Records, and being more particularly described as follows:

Beginning on the South line of said VJ-2 Development, Inc. tract at the Southwest corner of Lot 97B of SHADDEN CLAIM SECOND ADDITION; thence North $84^{\circ}07'51''$ West 774.08 feet along the South line of said tract to the East margin of Hill Road (30' from centerline); thence North $00^{\circ}18'08''$ East 752.42 feet along said East margin to the Southerly margin of Baker Creek Road; thence South $84^{\circ}07'51''$ East 771.93 feet to the Northwest corner of SHADDEN CLAIM SECOND ADDITION; thence South $00^{\circ}02'49''$ West 116.05 feet along the West line of SHADDEN CLAIM SECOND ADDITION; thence South $10^{\circ}35'05''$ West 50.17 feet along said West line; thence South $00^{\circ}02'49''$ West 342.17 feet along said West line to the Northwest corner of Lot 98B of SHADDEN CLAIM SECOND ADDITION; thence South $04^{\circ}49'35''$ West 83.58 feet to an iron rod; thence South $84^{\circ}07'51''$ East 7.00 feet to the Southwest corner of Lot 98A of SHADDEN CLAIM SECOND ADDITION; thence South $07^{\circ}22'19''$ East 61.63 feet along the West line of SHADDEN CLAIM SECOND ADDITION; thence South $00^{\circ}02'49''$ West 99.97 feet along said West line to the point of beginning.

SAVE AND EXCEPT that portion of the above described property conveyed to the City of McMinnville, a Municipal Corporation of the State of Oregon, in that Dedication Deed recorded in Instrument No. 201713025, Yamhill County Deed Records.

EXHIBIT "B"

Legal Description For: Original Property "B"

A tract of land situated in Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northwest corner of Parcel 1, Partition Plat 2010-07, as platted and recorded in the Yamhill County Book of Partition Plats, said point also being the northeast corner of that property described in that instrument recorded in Instrument No. 199924729, Yamhill County Deed Records; thence North $84^{\circ}07'51''$ West 66.93 feet along the north line of said property to the TRUE POINT OF BEGINNING of this description; and running thence: South $0^{\circ}19'40''$ West 244.41 feet to a point of curvature; thence Southeasterly along the arc of a 250.00 foot radius curve to the left (the chord of which bears South $15^{\circ}04'49''$ East 132.85 feet) 134.46 feet to a point of reverse curve; thence Southeasterly along the arc of a 250.00 foot radius curve to the right (the chord of which bears South $15^{\circ}04'36''$ East 132.88 feet) 134.49 feet to the southeast corner of last mentioned property; thence North $89^{\circ}17'50''$ West 697.85 feet along the south line of said property to a point on the east right of way line of North Hill Road at a perpendicular distance of 30.00 feet from the centerline of said road; thence North $0^{\circ}18'50''$ East 556.89 feet along said east right of way line to the northwest corner of said property; thence South $84^{\circ}07'51''$ East 630.33 feet along the north line of said property to the TRUE POINT OF BEGINNING.

SAVE AND EXCEPT that portion of the above described property conveyed to the City of McMinnville, a Municipal Corporation of the State of Oregon, in that Dedication Deed recorded in Instrument No. 201713024, Yamhill County Deed Records.

EXHIBIT "C"

Legal Description For:
Adjusted Property "A"

A tract of land situated in the northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, in the City of McMinnville, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 6" in that instrument recorded in Document No. 201600557, Deed Records for Yamhill County, Oregon, said point being North 00°02'49" East 10.05 feet from the northwest corner of Lot 105, SHADDEN CLAIM SECOND ADDITION, as platted and recorded in Volume 12, Page 10, Book of Town Plats for Yamhill County, Oregon; and running thence along the east line of said "Parcel 6" on the following four courses:

thence South 00°02'49" West 116.05 feet;
thence South 10°35'05" West 50.17 feet;
thence South 00°02'49" West 342.17 feet;
thence South 04°49'35" West 29.19 feet;
thence leaving said east line, North 89°40'20" West 106.63 feet;
thence North 83°16'37" West 50.31 feet;
thence North 89°17'50" West 200.00 feet;
thence North 89°17'31" West 50.00 feet;
thence North 89°17'50" West 100.00 feet;
thence South 00°19'40" West 50.01 feet;
thence North 89°34'50" West 217.53 feet to an angle point on the east line of that parcel of land conveyed to the City of McMinnville, a Municipal Corporation of the State of Oregon, in that Dedication Deed recorded in Instrument No. 201713025, Yamhill County Deed Records.;
thence along said east line and the south line of said parcel the following eight courses:
thence North 72°45'55" West 9.65 feet to an angle point;
thence North 52°11'13" West 9.66 feet to an angle point, said point being 48.00 feet at a perpendicular distance Easterly of the centerline of North Hill Road;
thence North 00°18'08" East 589.18 feet to an angle point;
thence North 32°15'30" East 15.68 feet to an angle point;
thence North 46°16'08" East 15.68 feet to an angle point;
thence North 60°16'46" East 15.68 feet to a point that is 48.00 feet at a perpendicular distance Southerly from the centerline of Baker Creek Road;
thence South 84°07'51" East 235.63 feet to an angle point;
thence North 05°52'38" East 18.00 feet to a point on the south right of way that is 30.00 feet at a perpendicular distance Southerly from the centerline of said Baker Creek Road;
thence South 84°07'51" East 483.14 feet along said south right of way to the Point of Beginning, containing 9.846 acres of land, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory L. Wilson

OREGON
JULY 19, 1994
GREGORY L. WILSON
2687

EXPIRES: 6-30-98

EXHIBIT "D"

Legal Description For:
Adjusted Property "B"

A tract of land situated in the northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the southwest corner of Lot 97B, SHADDEN CLAIM SECOND ADDITION, as platted and recorded in Volume 12, Page 10, Book of Town Plats for Yamhill County, Oregon, said point being the southeast corner of that property described as "Parcel 6" in that instrument recorded in Document No. 201600557, Deed Records for Yamhill County, Oregon; and running thence:

North 84°07'51" West 143.75 feet along the south line of said "Parcel 6" to the northeast corner of that property described as "Parcel 7" in said Document No. 201600557;

thence along the boundary of said property the following four courses:

thence South 0°19'40" West 244.41 feet to a point of curvature;

thence Southeasterly along the arc of a 250.00-foot radius curve to the left (the chord of which bears South 15°04'49" East 132.85 feet) 134.46 feet to a point of reverse curve;

thence Southeasterly along the arc of a 250.00-foot radius curve to the right (the chord of which bears South 15°04'36" East 132.88 feet) 134.49 feet;

thence North 89°17'50" West 679.73 feet to a point on the east line of that parcel of land conveyed to the City of McMinnville, a Municipal Corporation of the State of Oregon, in that Dedication Deed recorded in Instrument No. 201713024, Yamhill County Deed Records, said point being 48.00 feet Easterly at a perpendicular distance from the centerline of North Hill Road;

thence along the east line of said parcel of land and along the east line of that parcel of land conveyed to the City of McMinnville, a Municipal Corporation of the State of Oregon, in that Dedication Deed recorded in Instrument No. 201713025, Yamhill County Deed Records the following four courses:

thence North 00°18'08" East 597.39 feet to an angle point;

thence North 52°54'58" East 9.77 feet to an angle point;

thence North 73°44'37" East 9.75 feet to an angle point;

thence North 00°03'07" East 50.33 feet to an angle point;

thence leaving said east line, South 89°34'50" East 217.53 feet;

thence North 00°19'40" East 50.01 feet;

thence South 89°17'50" East 100.00 feet;

thence South 89°17'31" East 50.00 feet;

thence South 89°17'50" East 200.00 feet;

thence South 83°16'37" East 50.31 feet;

thence South 89°40'20" East 106.63 feet to a point on the east line of the aforementioned "Parcel 6";

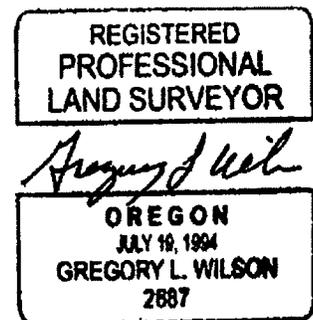
thence along said east line the following four courses:

thence South 04°49'35" West 54.39 feet;

thence South 84°07'51" East 7.00 feet;

thence South 07°22'21" East 61.63 feet;

thence South 0°02'49" West 99.97 feet to the Point of Beginning, containing 10.474 acres of land, more or less.



EXPIRES: 6-30-18

EXHIBIT "E"

Legal Description For:
Transferred Property (Property "A" to Property "B")

A tract of land situated in the northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the southwest corner of Lot 97B, SHADDEN CLAIM SECOND ADDITION, as platted and recorded in Volume 12, Page 10, Book of Town Plats for Yamhill County, Oregon, said point being the southeast corner of that property described as "Parcel 6" in that instrument recorded in Document No. 201600557, Deed Records for Yamhill County, Oregon; and running thence:

North 84°07'51" West 755.98 feet along the south line of said "Parcel 6" to a point on the east line of that parcel of land conveyed to the City of McMinnville, a Municipal Corporation of the State of Oregon, in that Dedication Deed recorded in Instrument No. 201713025, Yamhill County Deed Records, said point being 48.00 feet Easterly at a perpendicular distance from the centerline of North Hill Road;

thence along the east line of said parcel of land the following four courses:

thence North 00°18'08" East 42.13 feet to an angle point;
thence North 52°54'58" East 9.77 feet to an angle point;
thence North 73°44'37" East 9.75 feet to an angle point;
thence North 00°03'07" East 50.33 feet to an angle point;
thence leaving said east line, South 89°34'50" East 217.53 feet;
thence North 00°19'40" East 50.01 feet;
thence South 89°17'50" East 100.00 feet;
thence South 89°17'31" East 50.00 feet;
thence South 89°17'50" East 200.00 feet;
thence South 83°16'37" East 50.31 feet;
thence South 89°40'20" East 106.63 feet to a point on the east line of the
aforementioned "Parcel 6";

thence along said east line the following four courses:

thence South 04°49'35" West 54.39 feet;
thence South 84°07'51" East 7.00 feet;
thence South 07°22'21" East 61.63 feet;
thence South 0°02'49" West 99.97 feet to the Point of Beginning, containing 2.887
acres of land, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory L. Wilson

OREGON
JULY 19, 1984
GREGORY L. WILSON
2687

EXPIRES: 6-30-18

RECORD OF SURVEY

PROPERTY LINE ADJUSTMENT FOR: BAKER CREEK DEVELOPMENT, LLC
IN THE NE 1/4 SECTION 18, T. 4 S., R. 4 W., W.M., YAMHILL COUNTY, OREGON
OCTOBER 13, 2017



BARKER SURVEYING
3557 KASHMIR WAY SE
SALEM, OREGON 97317
PHONE (503) 588-8600
FAX (503) 363-2469
EMAIL: INFO@BARKERSURVEYING.COM



SCALE: 1" = 100'

NARRATIVE:

The purpose of this survey is to show a property line adjustment between those tracts of land owned by Baker Creek Development, LLC described as Parcel 6, and Parcel 7, in Instrument Number 2016-557, Yamhill County Deed Records. The City of McMinnville planning decision for this property line adjustment is Docet BLA 10-17. The basis of bearings used was along the west line of SHADDEN CLAIMS SECOND ADDITION as shown.

To determine the east line of Property A, I held the monuments found, and record data from the plat of SHADDEN CLAIMS SECOND ADDITION and CS 12047. To determine the east and south lines of Property B, I held the monuments found and record data from CS 13068. To determine the east right of way of North Hill Road, I held the centerline monuments shown, and held record offsets from the centerline per the Dedication Deeds recorded in Instrument No.'s 201713024 and 201713025. To determine the south right of way of Baker Creek Road, I held the centerline monument D and a point 30' Northerly from the monument at the northwest corner of Property A, offsetting the determined centerline 30' Southerly, as well as holding record offsets from the centerline per said Dedication Deed recorded in Instrument No. 201713025.

MONUMENT LIST:

- ① 5/8" iron rod with yellow plastic cap stamped "BARKER PLS 636", set in [2].
- ② 5/8" iron rod with aluminum cap stamped "NEUBERG PLS 2838", down 0.3', set in [8].
- ③ 5/8" iron rod with yellow plastic cap stamped "DUNCKEL LS 1942", 0.4' down in monument box, set in [7].
- ④ 5/8" iron rod, set in [1].
- ⑤ 5/8" iron rod with yellow plastic cap stamped "DUNCKEL LS 1942", set in [8].
- ⑥ 5/8" iron rod with yellow plastic cap stamped "BARKER PLS 636", set in [1].
- ⑦ 5/8" iron rod with yellow plastic cap stamped "WILSON PLS 2687", set in [4].
- ⑧ 5/8" iron rod with yellow plastic cap stamped "MATT DUNCKEL & ASSOC.", set in [9].

REFERENCE SURVEYS/DEEDS

- [1] SHADDEN CLAIM SECOND ADDITION (V. 12, P. 10, BOTP)
- [2] CS 10816
- [3] CS 11507
- [4] CS 13068
- [5] CS 13244
- [6] WEST WIND COUNTRY ESTATES (V.14, P. 33, BOTP)
- [7] PARK MEADOWS (V. 10, P. 115, BOTP)
- [8] CS 12047
- [9] COTTONWOOD SECOND ADDITION (V. 13, P. 28, BOTP)
- [10] P.P. 2012-28

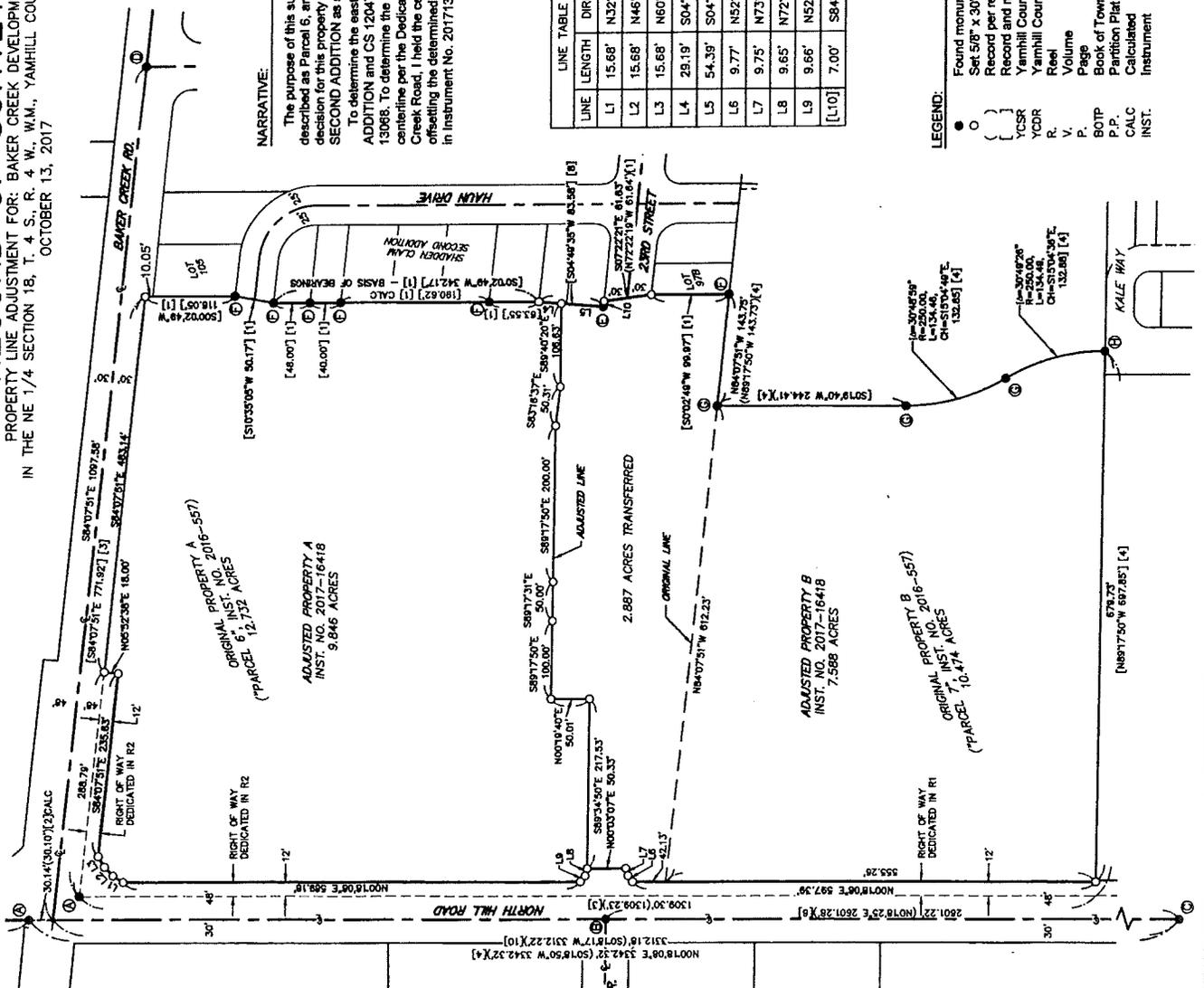
- R1 DEDICATION DEED, INST. NO. 2017-13024
- R2 DEDICATION DEED, INST. NO. 2017-13025

LINE	LENGTH	DIRECTION
L1	15.68'	N32°15'30"E
L2	15.68'	N45°16'08"E
L3	15.68'	N67°16'46"E
L4	29.19'	S04°49'35"W
L5	54.39'	S04°49'35"W
L6	9.77'	N52°54'58"E
L7	9.75'	N73°44'37"E
L8	9.66'	N72°45'55"W
L9	9.66'	N52°11'13"W
[L10]	7.00'	S84°07'51"E

LEGEND:

- Found monument within 0.2' of ground surface unless otherwise noted. (see monument list)
- Set 5/8" x 30" iron rod with yellow plastic cap flush, stamped "WILSON PLS 2687"
- () Record per reference survey noted
- () Record and measured per reference survey noted
- YCSR Yamhill County Survey Records
- YCDR Yamhill County Deed Records
- R, V, P, P.P., CALC, INST. Reel, Volume, Page, Book of Town Plats, Partition Plat, Calculated, Instrument

REGISTERED PROFESSIONAL LAND SURVEYOR
August 16, 2018
O R S 00 N
ALY. N. 104
OREGON STATE BOARD OF SURVEYORS
EXPIRATION DATE: 6/30/2018



PROPOSED PARTITION

LOCATED IN THE N.E. 1/4 OF SECTION 18,
T. 4 S., R. 4 W., OF THE WILLAMETTE MERIDIAN,
CITY OF MCMINNVILLE, YAMHILL COUNTY, OREGON
2018

Owner/Applicant:

Baker Creek Development, L.L.C.
485 S. State St.
Lake Oswego, Oregon 97034

Surveyor:

Gregory L. Wilson
Barker Surveying
3657 Kashmir Way SE
Salem, OR 97317

Site Address:

Property "A"
Inst. No. 2017-16418

Map Tax Lots:

203

Tax Map:

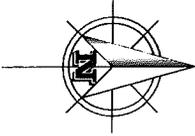
4 4 18

Total Area:

9.846 ACRES

Zone:

R-1 PD / C-3 PD



SCALE: 1" = 60'

