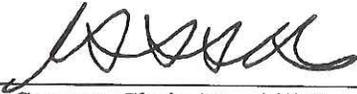


After Recording, Return To:

Yamhill County
Office of County Counsel
535 NE Fifth Street
McMinnville, Oregon 97128

ACCEPTED AND APPROVED BY:



Mary Starrett, Chair, Yamhill County
Board of Commissioners, for:
YAMHILL COUNTY

7/22/2021

Date

OFFICIAL YAMHILL COUNTY RECORDS
BRIAN VAN BERGEN, COUNTY CLERK

202115180



NO FEE

07/22/2021 11:43:09 AM

DMR-EDMR Cnt=1 Stn=1030 WANNERK
This is a no fee document

STORMWATER EASEMENT

FOX FARM RESORT LLC, sole owner of property located at 9660 NE Fox Farm Road, Tax Lots 3325-0601 and 3325-0602 in Yamhill County, Oregon, "Grantor," hereby grants and conveys to YAMHILL COUNTY, a political subdivision of the State of Oregon, "Grantee," a permanent, perpetual, non-exclusive easement, over, across and under real property situated in Yamhill County, as more particularly described in the attached Exhibit A and as shown on the attached Exhibit B, labeled as follows and incorporated herein by reference ("Easement Area"):

EXHIBIT A - "22 June 2021 Description of Real property for: FOX FARM RESORT LLC – Storm sewer easement in Parcel 1, PT 2021-11."

"6 May 2020 Description of Real property for FOX FARM RESORT LLC – Storm sewer easement in Parcel 2, PT 2021-11."

EXHIBIT B - "EASEMENT EXHIBIT 'B' for: FOX FARM RESORT, LLC"

1. Easement uses. The easement conveyed by Grantor to Grantee and Grantee's successors and assigns, is a permanent, nonexclusive, subsurface and surface storm drainage easement to accommodate stormwater discharges from and through the right-of-way of Fox Farm Road, County Road #74. Natural stormwater flow through the Grantor's property was disrupted by a predecessor in interest to Grantor, necessitating the construction, in the Easement Area, of facilities and drainageways by Grantor to facilitate the flow of surface water into, under and/or through Grantor's property, in perpetuity.

2. Maintenance and Repair. Grantor, its successors and/or assigns, shall be responsible for maintenance and repair of any and all stormwater facilities and drainageways existing or to be

constructed in the future to accommodate the flow of surface water into, under and/or through the Easement Area, and Grantee shall have no responsibility for maintenance or repair. Grantor, its successors and/or assigns, shall be responsible for monitoring the Easement Area to ensure ongoing maintenance as necessary to prevent nuisance and/or safety problems from arising or affecting Grantee's property (Northeast Fox Farm Road, County Road #74).

3. Grantor's Reservation of Rights. Grantor reserves the right to continued use of the surface area within the Easement Area for all lawful purposes that do not interfere with, and are not inconsistent with, the Grantee's rights granted in this Easement.

4. Grantor's Warranty. Grantor agrees that it has the right to convey this Easement to the Grantee. Grantor warrants to Grantee that the person executing this Easement on behalf of Grantor is duly authorized to make this conveyance.

5. Consideration. The consideration for grant of this Easement consists of the mutual covenants and agreements of the parties contained herein.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on:

Date: 7/21/2021



FOX FARM RESORT LLC

By: [Signature]
Saj Jivanjee, its MANAGER

STATE OF OREGON)
County of Yamhill)

The foregoing instrument is acknowledged before me this 21st day of July, 2021, by Saj Jivangee.

[Signature]
Notary Public for Oregon
My Commission Expires:

Accepted by Yamhill County Board of Commissioners on 7/22/21 by Board Order # 21-307

EXHIBIT A

RENEWS 31 DECEMBER 2022

Leland MacDonald & Assoc.
3765 Riverside Drive
McMinnville, OR 97128
Phone: 472-7904
Fax: 472-0367



22 June 2021

Description of Real property for: FOX FARM RESORT LLC – Storm sewer easement in Parcel 1, PT 2021-11.

An easement, 10 feet in width, lying 5 feet each side of the centerline thereof, located in Section 25, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being a portion of Parcel 1 of Partition Plat 2021-11, the centerline of said easement being more particularly described as follows:

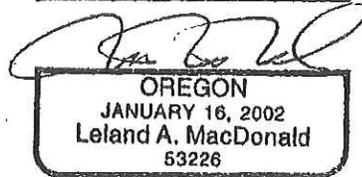
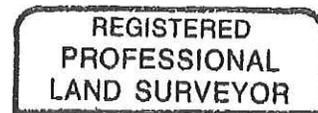
Commencing at an iron rod marking the most southerly northwest corner of Parcel 2 of said Partition Plat 2021-11; thence South $89^{\circ}58'44''$ East 224.78 feet to a point on the north line of said Parcel 2 and the POINT OF BEGINNING; thence leaving said north line North $37^{\circ}52'56''$ West 20.47 feet to the terminus of said centerline, being a point on the southeasterly terminus of an existing 10 foot wide storm easement as depicted on Partition Plat 2021-11, the sidelines of the above described easement are to extend and shorten with said north line of Parcel 2, as shown on a map attached hereto and made a part thereof.

END OF DESCRIPTION

EXHIBIT A

Leland MacDonald & Assoc.
3765 Riverside Drive
McMinnville, OR 97128
Phone: 472-7904
Fax: 472-0367

RENEWS 31 DECEMBER 2022



6 May 2020

Description of Real property for: FOX FARM RESORT LLC – Storm sewer easement in Parcel 2, PT 2021-11.

An easement, 10 feet in width, lying 5 feet each side of the centerline thereof, located in Section 25, Township 3 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being a portion of Parcel 2 of Partition Plat 2021-11, the centerline of said easement being more particularly described as follows:

Commencing at an iron rod marking the most southerly northwest corner of said Parcel 2; thence South 89°58'44" East 224.78 feet to a point on the north line of said Parcel 2 and the POINT OF BEGINNING; thence leaving said north line South 37°52'56" East 6.34 feet to a point that is 5.00 feet from when measured at right angles to said north line; thence parallel with said north line and 5.00 feet distant therefrom South 89°58'44" East 255.26 feet to a point on the westerly margin of State Highway 99W, being a point on the east line of said Parcel 2 and the terminus of said centerline, the side lines of which to extend & shorten with the north & east lines of said Parcel 2, as shown on a map attached hereto and made a part thereof.

END OF DESCRIPTION

EASEMENT EXHIBIT "B" for: FOX FARM RESORT, LLC

LOCATION: NW 1/4 SECTION 25, TOWNSHIP 3 SOUTH,
RANGE 3 WEST, WILLAMETTE MERIDIAN A PORTION OF THE D.
RAMSEY D.L.C. #59, YAMHILL COUNTY, OREGON

TAX LOT: R3325 - 600

DATE: 22 JUNE 2021

SCALE: 1" = 60'

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

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Leland A. Macdonald

OREGON
January 16, 2002
LELAND A. MACDONALD
53226

Renews 31 December 2022

Parcel 1
PT 2021-11

FOX FARM ROAD

EXISTING 10' WIDE STORM EASEMENT
BENEFITS YAMHILL COUNTY PER
PARTITION 2021-11

PROPOSED 10' WIDE STORM EASEMENT
TO BENEFIT YAMHILL COUNTY

POINT OF COMMENCEMENT
MOST SOUTHERLY NW CORNER
PARCEL 2 OF PARTITION PLAT
2021-11

LINE TABLE

LINE BEARING	DISTANCE
L1 N 37°52'56" W	120.47'
L2 S 37°52'56" E	6.34'

Parcel 2
PT 2021-11

PROPOSED 10' WIDE STORM EASEMENT
TO BENEFIT YAMHILL COUNTY

