

PRELIMINARY

After recording, return to:

Christopher Weddle
1340 Rafael Ave N
Keizer, OR 97303

Send tax statements to:

Christopher Weddle
1340 Rafael Ave N
Keizer, OR 97303

Consideration = \$0

Property Line Adjustment Deed (2 OF 2)

Macleay Commons LLC, hereinafter called Grantor, 1340 Rafael St N, Keizer, Oregon 97303, is the owner of real property located in the City of Salem, Marion County, Oregon, described in Instrument Number 4648, Page 371, Marion County Deed Records, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein.

Macleay Commons LLC, an Oregon Limited Liability Company, hereinafter called Grantee, 1340 Rafael St N, Keizer, Oregon 97303, are the owners of real property located in the City of Salem, Marion County, Oregon, described in Exhibit C of Instrument Number 2025-_____, Marion County Deed Records, 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 is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 2.58 acres and will hereafter consist of the land more particularly described in Exhibit C, and Property B will be increased in size by approximately 2.58 acres and will hereafter consist of the land more particularly described on Exhibit D, both of which are attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured property as described in Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in the City of Salem, Marion 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 \$0; however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this deed is to affect a property line adjustment, and the two parcels are to remain separate and distinct.

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This Property Line Adjustment Deed is executed this _____ day of _____, 20____.

GRANTOR / GRANTEE

Macleay Commons LLC
By: 69th Street Development LLC

By: Christopher Weddle, Member

By: Terra West, LLC

By: Gordon King, Member

By: Eric Kuenzi, Member

State of OREGON)
) ss.
County of MARION)

This instrument was acknowledged before me on _____, 20 _____,
by Christopher Weddle as Member of 69th Street Development LLC.

Notary Public for Oregon

My Commission Expires:

State of OREGON)
) ss.
County of MARION)

This instrument was acknowledged before me on _____, 20 _____,
by Gordon King and Eric Kuenzi as Members of Terra West, LLC.

Notary Public for Oregon

My Commission Expires:

PRELIMINARY

EXHIBIT A

Legal Description For:
Original Property A

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

Beginning at a point on the Southerly line of Salem-Macleay County Road which is South 4° 15' East 240.21 feet and south 85° 45' West 120 feet and North 4° 15' West 258 feet from the Northeast corner of Tract 8, SALEM GARDEN AND FRUIT TRACTS, Marion County, Oregon; thence South 4° 15' East 258 feet to the North line of a tract of land conveyed to Mark Helvig by deed recorded March 4, 1977, in Reel 73, Page 546, Book of Records, Marion County, Oregon; thence South 85° 27' West along said North line 186.40 feet, more or less, to the Northwest corner thereof; thence South 4° 25' 30" East 143.51 feet to the Southwest corner of said Helvig tract; thence South 85° 41' West 306.40 feet to the East line of that parcel described in Volume 721, Page 438, Deed Records for Marion County, Oregon; thence North 4° 18' West along the East line of said Volume 721, Page 438 Deed Records for Marion County, Oregon to the Southerly line of the Salem-Macleay County Road; thence South 72° 49' East along the Southerly line of said road to the point of beginning.

Save and except: Beginning at a point on the Southerly line of Salem-Macleay County Road which is South 4° 15' East 240.21 feet and South 85° 45' West 120 feet and North 4° 15' West 258 feet from the Northeast corner of Tract 8, Salem Garden and Fruit Tracts, Marion County, Oregon; thence South 4° 15' East 258 feet; thence South 85° 45' West 152 feet; thence North 4° 15' West 318 feet to the Southerly line of Salem-Macleay County Road; thence South 72° 49' East along the Southerly line of said road to the place of beginning.

Also save and except: A parcel of land lying in Section 32, Township 7 South, range 2 West of the Willamette Meridian, Marion County, Oregon, described as follows:

Beginning at the Northeast corner of that tract of land conveyed to Myrtle J. Beaver, Trustee, in Deed recorded April 12, 1989 in Reel 683, Page 316, Records for Marion County, Oregon; thence South 4° 15' East, along the Easterly line of said tract to the most Easterly Southeast corner of said tract and the Southwest corner of a parcel conveyed to Frank E. Piggott and Patsy L. Piggott, by deed recorded August 15, 1989 in Reel 709, Page 315, Records for Marion County, Oregon, said point also being on the North line of a tract of land conveyed to Mark Helvig by deed recorded March 4, 1977 in Reel 73, Page 546, Records for Marion County, Oregon; thence westerly along said North line 34.4 feet; thence Northerly parallel to the East line of said Beaver tract,

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to a point on the South line of Salem-Macleay County Road; thence Southeasterly along the South line of said County Road to the point of beginning.

NOTE: This legal description was created prior to January 1, 2008.

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EXHIBIT B

Legal Description For:
Original Property B

A unit of land situated in the southwest one-quarter of Section 32, Township 7 South, Range 2 West of the Willamette Meridian, in the City of Salem, Marion County, Oregon, said unit of land being all of that property described in Instrument Number 2023-32, Marion County Deed Records and all of that property identified as an Exception in Reel 145, Page 880, Marion County Deed Records; more particularly described as follows:

Beginning at a point on the west right of way line of 49th Avenue SE, said point recorded as being 20.00 feet South 85°41'18" West and 212.81 feet North 4°32'18" West from the Southeast corner of Lot 10 of Salem Garden and Fruit Tracts, as recorded in Volume 2, Page 62, Marion County Book of Town Plats; and running thence:

along the south line of said Lot 10, South 86°00'33" West 613.51 feet to a 5/8-inch iron pipe with orange plastic cap stamped "HARRIS L.S.96889" on the east line of RESUBDIVISION OF A PORTION OF LOT 1 AND ALL OF LOTS 2,3,4 AND 5 OF BLOCK 6, AND LOTS 1,5,8,9,10,11,12,13,14,15 AND 16 OF BLOCK 7, IN MACLEAY ESTATES NO. 3., as platted and recorded in Volume 37, Page 9, Book of Town Plats for Marion County, Oregon;

thence along said east line, North 03°58'45" West 213.02 feet to a 3/4-inch iron pipe; thence North 86°00'02" East 306.39 feet to a 3/4-inch iron pipe at the northwest corner of that property described in Reel 3818, Page 213, Marion County Deed Records; thence along the west line of said property, South 04°03'36" East 152.07 feet to the southeast corner of said property;

thence along the south line of said property, North 86°00'33" East 306.70 feet to said west right of way line of 49th Avenue SE;

thence along said west right of way line, South 04°10'20" East 61.00 feet to the point of beginning, said unit of land containing 1.93 acres of land, more or less.

Bearings are based on the Oregon Coordinate Reference System (OCRS) Salem Zone, with reference to NAD 83 (2011) Epoch 2010.00.

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EXHIBIT C

Legal Description For:
Adjusted Property C

A unit of land situated in the southwest one-quarter of Section 32, Township 7 South, Range 2 West of the Willamette Meridian, in the City of Salem, Marion County, Oregon, said unit of land being a portion of that property described in Instrument Number 2022-34006, Marion County Deed Records; more particularly described as follows:

Beginning at the northeast corner of Lot 1, Block 5, Macleay Estates No. 2, as platted and recorded in Volume 31, Page 19, Book of Town Plats of Marion County, said point being on the south right of way line of Macleay Road (MR 23); and running thence:
along said south right of way line, South 87°10'25" East 23.89 feet to a point of curvature;
thence southeasterly along the arc of a 1,879.86-foot radius curve to the right (the chord of which bears South 83°05'47" East 244.35 feet) 244.52 feet;
thence leaving said south right of way line, South 28°37'23" West 90.08 feet to a point of curvature;
thence southwesterly along the arc of a 151.09-foot radius curve to the right (the chord of which bears South 41°27'08" West 67.10 feet) 67.66 feet to a point of tangency;
thence South 54°16'54" West 36.84 feet to a point of curvature;
thence southwesterly along the arc of a 262.44-foot radius curve to the left (the chord of which bears South 32°29'59" West 194.77 feet) 199.54 feet to a point of tangency;
thence South 10°43'05" West 79.68 feet to a point on the east line of Macleay Estates No. 2, as platted and recorded in Volume 31, Page 19, Book of Town Plats for Marion County;
thence along said east line, North 03°58'45" West 424.99 feet to the Point of Beginning, containing 1.11 acres of land, more or less.

Bearings are based on the Oregon Coordinate Reference System (OCRS) Salem Zone, with reference to NAD 83 (2011) Epoch 2010.00.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PRELIMINARY

OREGON
JANUARY 10, 2023
BRAD ROBERT HARRIS
96889PLS

EXPIRES: 06/30/2025

PRELIMINARY

EXHIBIT D

Legal Description For:
Adjusted Property D

A unit of land situated in the southwest one-quarter of Section 32, Township 7 South, Range 2 West of the Willamette Meridian, in the City of Salem, Marion County, Oregon, said unit of land being a portion of that property described in Instrument Number 2022-34006 together with a portion of that property described in Exhibit C of Instrument Number 2025-_____, Marion County Deed Records; more particularly described as follows:

Beginning at the northeast corner of Lot 1, Block 5, Macleay Estates No. 2, as platted and recorded in Volume 31, Page 19, Book of Town Plats of Marion County, said point being on the south right of way line of Macleay Road (MR 23); thence South 03°58'45" East 424.99 feet to the TRUE POINT OF BEGINNING of this description and running thence:
leaving said east line, North 10°43'05" East 79.68 feet to a point of curvature;
thence northeasterly along the arc of a 262.44-foot radius curve to the right (the chord of which bears North 32°29'59" East 194.77 feet) 199.54 feet to a point of tangency;
thence North 54°16'54" East 36.84 feet to a point of curvature;
thence northeasterly along the arc of a 151.09-foot radius curve to the left (the chord of which bears North 41°27'08" East 67.10 feet) 67.66 feet to a point of tangency;
thence North 28°37'23" East 90.08 feet to a point on the south right of way line of said Macleay Road, said point being the beginning of a non-tangent curve concave to the southwest;
thence along said right of way line, Southeasterly along the arc of a 1,879.86-foot radius curve to the right (the radius point of which bears South 10°37'48" West and the chord of which bears South 78°24'23" East 63.23 feet) 63.24 feet to a point at the northeast corner of said property described in Instrument Number 2022-34006;
thence leaving said right of way line, along the east line of said property, South 04°09'41" East 320.65 feet;
thence along said east line, South 85°46'28" West 19.42 feet;
thence along the east line of said property, and the east line of that property described in said Exhibit C, South 04°03'35" East 295.54 feet;
thence along the most easterly north line of said property, North 86°00'33" East 306.70 to a point on the west right of way line of 49th Avenue SE;
thence along said west right of way line, South 04°10'20" East 61.00 feet to a point on the south line of Lot 10 of Salem Garden and Fruit Tracts, as platted and recorded in Volume 2, Page 62, Marion County Book of Town Plats;
thence along the south line of said Lot 10, South 86°00'33" West 613.51 feet to a 5/8-

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inch iron rod with orange plastic cap stamped "HARRIS L.S.96889" on the east line of RESUBDIVISION OF A PORTION OF LOT 1 AND ALL OF LOTS 2,3,4 AND 5 OF BLOCK 6, AND LOTS 1,5,8,9,10,11,12,13,14,15 AND 16 OF BLOCK 7, IN MACLEAY ESTATES NO. 3., as platted and recorded in Volume 37, Page 9, Book of Town Plats for Marion County, Oregon;
thence along said east line, North 03°58'45" West 318.27 feet to the TRUE POINT OF BEGINNING of this description, said unit of land containing 4.51 acres of land, more or less.

Bearings are based on the Oregon Coordinate Reference System (OCRS) Salem Zone, with reference to NAD 83 (2011) Epoch 2010.00.

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PROFESSIONAL
LAND SURVEYOR

PRELIMINARY

OREGON
JANUARY 10, 2023
BRAD ROBERT HARRIS
96889PLS

EXPIRES: 06/30/2025

PRELIMINARY

EXHIBIT E

Legal Description For:
Transferred Property E

A unit of land situated in the southwest one-quarter of Section 32, Township 7 South, Range 2 West of the Willamette Meridian, in the City of Salem, Marion County, Oregon, said unit of land being a portion of that property described in Instrument Number 2022-34006, Marion County Deed Records; more particularly described as follows:

Beginning at the northeast corner of Lot 1, Block 5, Macleay Estates No. 2, as platted and recorded in Volume 31, Page 19, Book of Town Plats of Marion County, said point being on the south right of way line of Macleay Road (MR 23); thence South 03°58'45" East 424.99 feet to the TRUE POINT OF BEGINNING of this description and running thence:
leaving said east line, North 10°43'05" East 79.68 feet to a point of curvature;
thence northeasterly along the arc of a 262.44-foot radius curve to the right (the chord of which bears North 32°29'59" East 194.77 feet) 199.54 feet to a point of tangency;
thence North 54°16'54" East 36.84 feet to a point of curvature;
thence northeasterly along the arc of a 151.09-foot radius curve to the left (the chord of which bears North 41°27'08" East 67.10 feet) 67.66 feet to a point of tangency;
thence North 28°37'23" East 90.08 feet to a point on the south right of way line of said Macleay Road, said point being the beginning of a non-tangent curve concave to the southwest;
thence along said right of way line, Southeasterly along the arc of a 1,879.86-foot radius curve to the right (the radius point of which bears South 10°37'48" West and the chord of which bears South 78°24'23" East 63.23 feet) 63.24 feet to a point at the northeast corner of said property described in Instrument Number 2022-34006;
thence leaving said right of way line, along the east line of said property, South 04°09'41" East 320.65 feet;
thence along said east line, South 85°46'28" West 19.42 feet;
thence along the east line of said property, South 04°03'35" East 143.37 feet;
thence along the south line of said property, South 86°00'02" West 306.39 feet to a point on the east line of RESUBDIVISION OF A PORTION OF LOT 1 AND ALL OF LOTS 2,3,4 AND 5 OF BLOCK 6, AND LOTS 1,5,8,9,10,11,12,13,14,15 AND 16 OF BLOCK 7, IN MACLEAY ESTATES NO. 3., as platted and recorded in Volume 37, Page 9, Book of Town Plats for Marion County, Oregon;
thence along said east line, North 03°58'45" West 105.25 feet to the TRUE POINT OF BEGINNING of this description, said unit of land containing 2.58 acres of land, more or less.

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LAND SURVEYOR

PRELIMINARY

OREGON
JANUARY 10, 2023
BRAD ROBERT HARRIS
96889PLS

EXPIRES: 06/30/2025