



AmeriTitle, LLC
320 Church St. NE, Salem, OR 97301
PHONE (503) 581-1431 FAX (503) 364-8716

September 24, 2024
File Number: 622302AM
Report No.: **2**
Title Officer: Ashley Valdez
Escrow Officer: Stephanie Moore

PRELIMINARY TITLE REPORT

Property Address: XXX Cordon Rd SE, Salem, OR 97301

Policy or Policies to be issued:

ALTA LENDER'S RESIDENTIAL (X) EXTENDED () STANDARD

Liability

TBD

Reissue Rate

Premium

TBD

Proposed Insured:

Endorsements: OTIRO - End 209.10-06 and 222-06

\$100.00

Local Government Lien Search

\$250.00

We are prepared to issue ALTA (07/01/21) title insurance policy(ies) of Old Republic National Title Insurance Company, in the usual form insuring the title to the land described as follows:

Legal description attached hereto and made a part hereof marked Exhibit "A"

and dated as of 18th day of September, 2024 at 7:30 a.m., title is vested in:

Kevin Harrison

The estate or interest in the land described or referred to in this Preliminary Title Report and covered herein is:

FEE SIMPLE

Except for the items properly cleared through closing, Schedule B of the proposed policy or policies will not insure against loss or damage which may arise by reason of the following:

GENERAL 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.

EXCEPTIONS 1 THROUGH 5 ABOVE APPLY TO STANDARD COVERAGE POLICIES AND MAY BE MODIFIED OR ELIMINATED ON AN EXTENDED COVERAGE POLICY.

SPECIAL EXCEPTIONS:

For TAX INFORMATION, See Attached Exhibit "B"

6. The 2024-2025 Taxes: A lien not yet due or payable.
7. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land. If the Land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land use assessment.
8. City liens, if any, of the City of Salem.
9. The property lies within and is subject to the levies and assessments of the Marion Soil and Water Conservation District.
10. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.
11. Limited access provisions contained in Deed to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: May 17, 1955
Instrument No.: [Volume: 475 Page: 530](#)

12. Limited access provisions contained in Deed to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: May 18, 1955
Instrument No.: [Volume: 475 Page: 579](#)
13. Limited access provisions contained in Deed to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: December 6, 1956
Instrument No.: [Volume: 495 Page: 358](#)
14. Limited access provisions contained in Deed to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: July 1, 1958
Instrument No.: [Volume: 513 Page: 236](#)
15. Limited access provisions contained in Deed to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: December 18, 1961
Instrument No.: [Volume: 552 Page: 398](#)
16. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as reserved in instrument:
Recorded: March 21, 1979
Instrument No.: [Reel: 160 Page: 1915](#)
17. Annexation Agreement, including the terms and provisions thereof,
Recorded: February 23, 1983
Instrument No.: [Reel: 303 Page: 1320](#)

Amended by instrument,
Recorded: March 1, 1983
Instrument No.: [Reel: 304 Page: 399](#)
18. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: State of Oregon, by and through its Department of Transportation
Recorded: June 25, 1990
Instrument No.: [Reel: 779 Page: 69](#)
19. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: State of Oregon, by and through its Department of Transportation
Recorded: July 17, 1991
Instrument No.: [Reel: 869 Page: 240](#)
20. Limited access provisions contained in "Final Judgment and Order of Taking" to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Filed: September 30, 1991
Case No.: 89C10430
Circuit Court for: Marion County

Also recorded: October 8, 1991

Instrument No.: [Reel: 891 Page: 24](#)

21. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: State of Oregon, by and through its Department of Transportation
Recorded: October 8, 1991
Instrument No.: [Reel: 891 Page: 24](#)
22. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: City of Salem
Recorded: March 18, 1998
Instrument No.: [Reel: 1471 Page: 92](#)
23. Limited access provisions contained in Deed to State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: June 22, 1998
Instrument No.: [Reel: 1498 Page: 337](#)

Easement for underground water pipe and improvements, including the terms and provisions thereof,
Case No.: 99C11824
Filed: March 4, 1999
24. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: City of Salem
Recorded: April 19, 2000
Instrument No.: [Reel: 1684 Page: 479](#)
25. Nonexclusive Access and Utility Easement and Road Maintenance Agreement, including the terms and provisions thereof,
Recorded: February 1, 2002
Instrument No.: [Reel: 1897 Page: 341](#)

Re-recorded: February 6, 1999
Instrument No.: [Reel: 1899 Page: 284](#)
26. Nonexclusive Drainage and Sewer Easement and Maintenance Agreement, including the terms and provisions thereof,
Recorded: February 1, 2002
Instrument No.: [Reel: 1897 Page: 342](#)

Re-recorded: February 6, 2002
Instrument No.: [Reel: 1899 Page: 285](#)
27. An easement including the terms and provisions thereof, affecting the portion of said Land and for the purposes stated therein as set forth in instrument:
Granted To: City of Salem, an Oregon municipal corporation
Recorded: October 14, 2005
Instrument No.: [Reel: 2551 Page: 351](#)
28. Notice of Decision, including the terms and provisions thereof,
Recorded: January 21, 2015
Instrument No.: [Reel: 3666 Page: 354](#)

29. Unrecorded leaseholds, if any, and the rights of vendors and holders of security interest in personal property of tenants to remove said personal property at the expiration of the term.
30. 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.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

IF THE ABOVE EXCEPTION IS TO BE REMOVED FROM A FORTHCOMING POLICY PRIOR TO THE EXPIRATION OF THE STATUTORY LIEN PERIOD, THE COMPANY MUST BE CONTACTED REGARDING ITS UNDERWRITING REQUIREMENTS FOR EARLY ISSUE.

31. Persons in possession or claiming the right of possession.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

INFORMATIONAL NOTES:

NOTE: Our examination of the title to the subject property discloses no open Deeds of Trust or Mortgages of record. The accuracy of this conclusion should be confirmed in writing prior to closing of the proposed transaction.

NOTE: This report does not include a search for financing statements filed in the office of the Secretary of State in this or any other 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 (Recorder) covering timber on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system.

NOTE: As of the date hereof, there are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:
Parties:

Kevin Harrison

NOTE: We find the following deed affecting said Land recorded within 24 months of the date of this report:
Document: Statutory Warranty Deed
Grantor: Colson & Colson Construction Co., an Oregon general partnership, which acquired title as Colson & Colson Construction., Co., Norman L. Brenden, and Joseph R. Fox, aka Jack Fox
Grantee: Kevin Harrison
Recorded: January 10, 2022
Instrument No.: Reel: 4583 Page: 227

NOTE: This Report No. 2 was updated to reflect the following changes:

1. Update prelim date
2. Add 2024-25 tax exception

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the parties to the transaction must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

NOTE: Due to current conflicts or potential conflicts between state and federal law, which conflicts may extend to local law, regarding marijuana, if the transaction to be insured involves property which is currently used or is to be used in connection with a marijuana enterprise, including but not limited to the cultivation, storage, distribution, transport, manufacture, or sale of marijuana and/or products containing marijuana, the Company declines to close or insure the transaction, and this Preliminary Title Report shall automatically be considered null and void and of no force and effect.

THIS PRELIMINARY TITLE REPORT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

End of Report

"Superior Service with Commitment and Respect for Customers and Employees"

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL I:

A tract of land lying and being in the Northwest quarter of Section 5, Township 8 South, Range 2 West, of the Willamette Meridian, in the City of Salem, Marion County, Oregon and being more particularly described as follows:

Beginning on the Westerly right-of-way line of County Road No. 847, at a point which is 892.94 feet North 45°46'30" East and 50.04 feet North 41°53' West from the most Northerly corner of the Thomas Stanley Donation Land Claim No. 46, in Township 8 South, Range 2 West of the Willamette Meridian in the City of Salem, Marion County, State of Oregon; thence North 41°53' West 266.35 feet; thence South 45°46'30" West, parallel with said right-of-way line, 245.33 feet; thence South 41°53' East 266.35 feet to a point on said right-of-way line; thence North 45°46'30" East 245.33 feet to the place of beginning.

SAVE AND EXCEPT that portion conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division by deed recorded June 15, 1988, in Reel 625, Page 406, Microfil Records, Marion County, Oregon.

PARCEL II:

Beginning on the Westerly right-of-way line of County Road No. 847, at a point which is 892.94 feet North 45°46'30" East and 50.04 feet North 41°53' West from the Northerly corner of the Thomas Stanley Donation Land Claim No. 46, in Township 8 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; thence South 45°46'30" West, along said right-of-way line, 245.33 feet; thence South 43°42'50" West 285.24 feet; thence South 53°43' West 131.16 feet to a point on the North right-of-way line of the North Santiam Highway; thence North 66°28'30" West, along said Highway right-of-way line, 1085.57 feet; thence North 50°15'50" East 1112.56 feet; thence South 41°53' East 926.34 feet to the place of beginning.

EXCEPTING THEREFROM: Beginning on the Westerly right-of-way line of County Road No. 847, at a point which is 892.94 feet North 45°46'30" East and 50.04 feet North 41°53' West from the most Northerly corner of the Thomas Stanley Donation Land Claim No. 46, in Township 8 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; thence North 41°53' West 266.35 feet; thence South 45°46'30" West, parallel with said right-of-way line, 245.33 feet; thence South 41°53' East 266.35 feet to a point on said right-of-way line; thence North 45°46'30" East 245.33 feet to the place of beginning.

FURTHER EXCEPTING THEREFROM: Beginning at a point which is 892.94 feet North 45°46'30" East and 316.39 feet North 41°53' West from the most Northerly corner of the Thomas Stanley Donation Land Claim in Township 8 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; thence South 45°46'30" West 65.805 feet; thence North 41°53' West 665.144 feet; thence North 50°15'50" East 65.80 feet to a point which is North 41°53' West from the place of beginning; thence South 41°53' East 659.99 feet to the place of beginning.

FURTHER EXCEPTING THEREFROM, that portion acquired by the State of Oregon, by and through its Department of Transportation by final judgment recorded October 8, 1991 in Reel 891, Page 24, Microfilm Records, Marion County, Oregon.

FURTHER EXCEPTING THEREFROM, that portion conveyed to the City of Salem by Warranty Deed recorded June 22, 1998 in Reel 1498, Page 337, Microfilm Records for Marion County, Oregon.

PARCEL III:

Beginning on the Westerly right-of-way line of County Road No. 847 at a point which is 892.94 feet North 45°46'30" East and 65.05 feet North 41°53' West from the most Northerly comer of the Thomas Stanley Donation Land Claim No. 46 in Township 8 South, Range 2 West of the Willamette Meridian in Marion County, Oregon; thence North 41° 53' West 266.35 feet; thence South 45°46'30" West 65.805 feet; thence North 41°53' West 665.144 feet; thence North 50°15' East 546.16 feet; thence South 41°53' East 888.72 feet to the Westerly right-of-way line of said county road; thence South 45°46'30" West 480.41 feet to the place of beginning.

EXCEPTING THEREFROM, that portion of the above described tract of land acquired by the State of Oregon, by and through its Department of Transportation in Final Decree and Judgment filed April 19, 1990 in Case No. 89C10430, and recorded June 25, 1990 in Reel 779, Page 69, Film Records for Marion County, Oregon.

Exhibit ‘B’

TAX INFORMATION:

File No. 622302AM

Code No.	Account No.	Map No.	Tax Year	Amount	Status
24010	529395	082W050000200	2023-2024	\$4,029.98	Paid
24010	529392	082W050000300	2023-2024	\$2,144.63	Paid
24010	529390	082W050000400	2023-2024	\$1,983.67	Paid
24010	529391	082W050000401	2023-2024	\$419.84	Paid
24940	529392	082W050000300	2023-2024	\$228.84	Paid
24010	529393	082W050000500	2023-2024	\$1,040.24	Paid