



**First American Title™**

**First American Title Insurance Company**

777 Commercial Street SE, Suite 100  
Salem, OR 97301  
Phn - (800)742-2414  
Fax - (866)849-3065

## **PUBLIC RECORD REPORT FOR NEW SUBDIVISION OR LAND PARTITION**

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF:

Mark Kriege  
PO BOX 460169  
Houston, TX 77056  
Phone:  
Fax:

Date Prepared : November 07, 2023  
Effective Date : 8:00 A.M on October 25, 2023  
Order No. : 7089-4115432  
Subdivision : OSNER'S SUBURBAN HOMES ADDITION

The information contained in this report is furnished by First American Title Insurance Company (the "Company") as an information service based on the records and indices maintained by the Company for the county identified below. This report is not title insurance, is not a preliminary title report for title insurance, and is not a commitment for title insurance. No examination has been made of the Company's records, other than as specifically set forth in this report. Liability for any loss arising from errors and/or omissions is limited to the lesser of the fee paid or the actual loss to the Customer, and the Company will have no greater liability by reason of this report. This report is subject to the Definitions, Conditions and Stipulations contained in it.

### **REPORT**

- A. The Land referred to in this report is located in the County of Marion, State of Oregon, and is described as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

- C. As of the Effective Date and according to the Public Records, we find title to the land apparently vested in:

As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof

- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.

**EXHIBIT "A"**  
**(Land Description Map Tax and Account)**

A tract of land in a portion of Lot 22, Ewald Fruit Farms in the City of Salem, Marion County, Oregon being more particularly described as follows:

Commencing at the Southwest corner of said Lot 22; thence N89°54'00"E 329.78; thence N0°06'00"W 26.00 feet to the North right-of-way line of Madrona Avenue and the True Point of Beginning; thence continuing N0°06'00"W 168.90 feet; thence N89°24'48"E 36/32 feet; thence N56°51'22"E 105.08 feet to a point on the centerline of vacated Triangle Drive, the vacation being created by City of Salem Ordinance No. 78-74, recorded in Vol. 782, Page 173 Deed Records of said County; thence S33°08'38"E along said line 157.08 feet to the westerly right-of-way line of South Commercial Street; thence S28°56'16"E along said line 69.73 feet; S38°21'15"W 43.10 feet to the North right-of-way line of Madrona Avenue; thence S89°54'00"W along said line 216.88 feet to the True Point of Beginning.

Except the South 8 feet deeded to the City of Salem for widening of Madrona Ave.

Map No.: 083W03BD03800  
Tax Account No.: 572733

**EXHIBIT "B"**  
**(Vesting)**

United States National Bank of Oregon, a National Banking Association

**EXHIBIT "C"**  
**(Liens and Encumbrances)**

1. Taxes for the year 2023-2024

Tax Amount               \$ 34,177.69  
Unpaid Balance:       \$ 34,177.69,   plus interest and penalties, if any  
  
Code No.:               24010  
Map & Tax Lot No.:   083W03BD03800  
Property ID No.:       572733

2. City liens, if any, of the City of Salem.

3. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.

4. Easement, including terms and provisions contained therein:

Recording Information:   October 16, 1964 as [Book 592, Page 479](#), Deed Records  
In Favor of:             The City of Salem, a municipal corporation  
Affects:                  Affects Parcel I

5. Easement, including terms and provisions contained therein:

Recording Information:   September 14, 1967 as [Book 636, Page 646](#), Deed Records  
In Favor of:             The City of Salem, a municipal corporation  
For:                      Utility  
Affects:                  Affects Parcel I

6. Easement, including terms and provisions contained therein:

Recording Information:   March 21, 1974 as [Book 773, Page 740](#), Deed Records  
In Favor of:             Portland General Electric Company, an Oregon corporation  
Affects:                  Affects Parcel I

7. Reservation of utilities in vacated street area, and the right to maintain the same, as set forth in the City of Salem Ordinance No. 87-74 a copy of which was recorded July 05, 1974 as Book 782, Page 173, Deed Records. (Affects Parcel II)

8. 39 foot setback line along the Southerly lot line and 80 foot setback line along the Easterly lot line as disclosed by Barnes Surveying & Engineering Survey No. 84-12-115, filed December 21, 1984.

9. Declaration of Easement, including terms and provisions thereof.

Recorded:               December 18, 2017 as [Reel 4027, Page 275](#), Film Records

10. Easement, including terms and provisions contained therein:  
Recording Information: November 19, 2020 as [Reel 4411, Page 458](#), Film Records  
In Favor of: Portland General Electric Company, an Oregon corporation, and  
its successors and assigns  
For: anchor
11. Unrecorded leases or periodic tenancies, if any.

NOTE: This Public Record Report-Subdivision does not include a search for Financing Statements filed in the Office of the Secretary of 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 covering Fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

## DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
  - (a) "Customer": The person or persons named or shown as the addressee of this report.
  - (b) "Effective Date": The effective date stated in this report.
  - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
  - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.
2. **Liability of the Company.**
  - (a) THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.
  - (b) No costs (including, without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
  - (c) In any event, the Company assumes no liability for loss or damage by reason of the following:
    - (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.
    - (2) Any 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, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
    - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
    - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (iii) water rights or claims or title to water.
    - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
    - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment on the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.
3. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.



*First American Title*™

First American Title Insurance Company  
777 Commercial Street SE, Suite 100  
Salem, OR 97301

### **Illegal Restrictive Covenants**

Please be advised that any provision contained in this document, or in a document that is attached, linked, or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.