

TO: SCOTT RE: M-G PH. III

SUBDIVISION GUARANTEE

ALBERTS DEVELOPMENT
ATTN: TODD ALBERTS
PO BOX 10545
EUGENE, OR 97440

Report No: 50-0408505
Your No: --
Subdivider:

SUBDIVISION GUARANTEE PREMIUM
GOVERNMENT SERVICE FEE

\$200.00
\$25.00

Western Title & Escrow Company of Lane County
Guarantees

The Oregon Real Estate Commissioner, and any County or City within which said subdivision or proposed subdivision is located.

That, according to the public records which impart constructive notice of matters affecting title to the premises hereinafter referred to, we find:

Dated as of August 31, 2005 at 5:00 p.m., title is vested in:

ALBERTS DEVELOPMENT, LLC

We also find the following apparent encumbrances, which includes "Blanket Encumbrances" as defined by ORS 92.305 (1) and also easements, restrictive covenants and rights of way within a period of ten years prior to the effective date hereof:

1. 2005-2006 taxes, a lien in an amount to be determined, but not yet payable.
2. As disclosed by the assessment and tax roll, the premises herein have been specially assessed as forest land. If the land becomes disqualified for this special assessment under the statute, an additional tax plus interest may be levied for the last five or lesser number of years in which the land was subject to this special land use assessment.
Account No.: 1724473

NOTE: 2003 Legislative changes have resulted in changes to forest assessments (FORESTLAND program/HB 2188 and SMALL TRACT FORESTLAND OPTION/HB 2197) and may impact the property described herein. For additional information, please contact the county assessor's office.

3. 1998 Postponed Farm Tax in the amount of \$76.60 prepaid for November 15, 2005 as disclosed by Lane County Tax Account 0560654
4. 1998 Postponed Farm Tax in the amount of \$1,357.84 prepaid for November 15, 2005 as disclosed by Lane County Tax Account 1724473

5. Unpaid taxes for the year 2004-2005
Unpaid Balance: \$48.08 DUE plus interest
Tax Lot No.: 18 02 03 00 00303
Account No.: 0560654, Code 19-01
(assessed with other property)
6. Unpaid taxes for the year 2004-2005
Unpaid Balance: \$1,242.35 DUE plus interest
Tax Lot No.: 18 02 03 00 00303
Account No.: 1724473, Code 19-00
(assessed with other property)
7. The rights of the public in and to that portion of the herein described property lying within the limits of roads and highways.
8. Notice of Court Order and Final Judgment and Entry of Injunction Affecting Real Property, including the terms and provisions thereof,
Recorded: January 4, 1985
Document No.: 85-00353, Official Records
9. Notice of Real Property subject to Master Plan Pursuant to Article 37 of the Springfield Development Code, including the terms and provisions thereof,
Recorded: April 13, 1999
Document No.: 99-035359, Official Records
10. Agreement, including the terms and provisions thereof,
Recorded: August 1, 2002
Document No.: 2002-058266, Official Records
11. Seller-specific item which will not appear on Purchaser title policy.

12. Seller-specific item which will not appear on Purchaser title policy.

13. Terms, provisions and conditions of easement, including but not limited to maintenance provisions contained in instrument
Recorded: March 11, 2004
Document No.: 2004-017288, Official Records
14. Seller-specific item which will not appear on Purchaser title policy.

15. Seller-specific item which will not appear on Purchaser title policy.

16. Terms, provisions and conditions of easement, including but not limited to maintenance provisions contained in instrument
Recorded: May 10, 2005
Document No.: 2005-033771, Official Records
17. Terms, provisions and conditions of easement, including but not limited to maintenance provisions contained in instrument
Recorded: May 10, 2005
Document No.: 2005-033772, Official Records
18. Terms, provisions and conditions of easement, including but not limited to maintenance provisions contained in instrument
Recorded: May 10, 2005
Document No.: 2005-033773, Official Records

19. Terms, provisions and conditions of easement, including but not limited to maintenance provisions contained in instrument
Recorded: May 10, 2005
Document No.: 2005-033774, Official Records

The premises are in Lane County, and are described as follows:

SEE ATTACHED EXHIBIT "A" attached hereto and made a part hereof.

This is not a report issued preliminary to the issuance of a Title Insurance Policy. Our search is limited to the time specified in this Guarantee and the use hereof is intended as an informational report only, to be used in conjunction with the development of real property.

Liability hereunder is limited to an aggregate sum of not to exceed \$200.00.

By: SJOHNNA M STEWART, Title Officer

SMS/jr

Any questions concerning this Subdivision Guarantee should be directed to SJOHNNA M STEWART, at (541) 431-3710.

NOTE: For copies of exceptions please call our Customer Service Department at (541) 284-8011 or email your request to eugene@westerntitle.com

EXHIBIT "A"

Beginning at a Brass Cap marking the West Southwest corner of the T. J. Maynard Donation Land Claim 44 located in Section 34, Township 17 South, Range 2 West of the Willamette Meridian, Lane County, Oregon; thence North $01^{\circ} 57' 15''$ East 483.01 feet; thence North $88^{\circ} 07' 08''$ West 302.54 feet to the Southeast corner of Lot 40, MOUNTAINGATE as platted and recorded May 10, 2005, Reception Number 2005-033764, Lane County Oregon Plat Records; thence following along said boundary of MOUNTAINGATE along the following courses: North $86^{\circ} 11' 43''$ West 113.02 feet; thence South $01^{\circ} 57' 15''$ West 109.79 feet; thence North $88^{\circ} 07' 08''$ West 26.00 feet; thence North $01^{\circ} 57' 15''$ East 110.78 feet; North $86^{\circ} 08' 32''$ West 105.66 feet to the Easterly right of way line of Mountaingate Drive; thence following along said right of way line along the arc of a 180.00 foot radius curve right an arc length of 49.52 feet (the long chord of which bears South $11^{\circ} 39' 02''$ West 49.36 feet); thence along the arc of a 20.00 foot radius curve left an arc length of 26.36 feet (the long chord of which bears South $18^{\circ} 13' 48''$ East 24.49 feet); thence South $34^{\circ} 00' 33''$ West 60.00 feet; thence along the arc of a 20.00 foot radius curve left an arc length of 26.36 feet (the long chord of which bears South $86^{\circ} 14' 53''$ West 24.49 feet); thence leaving said right of way line, South $01^{\circ} 38' 01''$ West 223.63 feet; thence South $84^{\circ} 18' 16''$ West 101.71 feet; thence South $01^{\circ} 38' 01''$ West 33.53 feet; thence South $14^{\circ} 04' 12''$ West 214.76 feet; thence North $86^{\circ} 40' 54''$ West 235.61 feet; thence North $67^{\circ} 09' 44''$ West 78.73 feet; thence North $38^{\circ} 44' 40''$ West 138.76 feet; thence South $71^{\circ} 09' 08''$ West 43.10 feet; thence South $64^{\circ} 42' 01''$ West 105.13 feet; thence South $67^{\circ} 42' 52''$ West 175.03 feet; thence South $56^{\circ} 31' 59''$ West 176.59 feet; thence South $17^{\circ} 24' 27''$ West 189.27 feet to the Southeast corner of Lot 20 of said MOUNTAINGATE; thence leaving the boundary of said MOUNTAINGATE South $87^{\circ} 09' 32''$ East 547.55 feet; thence South $03^{\circ} 19' 06''$ West 72.16 feet; thence North $80^{\circ} 04' 49''$ East 255.33 feet; thence North $77^{\circ} 57' 10''$ East 284.96 feet; thence North $69^{\circ} 43' 24''$ East 80.92 feet; thence South $86^{\circ} 14' 33''$ East 148.92 feet; thence South $56^{\circ} 02' 20''$ East 151.40 feet; thence South $41^{\circ} 17' 19''$ East 417.51 feet; thence North $55^{\circ} 29' 32''$ East 182.61 feet; thence North $34^{\circ} 59' 57''$ West 132.92 feet; thence North $55^{\circ} 29' 32''$ East 298.28 feet to the Southwest corner of Parcel 2 of Land Partition Plat No. 97-P0971; thence along the Westerly line of said LPPN 97-P0971 North $01^{\circ} 43' 43''$ East 322.66 feet to the Northwest corner thereof; thence leaving said Westerly line North $88^{\circ} 11' 45''$ West 381.00 to the point of beginning, all being in the City of Springfield, Lane County, Oregon.