

**PRELIMINARY**

**After recording, return to:**

49<sup>TH</sup> Ave SE LLC  
1340 Rafael Ave N  
Keizer, OR 97303

**Send tax statements to:**

49<sup>TH</sup> Ave SE LLC  
1340 Rafael Ave N  
Keizer, OR 97303

Consideration = \$0

## **Property Line Adjustment Deed (1 OF 2) Consolidation**

Macleay Commons LLC, an Oregon Limited Liability Company, 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 2024-035338, 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, is the owner of real property located in the City of Salem, Marion County, Oregon, described in Instrument Number 2024-035338, 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 (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 30,646 square feet, and will hereafter be eliminated, and Property B will be increased in size by approximately 30,646 square feet and will hereafter consist of the land more particularly described on Exhibit C, 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 property as described on Exhibit C, 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 A, which is attached hereto and by this reference incorporated herein.

## PRELIMINARY

“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, to consolidate two parcels into one.

**PRELIMINARY**

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

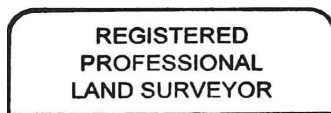
\_\_\_\_\_  
My Commission Expires:

**PRELIMINARY**

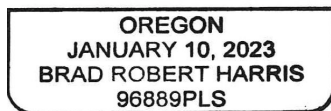
**EXHIBIT A**

Legal Description For:  
Original Property A

The Westerly 306.40 feet of the Southerly 100 feet, more or less, of Lot 9, SALEM GARDEN AND FRUIT TRACTS, Marion County, Oregon, (see Volume 2, Page 62, Records of Town Plats for said county and state).



**PRELIMINARY**



**EXPIRES: 06/30/2025**

PRELIMINARY

EXHIBIT B

Legal Description For:  
Original Property B

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

Lot 10, SALEM GARDEN AND FRUIT TRACTS, Marion County, Oregon, (see Volume 2, Page 62, Records of Town Plats for said county and state).

SAVE AND EXCEPT The Northerly 152.00 feet of the following:

Beginning at a 3/4 inch iron pipe on the West line of a 40 foot wide County Road, which is 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 being situated in Section 32, Township 7 South, Range 2 West of the Willamette Meridian, Marion County, Oregon; thence South 85°41'18" West, parallel with the South line of said Lot 10, 306.815 feet to a 3/4 inch iron pipe; thence North 4°25'30" West, 213.00 feet to a 3/4 inch iron pipe; thence North 85°41'18" East, parallel with the South line of said Lot 10, 306.40 feet to a 3/4 inch iron pipe on the West line of said County Road; thence South 4°32'18" East, 213.00 feet to the point of beginning.

SAVE AND EXCEPT: Beginning a point on the East line of Lot 10 of SALEM GARDEN AND FRUIT TRACTS as recorded in Book 2, Page 62, Marion County Book of Town Plats in Section 32, Township 7 South, Range 2 West of the Willamette Meridian, in Marion County, Oregon, which bears North 4°32'18" West 20.00 feet, from the Southeast corner of said Lot 10 and running thence South 85°41'18" West 245.92 feet to a 3/4 inch iron pipe; thence North 4°32'18" West 192.81 feet to a 3/4 inch iron pipe; thence North 85°41'18" East 245.92 feet to a point on the East line of said Lot 10; thence South 4°32'18" East 192.81 feet to the point of beginning.

SAVE AND EXCEPT: Beginning at a 1/2 inch iron pipe marking 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, in Section 32, Township 7 South, Range 2 West of the Willamette Meridian, Marion County, Oregon and running thence: South 85°41'18" West along the South line of said Lot 10, 634.46 feet to a 5/8 inch iron rod; thence North 4°18'42" West, along the East line of that tract of land described in Volume 721, Page 438, Marion County Record of Deeds, 212.81 feet to a 3/4 inch iron pipe; thence North 85°41'18" East 387.71 feet to a 3/4 inch iron pipe; thence South 4°32'18" East 192.81 feet to a 3/4 inch iron pipe; thence North 85°41'18" East 245.92 feet to a point on the East line of said Lot 10; thence South 4°32'18" East 20.00 feet to the point of beginning and containing 2.00 acres of land, more or less.

**PRELIMINARY**

SAVE AND EXCEPT that portion of the above described parcel of land lying within a 40 foot wide County Road.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**PRELIMINARY**

OREGON  
JANUARY 10, 2023  
BRAD ROBERT HARRIS  
96889PLS

EXPIRES: 06/30/2025

PRELIMINARY

EXHIBIT C

Legal Description For:  
Consolidated 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 all of that property described in Instrument Number 2024-035338, Marion County Deed Records and excepting all of that property described in Instrument Number 2024-26093, 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 platted and 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 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 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.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

PRELIMINARY

OREGON  
JANUARY 10, 2023  
BRAD ROBERT HARRIS  
96889PLS

EXPIRES: 06/30/2025