

17-
8500353

NOTICE OF COURT ORDER AND FINAL
JUDGMENT AND ENTRY OF INJUNCTION
AFFECTING REAL PROPERTY

1. On December 11, 1984, Lane County Circuit Judge James R. Hargreaves entered an Order and Final Judgment and Entry of Injunction, which was filed in the following Lane County Circuit Court Records on that date:

City of Springfield, a municipal corporation of the State of Oregon, Plaintiff, vs. Roger M. Van, aka Michael Van, aka Mike Van; Roger M. Van, dba Spring Forest Land & Cattle Company; and Lou A. Surcamp, Defendants. Case No. 16-84-02533.

2. The Court's Order provides that the real property more particularly described and set forth in Exhibit "A" attached hereto and incorporated herein by reference, is subject to the following:

- (a) Contract Annexation Agreement dated October 1, 1979. 4663A001 01/04/85 REC 17.00
0004
- (b) Agreement entered into by and between Lane County and the City of Springfield dated August 20, 1980.
- (c) Article III, "Residential Districts" of the City of Springfield Zoning Code.
- (d) Article IX, "PUD - Planned Unit Development" of the City of Springfield Zoning Code.
- (e) Springfield Tree Cutting Ordinance 5249, adopted by the City of Springfield on May 21, 1984.
- (f) The Urban Growth Boundary of the City of Springfield and the Eugene-Springfield Metropolitan Area General Plan.

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Copies of the documents set forth above are available in the Planning Department of the City of Springfield.

3. The Order of the Court further provides that the clear cutting and partial cutting of trees, the harvesting and removal of timber, the cutting, bucking, limbing, harvesting and removal of felled trees on the property is prohibited except as permitted in the Court's Order.

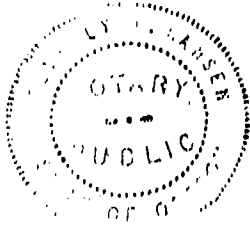
4. This Notice is intended to provide notice of the Court's "Order and Final Judgment and Entry of Injunction" to all interested persons. Such persons would be well advised to carefully review the complete "Order and Final Judgment and Entry of Injunction" entered December 11, 1984, and filed in the court file on that date.

DATED the 28 day of DECEMBER, 1984.

JOSEPH J. LEAHY
JOSEPH J. LEAHY
Of Attorneys for City of Springfield

PERSONALLY APPEARED the above named JOSEPH J. LEAHY, and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



Beverly K. Hansen
NOTARY PUBLIC FOR OREGON

My Commission Expires: 8-1-86

8500353

EXHIBIT "A"

Beginning at a point in the Westerly line of the S. D. Gager Donation Land Claim No. 45 in Township 17 South, Range 2 West of the Willamette Meridian, 1742.2 feet South $0^{\circ}01'30''$ West of the Northwest corner thereof; and running thence South $89^{\circ}44'$ East, 500.0 feet; thence North $0^{\circ}01'30''$ East parallel with the West line of said Donation Land Claim 550.0 feet to a point 660.0 feet South of the Southerly right of way line of the McKenzie Highway; thence South $89^{\circ}44'$ East parallel with said right of way line 570 feet more or less to a point 300 feet East of the West line of Section 34, Township 17 South, Range 2 West of the Willamette Meridian, said point being the true point of beginning, thence South $89^{\circ}44'$ East parallel with the aforementioned Southerly right of way line of the McKenzie Highway 3155.84 feet more or less to the most Westerly West line of the Thomas J. Maynard Donation Land Claim No. 44; thence South $0^{\circ}17'$ West on said Westerly line 482.91 feet to the Westerly Southwest corner thereof; thence South $89^{\circ}52'$ East on the Southerly line of said Donation Land Claim 381.0 feet; thence South $0^{\circ}00'40''$ West, 322.66 feet; thence South $89^{\circ}52'$ East, 675.0 feet to a point on the Westerly line of said Donation Land Claim 322.66 feet South of the re-entrant angle in said Claim; thence South $0^{\circ}00'40''$ West, 2639.81 feet to the Southwest corner of the Thomas J. Maynard Donation Land Claim; thence South $0^{\circ}00'40''$ West, 536.44 feet to the East and West center line of Section 3, Township 18 South, Range 2 West of the Willamette Meridian; thence North $89^{\circ}24'30''$ West on said East-West centerline 1858.54 feet to the Easterly line of the John Smith Donation Land Claim No. 48; thence North on said line 398.08 feet to the Northeast corner thereof; thence North $89^{\circ}58'10''$ West, 1440.25 feet to a point in the Easterly right of way line of the Weyerhaeuser Timber Company's Road as set forth in instrument recorded August 22, 1947, in Book 354, Page 433; thence on said right of way line as follows: North $2^{\circ}00'$ East, 291.17 feet; thence on the arc of a 602.96 foot radius curve left (the long chord of which bears North $33^{\circ}38'$ West, 702.56 feet) a distance of 750.0 feet, North $69^{\circ}16'$ West, 171.47 feet, on the arc of a 542.96 foot radius curve right (the long chord of which bears North $54^{\circ}11'30''$ West, 282.42 feet) a distance of 285.71 feet, and North $39^{\circ}07'$ West, 1101.59 feet; thence leaving said right of way line North $0^{\circ}06'$ West 632.77 feet to a point on the North line of Section 33, Township 17 South, Range 2 West of the Willamette Meridian; thence East along the South line of Section 33 and Section 34 in Township 17 South, Range 2 West of the Willamette Meridian 550 feet more or less to a point 300 feet East of the West line of said Section 34; thence North parallel with said West line of Section 34 a distance of 950 feet more or less to the true point of beginning.

Also: Beginning at a point on the West line of the S. D. Gager Donation Land Claim No. 91, in Township 18 South, Range 2 West of the Willamette Meridian, North $0^{\circ}01'30''$ East, 2170.39 feet from the Southwest corner of said claim; running thence on the arc of a 590.1 foot radius curve right (the chord of which bears South $67^{\circ}27'30''$ East, 560.1 feet); a distance of 583.63 feet; thence run North $0^{\circ}06'$ West, 75.14 feet; thence on an arc of a 640.1 foot radius curve left (the chord of which bears North $69^{\circ}51'40''$ West, 550.88 feet) a distance of 574.61 feet to the West line of said Claim No. 61; thence South $0^{\circ}01'30''$ West, 50.06 feet to the place of beginning, in Lane County, Oregon.

Except: That portion of the above described parcel of land lying within South 57th Street (County Road No. 452).

RECORDED

State of Oregon,
County of Lane--ss.

I, the County Clerk, in and for the said
County, do hereby certify that the within
instrument was received for record at

4 JAN 85 118 24

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Recd

133 OR

Lane County OFFICIAL Records,
Lane County Clerk

By: _____

[Signature]
Deputy

C 30-53

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After Recording, Return to:
99035359

Until requested otherwise,
send all tax statements to:

Joseph J. Leahy
223 A Street, Suite D
Springfield, OR 97477

Mel Mason
4728 Rosita Place
Tarzana, Calif 91356

NOTICE OF REAL PROPERTY SUBJECT TO MASTER PLAN PURSUANT TO
ARTICLE 37 OF THE SPRINGFIELD DEVELOPMENT CODE

0845APR.19'99#01REC 35.00
0845APR.19'99#01PFUND 10.00

This Notice is filed by the City of Springfield, A Municipal Corporation of the State of Oregon pursuant to Section 37.070 (6) of Article 37 "Master Plan" of the City of Springfield Development Code".

It is the purpose of this Notice to provide notice and information on the deeds and records of Lane County, Oregon that the property more particularly described and set forth in Exhibit A is subject to the requirements of a Master Plan entitled "MountainGate, A Proposed Residential Development" dated 1995, Revised Spring 1997, developed by the Owners and modified by a decision of the Springfield Hearing's Official Conditionally Approving the Request for Master Plan Approval of the MountainGate Development (Journal No. 95-02-39), dated May 13, 1998.

The Approval Decision of the Hearing Official provided Master Plan Approval for 10 years for MountainGate, commencing May 13, 1998, a 338 acre Residential Subdivision. The conditions of approval for the MountainGate Residential Subdivision are set forth on pages 15 through 24 of the decision and designated paragraphs 1 through 61.

4-19-99

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The requirements of the Master Plan run with the land and are binding upon the property more particularly described and set forth in Exhibit "A" until it terminates in accordance with its terms or until released by the City of Springfield, whichever shall first occur.

Copies of the proposed Residential Subdivision "MountainGate A Proposed Residential Development" as revised Spring 1997 and the Springfield Hearing's Official Decision dated May 13, 1998 are available on file, Journal No. 95-02-39 in the offices of the Development Services Division, City of Springfield, 223 Fifth Street, Springfield, Oregon, 97477.

Any person or entity interested in acquiring any interest in or to the property more particularly described and set forth in Exhibit A should check with the City of Springfield Development Services Division and review The Master Plan Approval for MountainGate and the conditions imposed on such approval.

CITY OF SPRINGFIELD:

BY Susan J. Daluddung, Director
PLANNING & DEVELOPMENT

STATE OF OREGON)
) ss.
County of Lane)

Personally appeared before me this 16TH day of April, 1999, the above named SUSAN J. DALUDDUNG and acknowledged the foregoing instrument to be ~~his~~ her voluntary act and deed.

Don R. Rogun
Notary Public for Oregon
My Commission Expires: NOV. 6, 2002

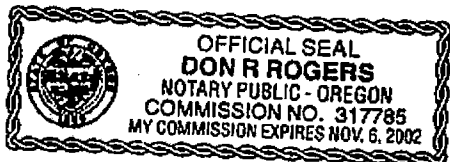


EXHIBIT "A"

99035359

BOUNDARY DESCRIPTION
FOR
MOUNTAINGATE DEVELOPMENTPARCEL 1

Beginning at a point in the Westerly line of S. D. Gager Donation Land Claim No. 45 in Township 17 South, Range 2 West of the Willamette Meridian, 1742.2 feet South $0^{\circ} 01' 30''$ West of the Northwest corner thereof; said point also being on the South line of EVERGLADE PARK, as platted and recorded in File 72, Slide 34, Lane County Oregon Plat Records; and running thence South $89^{\circ} 44'$ East 500 feet to the Southeast corner of said EVERGLADE PARK; thence North $0^{\circ} 01' 30''$ East parallel with the West line of said Donation Land Claim, 550.0 feet to a point 660.0 feet South of the Southerly right-of-way line of the McKenzie Highway; said point also being the Northeast corner of Lot 5, MAGEE'S ADDITION, as platted and recorded in File 72, Slide 37, Lane County Oregon Plat Records; thence South $89^{\circ} 44'$ East parallel with the said right-of-way line 3725.84 feet to the most Westerly West line of the Thos. J. Maynard Donation Land Claim No. 44; thence South $0^{\circ} 17'$ West on said Westerly line 482.91 feet to the Westerly Southwest corner thereof; thence South $89^{\circ} 52'$ East on the Southerly line of said Donation Land Claim, 381.0 feet; thence South $0^{\circ} 00' 40''$ West, 322.66 feet; thence South $89^{\circ} 52'$ East, 675.0 feet to a point on the Westerly line of said Donation Land Claim, 322.66 feet South of the re-entrant angle in said Claim; thence South $0^{\circ} 00' 40''$ West, 2639.81 feet to the Southwest corner of the Thos. J. Maynard Donation Land Claim; thence South $0^{\circ} 00' 40''$ West, 536.44 feet to the East and West centerline of Section 3, Township 18 South, Range 2 West of the Willamette Meridian; thence North $89^{\circ} 24' 30''$ West on said East-West centerline 1858.54 feet to the Easterly line of the John Smith Donation Land Claim No. 48; thence North on said line 398.08 feet to the Northeast corner thereof; thence North $89^{\circ} 58' 10''$ West, 1440.25 feet to a point in the Easterly right-of-way line of the Weyerhaeuser Timber Company's road as set forth in instrument recorded August 22, 1947, in Book 354, Page 433, Lane County Oregon Deed Records; thence on said right-of-way line as follows: North $2^{\circ} 00'$ East, 291.17 feet; thence on the arc of a 602.96 foot radius curve left (the long chord of which bears North $33^{\circ} 38'$ West, 702.56 feet) a distance of 750.0 feet, North $69^{\circ} 16'$ West, 171.47 feet, on the arc of a 542.96 foot radius curve right (the long chord of which bears North $54^{\circ} 11' 30''$ West, 282.42 feet) a distance of 285.71 feet, and North $39^{\circ} 07'$ West, 1101.59 feet; thence leaving said right-of-way line North $0^{\circ} 06'$ West, 542.9 feet, more or less, to a point; said point also being the Northeast corner of Lot 17, SPRING OAKS, as platted and recorded in File 73, Slide 252, Lane County Oregon Plat Records; thence North $89^{\circ} 58' 30''$ West 516.2 feet, more or less, to the West line of said Stephen Gager Donation Land Claim; thence North $0^{\circ} 01' 30''$ East on said line 535.85 feet, more or less, to the Point of Beginning, in Lane County, Oregon;

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EXCEPTING THEREFROM: That portion conveyed to McKenzie Highway Water District by Agreement Deed and Easement, recorded June 12, 1961, Reception No. 34700, Lane County Oregon Deed Records, in Lane County, Oregon;

ALSO EXCEPTING THEREFROM: That portion conveyed to the City of Springfield, a municipal corporation, by deed recorded May 27, 1965, Reception No. 04991, Lane County Oregon Deed Records, in Lane County, Oregon;

ALSO EXCEPTING THEREFROM: Any portion thereof included in Decree entered December 13, 1978, Case No. 78-5043, in the Circuit Court of the State of Oregon for Lane County, Oregon;

ALSO EXCEPTING THEREFROM: That portion conveyed to the City of Springfield, by deed recorded September 23, 1980, Reception No. 8047579, Lane County Oregon Records, in Lane County, Oregon;

ALSO EXCEPTING THEREFROM: That portion conveyed to the City of Springfield by deed recorded June 8, 1981, Reception No. 8124408, and recorded June 17, 1981, Reception No. 8125922, Lane County Oregon Records, in Lane County, Oregon;

ALSO EXCEPTING THEREFROM: Beginning at a point marking the Southeast corner of Section 33, Township 17 South, Range 2 West of the Willamette Meridian, Lane County, Oregon; running thence South 89° 09' 14" West 261.45 feet; thence South 00° 06' 02" East 74.05 feet to the Northeast corner of SPRING OAKS, as platted and recorded in File 73, Slide 252, Lane County Oregon Plat Records; thence North 89° 57' 11" West 515.55 feet to the centerline of 57th Street; thence North 00° 00' 27" East along the centerline of 57th Street 460.19 feet to the Southwest corner of EVERGLADE PARK, as platted and recorded in File 72, Slide 34, Lane County Oregon Plat Records; thence South 89° 45' 03" East 500.00 feet to the Southeast corner of said EVERGLADE PARK; thence North 00° 00' 27" East 549.78 feet along the East line of said EVERGLADE PARK, and the East line of MAGEE'S ADDITION, as platted and recorded in File 72, Slide 37, Lane County Oregon Plat Records, to the Northeast corner of said MAGEE'S ADDITION; thence South 89° 45' 09" East 577.53 feet; thence South 00° 03' 20" West 923.37 feet to the South line of Section 34 in said Township and Range; thence South 89° 09' 14" West along the South line of said Section 34 a distance of 14.45 feet to the Northeasterly line of that certain tract of land conveyed to the McKenzie Highway Water District by deed recorded June 12, 1961, Reception No. 34700, Lane County Oregon Deed Records; thence North 53° 43' 08" West 125.52 feet to the North corner of said McKenzie Highway Water District Tract; thence South 36° 16' 52" West 94.95 feet along the Northwesterly line of said McKenzie Highway Water District Tract to the South line of said Section 34; thence South 89° 09' 14" West 128.29 feet to the Place of beginning, in Lane County, Oregon.

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ALSO EXCEPTING THEREFROM: That portion conveyed to MountainGate Development Company, by Bargain and Sale Deed recorded September 20, 1994, Reel 1994R, Reception No. 9467493 (proposed EASTHAVEN Subdivision) being more particularly described as follows:

Beginning at the initial point which is marked by a 5/8" x 30" iron rod with a yellow plastic cap marked "Branch Eng. LS 2609", being South 00° 05' 42" West 322.66 feet and North 89° 49' 46" West 289.37 feet from the interior elongation corner of T. Maynard Donation Land Claim No. 44, Township 17 South, Range 2 West, of the Willamette Meridian, Lane County, Oregon and running thence South 89° 49' 46" East 289.37 feet to a point intersecting the west line of said Claim No. 44; thence along said West Claim Line No. 44 South 00° 05' 42" West 1321.69 feet to a point; thence leaving said Claim Line No. 44 and running North 81° 20' 25" West 30.13 feet to a point marked by a 5/8" iron rod; thence North 59° 37' 25" West 144.93 feet to a point marked by a 5/8" iron rod; thence North 63° 25' 37" West 117.80 feet to a point marked by a 5/8" iron rod; thence North 70° 18' 54" West 100.41 feet to a point marked by a 5/8" iron rod; thence North 00° 05' 42" East 360.53 feet to a point marked by a 5/8" iron rod; thence North 13° 02' 04" East 115.77 feet to a point marked by a 5/8" iron rod; thence South 89° 49' 46" East 99.22 feet to a point marked by a 5/8" iron rod; thence North 00° 24' 42" East 150.07 feet to a point marked by a 5/8" iron rod; thence North 04° 44' 12" East 64.77 feet to a point marked by a 5/8" iron rod; thence North 00° 18' 37" East 135.43 feet to a point marked by a 5/8" iron rod; thence North 28° 17' 34" West 139.62 feet marked by a 5/8" iron rod; thence North 00° 10' 14" East 212.20 feet to the initial point, all in Lane County, Oregon.

PARCEL 2

Beginning at a point on the West line of the S. D. Gager Donation Land Claim No. 61, in Township 18 South, Range 2 West of the Willamette Meridian; North 0° 01' 30" East, 2170.39 feet from the Southwest corner of said claim; running thence on the arc of a 590.1 foot radius curve right (the chord of which bears South 67° 27' 30" East, 560.14 feet); a distance of 583.63 feet; thence run North 0° 06' West, 75.14, more or less, to a point, said point being the Southeast corner of SPRING OAKS, as platted and recorded in File 73, Slide 252, Lane County Oregon Plat Records; thence running Northwesterly along the Southerly boundary line of said SPRING OAKS, on the arc of a 640.1 foot radius curve left (the chord of which bears North 69° 51' 40" West, 550.88 feet) a distance of 574.61 feet to the West line of said Claim No. 61; thence South 0° 01' 30" West, 50.06 feet to the Place of Beginning, in Lane County, Oregon.

PARCEL 3

Beginning at a point of the South boundary of the McKenzie Highway 3456 feet East of the Northwest corner of the Stephen Gager Donation Land Claim No. 45, Notification No. 7079, and 550.84 feet South of the Northwest corner of said Claim, in Township 17 South, Range 2 West of the Willamette Meridian; thence West 204.0 feet to the True Point of Beginning; thence continuing West 60.00 feet; thence South 660.00 feet; thence East 60.0 feet; thence North 660.00 feet to the True Point of Beginning, all in Lane County, Oregon.

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PARCEL 4

That tract of land in Section 34, Township 17 South, Range 2 West of the Willamette Meridian in Lane County, Oregon being a portion of that land conveyed to John A. Wytoski in Reel 921, Instrument #78-45114, Lane County Oregon Deed Records, lying Est of the Cliffside Manor Subdivision as platted and recorded in File 73, Slide 97, Lane County Oregon Plat Records, the said tract being described as follows:

Beginning at a point on the South right-of-way line of the McKenzie Highway 3,192.0 feet East and 55.084 feet South of the Northwest corner of the Stephen Gager Donation Land Claim #45, in Township 17 South, Range 2 West of the Willamette Meridian; thence along said right-of-way line North 89° 45' 09" West 20.11 feet, more or less, to a point on the East line of the Cliffside Manor Subdivision as platted and recorded in File 73, Slide 97, Lane County Oregon Plat Records; thence along the East line of Cliffside Manor, as monumented and its extension Southerly South 0° 00' 25" West 660.00 feet; thence South 89° 45' 09" East 20.10 feet, more or less, to the Southeast corner of that property as described in Reel 921, Instrument #78-45114, Lane County Oregon Deed Records, thence along the East line of said property North 0° 00' 27" East 660.00 feet to the point of beginning, in Springfield, Lane County, Oregon.

PARCEL 5

Beginning at a point on the South boundary of the McKenzie Highway 3,456 feet East of the Northwest corner of Stephen Gager Donation Land Claim No. 45, Notification No. 7079, and 550.84 feet South of the Northwest corner of said Claim in Township 17 South, Range 2 West of the Willamette Meridian; thence West 204.0 feet; thence South 660.0 feet; thence East 204.0 feet; thence North 660.0 feet to the Point of Beginning, in Lane County, Oregon.

PARCEL 6

Beginning at the 8 x 8 x 12 inch stone marking the location of the Southeast corner of Lot 3, Section 34, Township 17 South, Range 2 West of the Willamette Meridian, in Lane County, Oregon; thence North 174.7 feet to a point on the Southerly right-of-way line of the McKenzie Highway, said point being 2.3 feet South of a point marked by a cross on a stone; thence South 89° 44' West 366.9 feet along said Southerly right-of-way line to the True Place of Beginning; thence South 373.80 feet; thence North 89° 44' East 66.0 feet; thence South 286.2 feet; thence South 89° 44' West 478.55 feet, more or less, to a point, said point being South 660.0 feet from a point which is 550.84 feet South and 3456 feet East of the Northwest corner of the Stephen Gager Donation Land Claim No. 45; thence North 286.20 feet; thence South 89° 54' East 347.53 feet; thence North 1° 00' West 200.12 feet to a corner post set in a rock mound; thence North 1° 28' West 176.12 feet to a point on the Southerly right-of-way line of the McKenzie Highway, said point also being the Northeast corner of Lot 1, COBBLESTONE, as platted and recorded in File 73, Slide 171, Lane County Oregon Plat Records; thence North 89° 44' East 80.80 feet along the said Southerly right-of-way line to the True Place of Beginning, in Lane County, Oregon;

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EXCEPT THEREFROM: That tract described indeed to the City of Springfield, recorded March 15, 1967, Reception No. 78346, Lane County Official Records, in Lane County, Oregon; FURTHER EXCEPTING THEREFROM the parcel described as: Beginning at the 8 x 8 x 12 inch stone marking the Southeast corner of Lot 3, Section 34, Township 17 South, Range 2 West of the Willamette Meridian, Lane County, Oregon; thence North 174.7 feet to a point on the Southerly right-of-way line of the McKenzie Highway, said point being 2.3 feet South of a point marked by a cross on a stone; thence along the Southerly right-of-way of said McKenzie Highway South 89° 44' West 366.90 feet to the True Point of Beginning; thence South 316.11 feet; thence South 89° 44' West 73.85 feet to a point marking the intersection of the Northerly right-of-way of South 'A' Street and the Easterly boundary of COBBLESTONE, as platted and recorded in File 73, Slide 171, Lane County Oregon Plat Records, in Lane County, Oregon; thence along the Easterly boundary of said Plat North 1° 00' West 140.12 feet to a corner post set in a rock mound and North 1° 28' West 176.12 feet to a point on the Southerly right-of-way of McKenzie Highway, said point being the Initial Point of said COBBLESTONE; thence along the Southerly right-of-way of the McKenzie Highway North 89° 44' East 80.80 feet to the Point of Beginning, all in Lane County, Oregon.

State of Oregon

County of Lane — ss.

I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

'99 APR 19 PM 3:55

Reel **2540R**

Lane County OFFICIAL Records
Lane County Clerk

By, _____

David S. Suchan

County Clerk



00320011200200582660050052

08/01/2002 10:53:33

RPR-AGRE Cnt=1 Stn=7 CASHIER 08

\$25.00 \$10.00 \$11.00

After Recording Return to:

LeeLynn, Inc. and Wiley Mt., Inc.
PO Box 518
Creswell, OR 97426

AGREEMENT

Parties: LeeLynn, Inc. and Wiley Mt., Inc. (L/W)

Alberts Development, LLC (Alberts)


Attached to this Agreement as Exhibit A is a legal description of Mountain Gate Subdivision development in Springfield, Oregon, which L/W owns except for the portions thereof which Alberts is buying. During the course of developing Mountain Gate, the City of Springfield may grant System Development Charge (SDC) credits.

The parties have agreed that L/W shall own all SDC credits allowed on the Mountain Gate Subdivision free of any interest of Alberts or of Alberts' successors in interest.

This Agreement shall run with the land described on Exhibit A and shall be binding upon and inure to the benefit of the successors in interest to the parties.

Date: July 31, 2002.

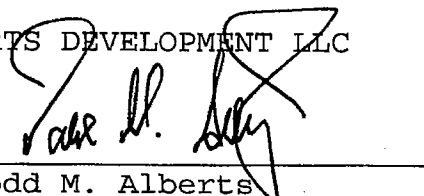
LEELYNN, INC.

By: 
Melvin L. McDougal

WILEY MT., INC.

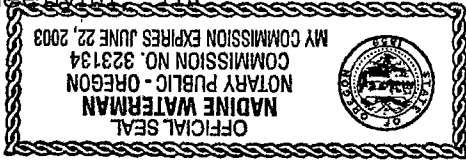
By: 
Norman N. McDougal

ALBERTS DEVELOPMENT LLC

By: 
Todd M. Alberts

STATE OF OREGON)
) ss.
County of Lane)

The foregoing instrument was acknowledged before me this
31 day of July 2002, by Melvin L. McDougal as a member of
LeLynn, Inc.



Nadine Waterman
Notary Public for Oregon
My Commission Expires: 6-22-03

STATE OF OREGON)
) ss.
County of Lane)

The foregoing instrument was acknowledged before me this
31 day of July 2002, by Norman N. McDougal as a member of
Wiley Mt., Inc.



Nadine Waterman
Notary Public for Oregon
My Commission Expires: 6-22-03

STATE OF OREGON)
) ss.
County of Lane)

The foregoing instrument was acknowledged before me this
31 day of July 2002, by Todd M. Alberts as a member of
Alberts Development, LLC.



[Signature]
Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A - Page 1 of 3

PARCEL 1

Beginning at a Point on the Westerly line of the S. D. Gager Donation Land Claim No. 45 in Township 17 South, Range 2 West of the Willamette Meridian, 1742.2 feet South $0^{\circ} 01' 30''$ West of the Northwest corner thereof; said point also being on the South line of EVERGLADE PARK, as platted and recorded in File 72, Slide 34, Lane County Oregon Plat Records; and running thence South $89^{\circ} 44'$ East 500 feet to the Southeast corner of said EVERGLADE PARK; thence North $0^{\circ} 01' 30''$ East, parallel with the West line of said Donation Land Claim, 550.0 feet to a point 660.0 feet South of the Southerly right of way line of the McKenzie Highway; said point also being the Northeast corner of Lot 5, MAGEE'S ADDITION, as platted and recorded in File 72, Slide 37, said Plat Records; thence South $89^{\circ} 44'$ East, parallel with the said right of way line 3725.84 feet to the most Westerly West line of the Thomas J. Maynard Donation Land Claim No. 44; thence South $0^{\circ} 17'$ West on said Westerly line 482.91 feet to the Westerly Southwest corner thereof; thence South $89^{\circ} 52'$ East on the Southerly line of said Donation Land Claim, 381.0 feet; thence South $0^{\circ} 00' 40''$ West, 322.66 feet; thence South $89^{\circ} 52'$ East, 675.0 feet to a point on the Westerly line of said Donation Land Claim, 322.66 feet South of the re-entrant angle in said Claim; thence South $0^{\circ} 00' 40''$ West 2639.81 feet to the Southwest corner of the Thomas J. Maynard Donation Land Claim; thence South $0^{\circ} 00' 40''$ West 536.44 feet to the East-West centerline of Section 3, Township 18 South Range 2 West of the Willamette Meridian; thence North $89^{\circ} 24' 30''$ West on said East-West centerline 1858.54 feet to the Easterly line of the John Smith Donation Land Claim No. 48; thence North on said line 398.08 feet to the Northeast corner thereof; thence North $89^{\circ} 58' 10''$ West, 1440.25 feet to a point on the Easterly right of way line of the Weyerhaeuser Timber Company's Road as set forth in instrument recorded August 22, 1947, in Book 354, Page 433, Lane County Deed Records; thence on said right of way line as follows: North $2^{\circ} 00'$ East, 291.17 feet; thence on the arc of a 602.96 foot radius curve left (the long chord of which bears North $33^{\circ} 38'$ West, 702.56 feet) a distance of 750.00 feet, North $69^{\circ} 16'$ West, 171.47 feet, on the arc of a 542.96 foot radius curve right (the long chord of which North $54^{\circ} 11' 30''$ West, 282.42 feet) a distance of 285.71 feet, and North $39^{\circ} 07'$ West, 1101.59 feet; thence leaving said right of way line North $0^{\circ} 06'$ West, 542.9 feet, more or less, to a point; said point also being the Northeast corner of Lot 17, SPRING OAKS, as platted and recorded in File 73, Slide 252, said Plat Records; thence North $89^{\circ} 58' 30''$ West 516.2 feet, more or less, to the West line of said Stephen Gager Donation Land Claim; thence North $0^{\circ} 01' 30''$ East, on said line, 535.85 feet, more or less, to the Point of Beginning, in Lane County, Oregon.

EXCEPTING THEREFROM: that portion conveyed to McKenzie Highway Water District by Agreement Deed and Easement, recorded June 12, 1961, Reception No. 34700, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO EXCEPTING THEREFROM: That portion conveyed to the City of Springfield, a municipal corporation, by deed recorded May 27, 1965, Reception No. 04991, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO EXCEPTING THEREFROM: Any portion thereof included in Decree entered December 13, 1978, Case No. 7B-5043, in the Circuit Court of the State of Oregon for Lane County, Oregon.

ALSO EXCEPTING THEREFROM: That portion conveyed to the City of Springfield by deed recorded September 23, 1980, Reception No. 8047579, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO EXCEPTING THEREFROM: That portion conveyed to the City of Springfield by deed recorded June 8, 1981, Reception No. 8124408, and recorded June 17, 1981, Reception No. 8125922, Lane County Official records, in Lane County, Oregon.

ALSO EXCEPTING THEREFROM: Beginning at a Point marking the Southeast corner of Section 33, Township 17 South, Range 2 West of the Willamette Meridian; running thence South $89^{\circ} 09' 14''$ West 261.45 feet; thence South $00^{\circ} 06' 02''$ East 74.05 feet to the Northeast corner of SPRING OAKS, as platted and recorded in File 73, Slide 252, Lane County Oregon Plat Records; thence North $89^{\circ} 57' 11''$ West 515.55 feet to the centerline of 57th Street; thence

North 00° 00' 27" East, along the centerline of 57th Street, 460.19 feet to the Southwest corner of EVERGLADE PARK, as platted and recorded in File 72, Slide 34, said Plat Records; thence South 89° 45' 03" East 500.0 feet to the Southeast corner of said EVERGLADE PARK; thence North 00° 00' 27" East 549.78 feet, along the East line of said EVERGLADE PARK, and the East line of MAGEE'S ADDITION, as platted and recorded in File 72, Slide 37, said Plat Records, to the Northeast corner of said MAGEE'S ADDITION; thence South 89° 45' 09" East 577.53 feet; thence South 00° 03' 20" West 923.37 feet to the South line of Section 34, in said Township and Range; thence South 89° 09' 14" West, along the South line of said Section 34, a distance of 14.45 feet to the Northeasterly line of that certain tract of land conveyed to the McKenzie Highway Water District by deed Recorded June 12, 1961, Reception No. 34700, said Deed Records; thence North 53° 43' 08" West 125.52 feet to the North corner of said McKenzie Highway Water District Tract; thence South 36° 16' 52" West 94.95 feet, along the Northwesterly line of said McKenzie Highway Water District tract to the South line of said Section 34; thence South 89° 09' 14" West 128.29 feet to the Point of Beginning, in Lane County, Oregon.

ALSO EXCEPTING THEREFROM: that portion conveyed to MMountaingateDevelopment Company, a partnership, by deed recorded September 20, 1994, Reception No. 9467493, said County Records, in Lane County, Oregon.

ALSO EXCEPTING THEREFROM: That portion of the T. Maynard Donation Land Claim No. 37, in the Northeast 1/4 of Section 3, Township 18 South, Range 2 West of the Willamette Meridian, more particularly described as follows: Beginning at the 1977 Lane County brass cap monument marking the South Southwest corner of said Donation Land Claim No. 37; thence South 00° 05' 42" West, along the West line thereof, 75.00 feet; thence North 69° 20' 57" West 213.60 feet; thence North 00° 05' 42" East 130.00 feet; thence North 46° 38' 59" West 84.96 feet to a point on a curve, the center of which bears North 46° 38' 59" West; thence along the arc of said curve to the left, having a radius of 45.00 feet, through a central angle of 64° 08' 31", an arc distance of 50.38 feet; thence North 29° 05' 42" East 108.51 feet; thence South 81° 22' 27" East 202.24 feet to said West line of the T. Maynard Donation Land Claim No. 37; thence South 00° 05' 42" West, along said West line, 300.00 feet to the Point of Beginning, in Lane County, Oregon.

PARCEL 2

Beginning at a Point on the West line of the S. D. Gager Donation Land Claim No. 61, in Township 18 South, Range 2 West of the Willamette Meridian, North 0° 01' 30" East, 2170.39 feet from the Southwest corner of said Claim; running thence on the arc of a 590.1 foot radius curve right (the chord of which bears South 67° 27' 30" East, 560.14 feet) a distance of 583.63 feet; thence run North 0° 06' West, 75.14 feet, more or less, to a point, said point being the Southeast corner of SPRING OAKS, as platted and recorded in File 73, Slide 252, Lane County Oregon Plat Records; thence running Northwesterly, along the Southerly boundary line of said SPRING OAKS, on the arc of a 640.1 foot radius curve left (the chord of which bears North 69° 51' 40" West, 550.88 feet) a distance of 574.61 feet to the West line of said Claim No. 61; thence South 0° 01' 30" West, 50.06 feet to the Point of Beginning, in Lane County, Oregon.

EXCEPT THEREFROM: That portion deeded to Lane County in a Warranty Deed recorded August 8, 2000, Reception No. 2000-045367, Official Records of Lane County, Oregon.

PARCEL 3

Beginning at a Point on the South boundary of the McKenzie Highway 3456 feet East of the Northwest corner of the Stephen Gager Donation Land Claim No. 45, and 550.84 feet South of the Northwest corner of said Claim, in Township 17 South, Range 2 West of the Willamette Meridian; thence West 204.0 feet to the True Point of Beginning; thence continuing West 60.00 feet; thence South 660.00 feet; thence East 60.0 feet; thence North 660.0 feet to the True Point of Beginning, in Lane County, Oregon.

PARCEL 4

That tract of land in Section 34, Township 17 South Range 2 West of the Willamette Meridian,

being a portion of that land conveyed to John A. Wytoski in Reel 921, Reception No. 7845114, Lane County Oregon Records, lying Easterly of CLIFFSIDE MANOR, as platted and recorded in File 73, Slide 97, Lane County Oregon Plat Records, more particularly described as follows: Beginning at a Point on the South right of way line of the McKenzie Highway 3192.0 feet East and 550.84 feet South of the Northwest corner of the Stephen Gager Donation Land Claim No. 45, in Township 17 South, Range 2 West of the Willamette Meridian; thence, along the said right of way line, North $89^{\circ} 45' 09''$ West 20.11 feet, more or less, to a point on the East line of CLIFFSIDE MANOR; thence, along the East line of said CLIFFSIDE MANOR, as monumented and its extension Southerly South $0^{\circ} 00' 25''$ West 660.00 feet; thence South $89^{\circ} 45' 09''$ East 20.10 feet, more or less; to the Southeast corner of that property as described in Reel No. 921, Reception No. 7845114, said Records; thence, along the East line of said property, North $0^{\circ} 00' 27''$ East 660.00 feet to the Point of Beginning, in Lane County, Oregon.

PARCEL 5

Beginning at a Point on the South boundary of the McKenzie Highway 34565 feet East of the Northwest corner of Stephen Gager Donation Land Claim No. 45, and 550.84 feet South of the Northwest corner of said Claim in Township 17 South, Range 2 West of the Willamette Meridian; thence West 204.0 feet; thence South 660.0 feet; thence East 204.0 feet; thence North 660.0 feet to the Point of Beginning, in Lane County, Oregon.

PARCEL 6

Beginning at the 8 x 12 inch stone marking the location of the Southeast corner of Lot 3, Section 34, Township 17 South, Range 2 West of the Willamette Meridian; thence North 174.7 feet to a point on the Southerly right of way line of the McKenzie Highway, said point being 2.3 feet South of a point marked by a cross on a stone; thence South $89^{\circ} 44'$ West 366.9 feet along said Southerly right of way line to the True Point of Beginning; thence South 373.80 feet; thence North $89^{\circ} 44'$ East 66.0 feet; thence South 286.2 feet; thence South $89^{\circ} 44'$ West 478.55 feet, more or less to a point, said point being South 660.0 feet from a point which is 550.84 feet South and 3456 feet East of the Northwest corner of the Stephen Gager Donation Land Claim No. 45; thence North 286.20 feet; thence South $89^{\circ} 54'$ East 347.53 feet; thence North $1^{\circ} 00'$ West 200.12 feet to a corner post set in a rock mound; thence North $1^{\circ} 28'$ West 176.12 feet to a point on the Southerly right of way line of the McKenzie Highway; said point also being the Northeast corner of Lot 1, COBBLESTONE, as platted and recorded in File 73, Slide 171, Lane County Oregon Plat Records; thence North $89^{\circ} 44'$ East 80.80 feet along the said Southerly right of way line to the True Point of Beginning, in Lane County, Oregon.

EXCEPT THEREFROM: That tract described in Deed to the City of Springfield, recorded March 15, 1967, Reception No. 78346, Lane County Official Records, in Lane County, Oregon.

ALSO EXCEPTING THEREFROM: Beginning at the 8 x 8 x 12 inch stone marking the Southeast corner of Lot 3, Section 34, Township 17 South, Range 2 West of the Willamette Meridian; thence North 174.7 feet to a point on the Southerly right of way line of the McKenzie Highway, said point being 2.3 feet South of a point marked by a cross on a stone; thence along the Southerly right of way line of said McKenzie Highway, South $89^{\circ} 44'$ West 366.90 feet to the True Point of Beginning; thence South 316.11 feet; thence South $89^{\circ} 44'$ West 73.85 feet to a point marking the intersection of the Northerly right of way of South A Street and the Easterly boundary of COBBLESTONE, as platted and recorded in File 73, Slide 171, Lane County Oregon Plat Records; thence along the Easterly boundary of said Plat, North $1^{\circ} 00'$ West 140.12 feet to a corner post set in a rock mound; thence North $1^{\circ} 28'$ West 176.12 feet to a point on the Southerly right of way of McKenzie Highway, said point being the Initial Point of said COBBLESTONE; thence along the Southerly right of way line of the McKenzie Highway, North $89^{\circ} 44'$ East 80.80 feet to the Point of Beginning, in Lane County, Oregon.

AFTER RECORDING RETURN TO:
AFTER RECORDING RETURN TO
FIDELITY NATIONAL TITLE INSURANCE
COMPANY OF OREGON
PO BOX 10827
EUGENE, OR 97440

UNLESS OTHERWISE REQUESTED
SEND ALL TAX STATEMENTS TO:
Wiley Mt., Inc. & LeeLynn, Inc.
P.O. Box 518
Creswell, OR 97426

DECLARATION OF EASEMENT

PARTIES: LeeLynn, Inc., Wiley Mt. Inc.
P.O. Box 518
Creswell, OR 97426

AND

Alberts Development, LLC
P.O. Box 10545
Eugene, OR 97440

Division of Chief Deputy Clerk
Lane County Deeds and Records

2004-0172



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03/11/2004 10:28:49

RPR-ESMT Cnt=1 Stn=8 CASHIER 01
\$50.00 \$10.00 \$11.00

hereinafter "Declarants"

1. Consideration. The consideration for this easement is other than monetary and includes Declarants complying with the terms of the City of Springfield Notice of Decision - Serial Property Line Adjustment, dated January 23, 2004 in which Declarants are the owners.
2. Real Property. Declarants own six parcels of real property in the MountainGate Development in Springfield, Oregon, described on Exhibit "A" attached hereto and incorporated herein by reference and reflected on the map marked Exhibit "B" attached hereto and incorporated herein by reference.
3. Temporary Access and Storm and Sanitary Easements
 - A. Grant of Temporary Access Easements. Declarants hereby grant and declare temporary sanitary, storm and other utility easements, and temporary access easements 50 feet in width for vehicle access ingress and egress over and on existing roads within Parcels 1, 3, 5 and 6, the location of those roads as more specifically shown on Exhibit "B" attached hereto and incorporated herein by reference. Said temporary easements are over and across and burden Parcels 1, 3, 5 and 6 and are appurtenant to and benefit Parcels 1, 2, 3, 4, 5 and 6.
 - B. Purpose. The purpose of the temporary access easements described is to provide temporary emergency access over the existing roads on the property as more particularly described and set forth in Exhibit B and to provide temporary sanitary storm and other utility easements as may be necessary to accommodate the development of Parcels 1, 2, 3, 4, 5 and 6.

4. Grant of Temporary Stormwater Easements. Declarants also grant temporary easements for stormwater drainage over, across, and upon existing open water drainage channels necessary to serve Parcels 1, 2, 3, 4, 5 and 6. The precise location of such open water drainage channels shall be established by Declarants after consultation with City of Springfield. Said temporary stormwater drainage easements are over and across and burden Parcels 1, 2, 3, 4,5 and 6 and are appurtenant to and benefit Parcels 1, 2, 3, 4, 5 and 6.


5. Grant of Other Necessary Temporary Public Utility Easements. Declarants acknowledge that other easements may be necessary for public utilities to serve Parcels 1, 2, 3, 4, 5, and 6. If deemed necessary by the City of Springfield, Declarants shall, after consultation with the City of Springfield, designate the location of such easements on Parcels 1, 2, 3, 4, 5 and 6 prior to the real property underlying such public utility easement being improved or utilized for another purpose.

6. All Costs Necessary for the Establishment, Maintenance and Termination of the Temporary Easements Described in Sections 3, 4 and 5. All cost and maintenance of such easements, including but not limited to the establishment, construction, maintenance and termination of any roads and easements, shall be apportioned among the owners of Parcels 1-6 in proportion to their respective use of such easements.

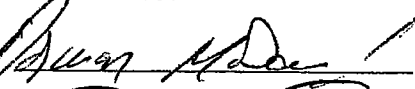
7. Termination. It is the intent of the Declarants and the agreement of the City that the easements provided by this Declaration are temporary. They shall cease, desist, and expire upon the recordation of Subdivision Plats upon Parcels 1, 3, 5 and 6 and the recordation of the conveyance of Parcels 2 and 4 to Willamalane Park and Recreation District, whichever shall last occur. This Declaration shall also cease to exist upon any portion of the parcels that are included within a recorded subdivision plat, and easements contained herein shall not apply to any lots or parcels included in such recorded subdivision plat. If necessary to provide record notice of such expiration, City shall sign appropriate documents for recordation.

8. NON-MERGER. There shall be no merger of this instrument or of the easements created by this instrument with the fee estate in the real properties described herein by reason of the fact that these easements or any interest in the easements may be held, directly or indirectly, by or for the account of any person who shall own all or any portion of the fee estate in the real property. It is the Declarants' intent that until the conditions for termination are met as set forth in Section 7, the easements created by this instrument are and shall always remain separate from, and shall not merge with, the fee ownership of the real properties.

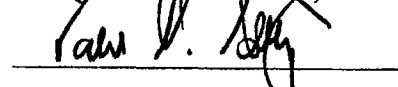
LEELYNN, INC.

By:  3-10-04
Date

WILEY MT. INC.

By:  3-10-04
Date

ALBERTS DEVELOPMENT, LLC

By:  3-10-04
Date

NOTARIES TO APPEAR ON NEXT PAGE

EXHIBIT "A"

Revised Tax Lot 300 – (Parcel 1)

Beginning at the Brass Cap marking the Southwest Corner of the T. Maynard Donation Land Claim No. 44, Township 17 South, Range 2 West of the Willamette Meridian; run thence South 89° 11' 45" East 381.00 feet; thence South 1° 43' 43" West 322.66 feet; thence South 88° 11' 48" East 385.82 feet to a point on the boundary of EASTHAVEN SUBDIVISION, as platted and recorded in File 75, Slide 192, Lane County Oregon Plat Records; run thence along said boundary South 1° 48' 15" West 212.20 feet; thence South 26° 39' 33" East 139.62 feet; thence South 1° 56' 38" West 135.43 feet; thence South 6° 22' 13" West 64.77 feet; thence South 2° 02' 43" West 150.07 feet thence North 88° 11' 45" West 99.22 feet; thence South 14° 40' 05" West 115.77 feet; thence South 1° 43' 43" West 360.53 feet; thence South 68° 40' 48" East 100.41 feet; thence South 61° 47' 36" East 117.80 feet; thence South 57° 59' 24" East 144.93 feet; thence leaving said Plat boundary South 79° 42' 24" East 30.13 feet; thence South 1° 43' 42" West 982.37 feet; thence North 79° 44' 26" West 202.24 feet; thence South 30° 43' 43" West 108.51 feet; thence along the arc of a 45.00 foot radius curve to the right, the long chord of which bears South 12° 54' 46" West 47.79 feet; thence South 45° 00' 58" East 84.96 feet; thence South 1° 43' 43" West 130.00 feet; thence South 67° 42' 56" East 213.60 feet; thence South 1° 43' 43" West 462.56 feet; thence North 87° 44' 49" West 973.06 feet to the TRUE POINT of BEGINNING; run thence North 22° 16' 34" East 923.00 feet; thence North 30° 46' 57" West 92.67 feet; thence North 25° 19' 10" West 96.02 feet; thence North 11° 10' 22" West 131.49 feet; thence North 73° 44' 26" East 54.57 feet; thence South 32° 30' 38" East 121.36 feet; thence along the arc of a 46.00 foot radius curve to the right, the long chord of which bears North 41° 07' 32" East 13.55 feet; thence North 32° 30' 48" West 226.16 feet; thence North 70° 10' 22" East 99.84 feet; thence North 47° 26' 51" West 44.47 feet; thence North 37° 15' 32" East 109.21 feet; thence North 22° 44' 11" West 90.47 feet; thence North 50° 31' 56" West 154.11 feet; thence North 42° 50' 03" East 66.07 feet; thence North 38° 52' 01" West 108.94 feet; thence along the arc of a 275.00 foot radius curve, the long chord of which bears South 45° 37' 06" West 31.51 feet; thence North 47° 39' 57" West 248.05 feet; thence South 37° 15' 32" West 337.36; thence South 22° 45' 38" West 236.72 feet; thence South 75° 19' 04" West 654.82 feet; thence North 77° 47' 09" West 239.06 feet; thence North 50° 25' 29" West 231.87 feet; thence North 24° 53' 54" West 335.34 feet; thence North 15° 35' 26" West 180.03 feet; thence North 14° 02' 28" East 281.68 feet; thence North 75° 57' 32" West 120.00 feet; thence North 14° 02' 28" East 206.00 feet; thence North 75° 57' 32" West 370.00 feet; thence North 14° 02' 28" East 320.90 feet; thence along the arc of a 369.99 foot radius curve to the left, the long chord of which bears North 6° 44' 12" East 94.08 feet; thence North 0° 34' 04" West 46.04 feet; thence South 89° 25' 56" West 120.00 feet; thence South 72° 57' 20" West 129.30 feet; thence North 49° 50' 02" West 286.67 feet; thence South 40° 09' 58" West 226.21 feet; thence along the arc of a 250.00 foot radius curve to the left, the long chord of which bears North 64° 19' 22" West 66.30 feet; thence South 38° 32' 30" West 54.34 feet; thence South 8° 52' 17" West 11.48 feet; thence along the arc of a 51.01 foot radius curve to the left, the long chord of which bears South 26° 48' 51" West 31.43 feet; thence South 44° 45' 25" West 66.40 feet; thence along the arc of a 86.99 foot radius curve to the right, the long chord of which bears South 26° 48' 51" West 53.60 feet; thence South 8° 52' 17" West 240.59 feet; thence along the arc of a 225.00 foot radius curve to the left, the long chord of which bears South 7° 09' 33" East 128.34 feet; thence South 66° 16' 12" West 140.00 feet; thence along the arc of a 365.00 foot radius curve to the right, the long chord of which bears North 9° 03' 18" West 184.94 feet; thence North 81° 07' 43" West

110.14 feet; thence South 78° 08' 12" West 52.37 feet; thence North 85° 29' 07" West 140.29 feet; thence along the arc of a 665.00 foot radius curve to the left, the long chord of which bears South 9° 34' 21" East 325.30 feet; thence South 23° 43' 48" East 214.39 feet; thence South 47° 33' 40" East 149.89 feet; thence South 73° 46' 36" East 146.91 feet; thence South 52° 02' 41" West 202.38 feet; thence North 37° 35' 18" West 200.00 feet; thence North 32° 41' 22" West 200.73 feet; thence North 25° 55' 29" West 469.14 feet; thence North 5° 23' 54" East 356.05 feet; thence North 84° 36' 34" West 63.51 feet; thence North 52° 05' 07" West 150.00 feet; thence North 37° 54' 53" East 205.05 feet; thence North 89° 12' 45" West 389.74 feet; thence South 1° 31' 59" West 623.78 feet; thence along the arc of a 796.19 foot radius curve to the left, the long chord of which bears North 67° 23' 21" West 553.13 feet to a point on the centerline of 58th Street; thence along said centerline South 1° 38' 28" West 49.89 feet; thence leaving said centerline and running along the Northerly right of way of Weyerhaeuser's private roadway along the arc of a 745.71 foot radius curve to the right, the long chord of which bears South 62° 50' 06" East 636.11 feet; thence South 37° 35' 19" East 979.83 feet; thence along the arc of 542.57 foot radius curve to the left, the long chord of which bears South 52° 39' 49" East 282.23 feet; thence South 67° 44' 19" East 192.07 feet; thence along the arc of a 602.57 foot radius curve to the right, the long chord of which bears South 32° 06' 19" East 702.11 feet; thence South 3° 31' 41" West 291.00 feet; thence leaving said Northerly right of way South 88° 22' 34" East 1437.38 feet; thence South 1° 35' 59" West 396.60 feet; thence South 87° 44' 49" East 879.75 feet to the TRUE POINT of BEGINNING, in Springfield, Lane County, Oregon. Said parcel contains 126.49 acres more or less.

EXCEPT THEREFROM: That portion deeded to Lane County in a Warranty Deed recorded August 8, 2000, Reception No. 2000-045367, Official Records of Lane County, Oregon.

Revised Tax Lot 1101 – (Parcel 2)

Beginning at the Brass Cap marking the Southwest Corner of the T. Maynard Donation Land Claim No. 44, Township 17 South, Range 2 West of the Willamette Meridian; run thence North 1° 57' 15" East 483.01 feet; thence North 88° 07' 08" West 302.54 feet; thence North 2° 08' 53" East 286.21 feet; thence North 88° 06' 26" West 66.00 feet; thence North 89° 59' 53" West 72.85 feet; thence North 87° 45' 08" West 347.98 feet; thence North 0° 47' 30" East 374.02 feet to a point on the Southerly right of way of McKenzie Highway; run thence along said right of way; North 88° 07' 08" West 260.76 feet; thence leaving said right of way South 1° 38' 26" West 660.00 feet; thence North 88° 07' 08" West 970.02 feet to the TRUE POINT of BEGINNING; run thence North 88° 07' 08" West 1124.64 feet; thence South 1° 41' 21" West 923.37 feet; thence North 89° 12' 45" West 14.45 feet; thence South 52° 05' 07" East 24.58 feet; thence South 37° 54' 53" West 300.00 feet; thence South 84° 36' 34" East 63.51 feet; thence South 5° 23' 54" West 356.05 feet; thence South 25° 55' 29" East 469.14 feet; thence South 32° 41' 22" East 200.73 feet; thence South 37° 35' 18" East 200.00 feet; thence North 52° 02' 41" East 202.38 feet; thence North 73° 46' 36" West 146.91 feet; thence North 47° 33' 40" West 149.89 feet; thence North 23° 43' 48" West 214.39 feet; thence along the arc of a 665.00 foot radius curve to the right, the long chord of which bears North 7° 25' 45" West 373.30 feet; thence North 8° 52' 17" East 460.75 feet; thence North 16° 25' 07" East 185.22 feet; thence North 42° 38' 17" East 648.27 feet; thence North 61° 37' 29" East 389.01 feet; thence North 57° 25' 33" East 222.21 feet to the TRUE POINT of BEGINNING, in Springfield, Lane County, Oregon. Said parcel contains 16.51 acres more or less.

Revised Tax Lot 1100 – (Parcel 3)

Beginning at the Brass Cap marking the Southwest Corner of the T. Maynard Donation Land Claim No. 44, Township 17 South, Range 2 West of the Willamette Meridian; run thence North 1° 57' 15" East 483.01 feet; thence North 88° 07' 08" West 302.54 feet; thence North 2° 08' 53" East 286.21 feet; thence North 88° 06' 26" West 66.00 feet; thence North 89° 59' 53" West 72.85 feet; thence North 87° 45' 08" West 347.98 feet; thence North 0° 47' 30" East 374.02 feet to a point on the Southerly right of way of McKenzie Highway; run thence along said right of way; North 88° 07' 08" West 260.76 feet; thence leaving said right of way South 1° 38' 26" West 660.00 feet; thence North 88° 07' 08" West 970.02 feet; thence South 57° 25' 33" West 222.21 feet; thence South 61° 37' 29" West 132.75 feet to the TRUE POINT of BEGINNING; run thence South 1° 38' 08" West 161.63 feet; thence South 58° 21' 52" East 308.47 feet; thence South 61° 23' 16" East 101.56 feet; thence South 42° 45' 43" East 204.72 feet; thence along the arc of a 140.00 Foot radius curve to the left, the long chord of which bears South 13° 36' 13" West 68.54 feet; thence South 37° 28' 08" East 99.92 feet; thence South 73° 45' 17" East 136.77 feet; thence South 87° 09' 32" East 547.55 feet; thence South 3° 19' 06" West 72.16 feet; thence South 36° 39' 21" West 771.82 feet; thence North 75° 57' 32" West 370.00 feet; thence North 14° 02' 28" East 320.90 feet; thence along the arc of a 369.99 foot radius curve to the left, the long chord of which bears North 6° 44' 12" East 94.08 feet; thence North 0° 34' 04" West 46.04 feet; thence South 89° 25' 56" West 120.00 feet; thence South 72° 57' 20" West 129.30 feet; thence North 49° 50' 02" West 286.67 feet; thence South 40° 09' 58" West 226.21 feet; thence along the arc of a 250.00 Foot radius curve to the left, the long chord of which bears North 64° 19' 22" West 66.30 feet; thence South 38° 32' 30" West 54.34 feet; thence South 8° 52' 17" West 11.48 feet; thence along the arc of a 51.01 foot radius curve to the left, the long chord of which bears South 26° 48' 51" West 31.43 feet; thence South 44° 45' 25" West 66.40 feet; thence along the arc of a 86.99 foot radius curve to the right, the long chord of which bears South 26° 48' 51" West 53.60 feet; thence South 8° 52' 17" West 240.59 feet; thence along the arc of a 225.00 foot radius curve to the left, the long chord of which bears South 7° 09' 33" East 128.34 feet; thence South 66° 16' 12" West 140.00 feet; thence along the arc of a 365.00 foot radius curve to the right, the long chord of which bears North 9° 03' 18" West 184.94 feet; thence North 81° 07' 43" West 110.14 feet; thence South 78° 08' 12" West 52.37 feet; thence North 85° 29' 07" West 140.29 feet; thence along the arc of a 665.00 foot radius curve to the right, the long chord of which bears North 6° 43' 41" East 49.74 feet; thence North 8° 52' 17" East 460.75 feet; thence North 16° 25' 07" East 185.22 feet; thence North 42° 38' 17" East 648.27 feet; thence North 61° 37' 29" East 256.25 feet to the TRUE POINT of BEGINNING, in Springfield, Lane County, Oregon. Said parcel contains 29.38 acres more or less.

Revised Tax Lot 1102 – (Parcel 4)

Beginning at the Brass Cap marking the Southwest Corner of the T. Maynard Donation Land Claim No. 44, Township 17 South, Range 2 West of the Willamette Meridian; run thence North 1° 57' 15" East 483.01 feet; thence North 88° 07' 08" West 302.54 feet; thence North 2° 08' 53" East 286.21 feet; thence North 88° 06' 26" West 66.00 feet; thence North 89° 59' 53" West 72.85 feet; thence North 87° 45' 08" West 347.98 feet; thence North 0° 47' 30" East 374.02 feet to a point on the Southerly right of way of McKenzie Highway; run thence along said right of

way; North 88° 07' 08" West 260.76 feet; thence leaving said right of way South 1° 38' 26" West 660.00 feet; thence North 88° 07' 08" West 970.02 feet; thence South 57° 25' 33" West 222.21 feet; thence South 61° 37' 29" West 132.75 feet; thence South 1° 38' 08" West 161.63 feet; thence South 58° 21' 52" East 308.47 feet; thence South 61° 23' 16" East 101.56 feet; thence South 42° 45' 43" East 204.72 feet; thence along the arc of a 140.00 Foot radius curve to the left, the long chord of which bears South 13° 36' 12" West 68.54 feet; thence South 37° 28' 08" East 99.92 feet; thence South 73° 45' 17" East 136.77 feet; thence South 87° 09' 32" East 547.55 feet; thence South 3° 19' 06" West 72.16 feet to the TRUE POINT of BEGINNING; thence South 36° 39' 21" West 771.82 feet; thence South 14° 02' 28" West 206.00 feet; thence South 75° 57' 32" East 120.00 feet; thence South 14° 02' 28" West 281.68 feet; thence South 15° 35' 26" East 180.03 feet; thence South 24° 53' 54" East 335.34 feet; thence South 50° 25' 29" East 231.87 feet; thence South 77° 47' 09" East 239.06 feet; thence North 75° 19' 04" East 654.82 feet; thence North 22° 45' 38" East 236.72 feet; thence North 37° 15' 32" East 337.36 feet; thence North 37° 15' 32" East 342.39 feet; thence North 13° 17' 28" East 195.36 feet; thence North 41° 45' 21" East 174.09 feet; thence North 5° 58' 51" East 75.67 feet; thence North 46° 38' 24" West 189.35 feet; thence North 45° 35' 29" East 135.84 feet; thence along the arc of a 225.00 foot radius curve to the right, the long chord of which bears North 51° 10' 19" West 125.34 feet; thence South 55° 29' 32" West 182.62 feet; thence North 41° 17' 19" West 417.51 feet; thence North 56° 02' 20" West 151.40 feet; thence North 86° 14' 33" West 148.96 feet; thence South 69° 43' 24" West 80.92 feet; thence South 77° 57' 10" West 284.96 feet; thence South 80° 04' 49" West 255.33 to the TRUE POINT of BEGINNING, in Springfield, Lane County, Oregon. Said parcel contains 59.24 acres more or less.

Revised Tax Lot 602 – (Parcel 5)

Beginning at the Brass Cap marking the Southwest Corner of the T. Maynard Donation Land Claim No. 44, Township 17 South, Range 2 West of the Willamette Meridian; run thence North 1° 57' 15" East 483.01 feet; thence North 88° 07' 08" West 302.54 feet to the TRUE POINT of BEGINNING; run thence North 2° 08' 53" East 286.21 feet; thence North 88° 06' 26" West 66.00 feet; thence North 89° 59' 53" West 72.85 feet; thence North 87° 45' 08" West 347.98 feet; thence North 0° 47' 30" East 374.02 feet to a point on the Southerly right of way of McKenzie Highway; run thence along said right of way; North 88° 07' 08" West 260.76 feet; thence leaving said right of way South 1° 38' 26" West 660.00 feet; thence North 88° 07' 08" West 970.02 feet; thence South 57° 25' 33" West 222.21 feet; thence South 61° 37' 29" West 132.76 feet; thence South 1° 38' 08" West 161.63 feet; thence South 58° 21' 52" East 308.47 feet; thence South 61° 23' 16" East 101.56 feet; thence South 42° 45' 43" East 204.72 feet; thence along the arc of a 140.00 foot radius curve to the left, the long chord of which bears South 13° 36' 13" West 68.54 feet; thence South 37° 28' 08" East 99.92 feet; thence South 73° 45' 17" East 136.77 feet; thence North 17° 24' 27" East 189.27 feet; thence North 56° 32' 00" East 176.59 feet; thence North 67° 42' 52" East 175.03 feet; thence North 64° 42' 01" East 105.13 feet; thence North 71° 09' 08" East 43.10 feet; thence South 38° 44' 40" East 138.76 feet; thence South 67° 09' 44" East 78.23 feet; thence South 86° 40' 54" East 235.61 feet; thence North 14° 04' 12" East 214.76 feet; thence North 1° 38' 01" East 33.53 feet; thence North 84° 18' 16" East 101.71 feet; thence North 1° 38' 01" East 223.63 feet; thence along the arc of a 20.00 foot radius curve to

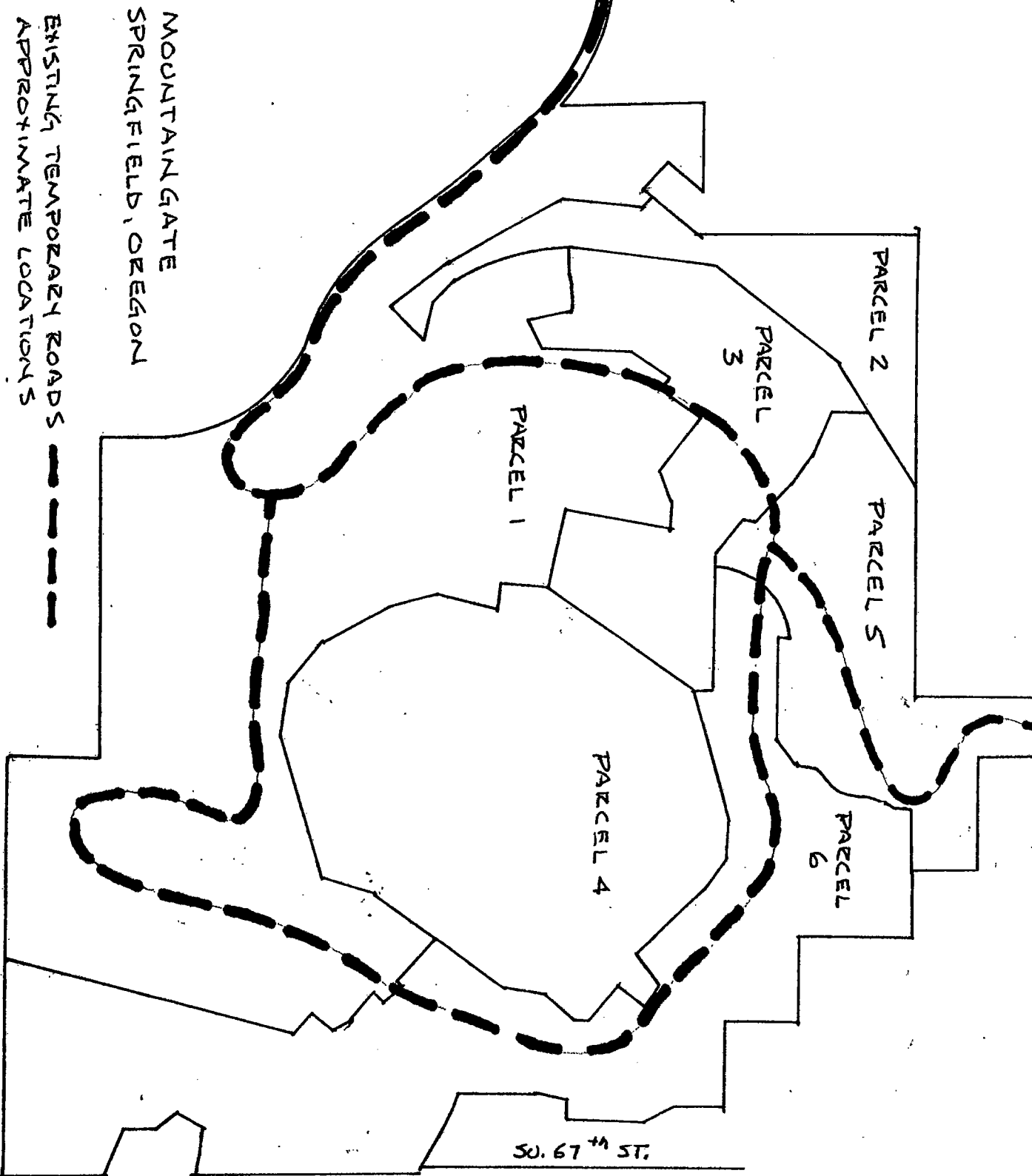
the right; the long chord of which bears North 86° 14' 53" East 24.49 feet; thence South 55° 59' 27" East 10.48 feet; thence North 34° 00' 32" East 60.00 feet; thence North 55° 59' 27" West 10.48 feet; thence along the arc of a 20.00 foot radius curve to the right, the long chord of which bears North 18° 13' 47" West 24.49 feet; thence along the arc of a 180.00 foot radius curve to the left, the long chord of which bears North 11° 39' 02" East 49.36 feet; thence South 86° 05' 48" East 105.66 feet; thence South 1° 57' 15" West 110.92 feet; thence South 88° 07' 08" East 26.00 feet; thence North 1° 57' 15" East 110.00 feet; thence South 86° 11' 43" East 113.02 feet to the TRUE POINT of BEGINNING, in Springfield, Lane County, Oregon. Said parcel contains 29.19 acres, more or less.

Revised Tax Lot 303- (Parcel 6)

Beginning at the Brass Cap marking the Southwest Corner of the T. Maynard Donation Land Claim No. 44, Township 17 South, Range 2 West of the Willamette Meridian; run thence South 89° 11' 45" East 381.00 feet; thence South 1° 43' 43" West 322.66 feet; thence South 88° 11' 45" East 385.82 feet to a point on the boundary of EASTHAVEN SUBDIVISION, as platted and recorded in File 75, Slide 192, Lane County Oregon Plat Records; run thence along said boundary South 1° 48' 15" West 212.20 feet; thence South 26° 39' 33" East 139.62 feet; thence South 1° 56' 38" West 135.43 feet; thence South 6° 22' 13" West 64.77 feet; thence South 2° 02' 43" West 150.07 feet; thence North 88° 11' 45" West 99.22 feet; thence South 14° 40' 05" West 115.77 feet; thence South 1° 43' 43" West 360.53 feet; thence South 68° 40' 48" East 100.41 feet; thence South 61° 47' 36" East 117.80 feet; thence South 57° 59' 24" East 144.93 feet; thence leaving said Plat boundary South 79° 42' 24" East 30.13 feet; thence South 1° 43' 43" West 982.36 feet; thence North 79° 44' 26" West 202.24 feet; thence South 30° 43' 43" West 108.51 feet; thence along the arc of a 45.00 foot radius curve to the right, the long chord of which bears South 12° 54' 46" West 47.79 feet; thence South 45° 00' 58" East 84.96 feet; thence South 1° 43' 43" West 130.00 feet; thence South 67° 42' 56" East 213.60 feet; thence South 1° 43' 43" West 462.56 feet; thence North 87° 44' 49" West 973.06 feet; thence North 22° 16' 34" East 923.00 feet; thence North 30° 46' 57" West 92.67 feet; thence North 25° 19' 10" West 96.02 feet; thence North 11° 10' 22" West 131.49 feet; thence North 73° 44' 26" East 54.57 feet; thence South 32° 30' 48" East 121.36 feet; thence along the arc of a 46.00 foot radius curve to the right, the long chord of which bears North 41° 07' 32" East 13.55 feet; thence North 32° 30' 48" West 226.16 feet; thence North 70° 10' 22" East 99.84 feet; thence North 47° 26' 51" West 44.47 feet; thence North 37° 15' 32" East 109.21 feet; thence North 22° 44' 11" West 90.47 feet; thence North 50° 31' 56" West 154.11 feet; thence North 42° 50' 03" East 66.07 feet; thence North 38° 52' 01" West 108.94 feet; thence along the arc of a 275.00 foot radius curve to the left, the long chord of which bears South 45° 37' 06" West 31.51 feet; thence North 47° 39' 57" West 248.05 feet; thence North 37° 15' 32" East 342.39 feet; thence North 13° 17' 28" East 195.36 feet; thence North 41° 45' 21" East 174.09 feet; thence North 5° 58' 51" East 75.67 feet; thence North 46° 38' 24" West 189.35 feet; thence North 45° 35' 29" East 135.84 feet; thence along the arc of a 225.00 foot radius curve to the right, the long chord of which bears North 51° 10' 19" West 125.34 feet; thence South 55° 29' 32" West 182.62 feet; thence North 41° 17' 19" West 417.51 feet; thence North 56° 02' 20" West 151.40 feet; thence North 86° 14' 33" West 148.92 feet; thence South 69° 43' 24" West 80.92 feet; thence South 77° 57' 10" West 284.96 feet; thence South 80° 04' 49" West 255.33 feet; thence North 3° 19' 06"

East 72.16 feet; thence North 87° 09' 32" West 547.55 feet; thence North 17° 24' 27" East 189.27 feet; thence North 56° 32' 00" East 176.59 feet; thence North 67° 42' 52" East 175.03 feet; thence North 64° 42' 01" East 105.13 feet; thence North 71° 09' 08" East 43.10 feet; thence South 38° 44' 40" East 138.76 feet; thence South 67° 09' 44" East 78.73 feet; thence South 86° 40' 54" East 235.61 feet; thence North 14° 04' 12" East 214.76 feet; thence North 1° 38' 01" East 33.53 feet; thence North 84° 18' 16" East 101.71 feet; thence North 1° 38' 01" East 223.63 feet; thence along the arc of a 20.00 foot radius curve to the right, the long chord of which bears North 86° 14' 53" East 24.49 feet; thence South 55° 59' 27" East 10.48 feet; thence North 34° 00' 33" East 60.00 feet; thence North 55° 59' 27" West 10.48 feet; thence along the arc of a 20.00 foot radius curve to the right, the long chord of which bears North 18° 13' 47" West 24.49 feet; thence along the arc of a 180.00 foot radius curve to the left, the long chord of which bears North 11° 39' 02" East 49.36 feet; thence South 86° 05' 48" East 105.66 feet; thence South 1° 57' 15" West 110.92 feet; thence South 88° 07' 08" East 26.00 feet; thence North 1° 57' 15" East 110.00 feet; thence South 86° 11' 43" East 113.02 feet; thence South 88° 07' 08" East 302.54 feet; thence South 1° 57' 15" West 483.01 feet to the Place of Beginning, in Lane County, Oregon. Said parcel contains 72.25 acres more or less.

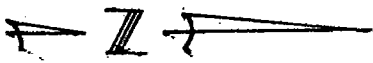
SO. 58th ST.



MOUNTAIN GATE
SPRINGFIELD, OREGON

EXISTING TEMPORARY ROADS
APPROXIMATE LOCATIONS

SO. 67th ST.



Recorded at the request of and
after recording return to:
Branch Engineering, Inc.
310 Fifth Street
Springfield, OR 97477

Division of Chief Deputy Clerk
Lane County Deeds and Records

2005-033771



\$26.00

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05/10/2005 09:18:01 AM

RPR-ESMT Cnt=1 Stn=6 CASHIER 07
\$5.00 \$10.00 \$11.00

True consideration for this conveyance is \$ _____
JOINT USE

**PRIVATE INGRESS-EGRESS EASEMENTS
OVER THE LANDS OF ALBERTS DEVELOPMENT, LLC**

KNOW ALL PERSONS BY THESE PRESENTS, that ALBERTS DEVELOPMENT, LLC, hereinafter referred to as the Grantor, does hereby grant, bargain, sell and convey unto MOUNTAINGATE DEVELOPMENT, LLC, hereinafter referred to as the Grantee, three perpetual, appurtenant easements for ingress-egress purposes for the benefit of Lots 40, 41 and 42 of the plat of "MOUNTAINGATE" as platted and recorded May 10, 2005 ~~AA~~ in the Plat Records of Lane County, State of Oregon upon the following described property:

SITUATED in the Southeast one quarter of Section 34, Township 17 South, Range 2 West, of the Willamette Meridian in the City of Springfield, Lane County, State of Oregon and described as follows:

BEING all of those certain areas designated as "OFFSITE EASEMENT NO. 1", "OFFSITE EASEMENT NO. 2" and "OFFSITE EASEMENT NO. 3" that are outside of, adjoin the plat boundary of, and are shown on said plat of "MOUNTAINGATE" subject to the following condition.

"OFFSITE EASEMENT NO. 1" shall extinguish in its entirety upon recordation of public right-of-way and construction and acceptance by the City of Springfield of street improvements that provide public access to said Lots 40, 41 and 42.

TO HAVE AND HOLD the above easements to the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor above named has hereto set its hand this 10th day of March, 2005.

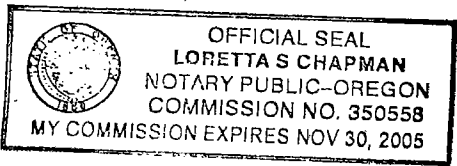
[Signature]
ALBERTS DEVELOPMENT, LLC

TODD M. ALBERTS, Member

~~AA~~ Reception No. 2005-033764

STATE OF OREGON)
COUNTY OF LANE) SS

On March 10, 2005, personally appeared the above named Todd M. Alberts and acknowledged the foregoing to be his voluntary act and deed as a member of Alberts Development, LLC



[Signature]
Notary Public for Oregon

Recorded at the request of and
after recording return to:
Branch Engineering, Inc.
310 Fifth Street
Springfield, OR 97477

Division of Chief Deputy Clerk
Lane County Deeds and Records

2005-033772



\$26.00

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05/10/2005 09:18:01 AM

RPR-ESMT Cnt=1 Str=6 CASHIER 07
\$5.00 \$10.00 \$11.00

True consideration for this conveyance is \$ _____.

**PRIVATE STORM DRAINAGE EASEMENTS
OVER THE LANDS OF ALBERTS DEVELOPMENT, LLC**

KNOW ALL PERSONS BY THESE PRESENTS, that ALBERTS DEVELOPMENT, LLC, hereinafter referred to as the Grantor, does hereby grant, bargain, sell and convey unto MOUNTAINGATE DEVELOPMENT, LLC, hereinafter referred to as the Grantee, non-exclusive, perpetual and appurtenant easements for storm drainage purposes for the common benefit of all of the lots that comprise the plat of "MOUNTAINGATE" as platted and recorded *May 10*, 2005 in the Plat Records of Lane County, State of Oregon upon the following described property: **

SITUATED in the Southeast one quarter of Section 34, Township 17 South, Range 2 West, of the Willamette Meridian in the City of Springfield, Lane County, State of Oregon and described as follows:

BEING all of those certain areas designated as "OFFSITE EASEMENT NO. 4" that lie outside of, adjoin the plat boundary of, and is shown on said plat of "MOUNTAINGATE".

TO HAVE AND HOLD the above easements to the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor above named has hereto set its hand this *10th* day of *March*, 2005.

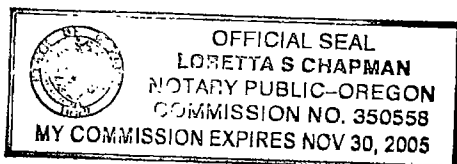
ALBERTS DEVELOPMENT, LLC

[Signature]
TODD M. ALBERTS, Member

** as reception no.
2005-033764, on

STATE OF OREGON }
COUNTY OF LANE } SS

On *March 10*, 2005, personally appeared the above named Todd M. Alberts and acknowledged the foregoing to be his voluntary act and deed as a member of Alberts Development, LLC



[Signature]
Notary Public for Oregon

**PUBLIC UTILITY/PUBLIC SLOPE EASEMENTS
OVER THE LANDS OF ALBERTS DEVELOPMENT, LLC
(Tax Map 18-02-03 Tax Lot 303)**

THIS INDENTURE MADE and entered into this 10 day of March, 2005, by and between (1) **ALBERTS DEVELOPMENT, LLC**, hereinafter referred to as the Grantor, and (2) **THE CITY OF SPRINGFIELD**, a municipal corporation in Lane County, State of Oregon, hereinafter referred to as the Grantee;

WITNESSETH

In consideration of the acceptance by Grantee and the use or holding of said easements for present or future use by Grantee, Grantor hereby grants, bargains, sells and conveys unto the Grantee, two separate, perpetual, non-exclusive easements, each ten (10.00) feet in width, together with the right to go upon said easement areas hereinafter described (1) for the purpose of constructing, maintaining, and using public utilities which may currently exist or hereinafter be installed and (2) for the purpose of slope protection on the following described properties to-wit:

SITUATED in the Southeast one quarter of Section 34, Township 17 South, Range 2 West, of the Willamette Meridian in the City of Springfield, Lane County, State of Oregon and described as follows:

BEING all of those certain areas designated as "OFFSITE EASEMENT NO. 5" and "OFFSITE EASEMENT NO. 6" that are contiguous with, lie outside the plat boundary of, and are shown on the plat of "MOUNTAINGATE" as platted and recorded May 10, 2005 in the Plat Records of Lane County, State of Oregon, Reception No. 2005-033764,

TO HAVE AND TO HOLD the above easements to the Grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor above named has hereto set its hand this 10th day of March, 2005.

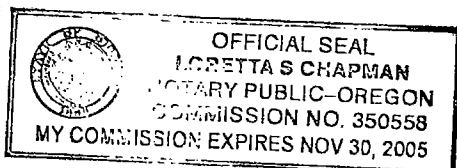
ALBERTS DEVELOPMENT, LLC

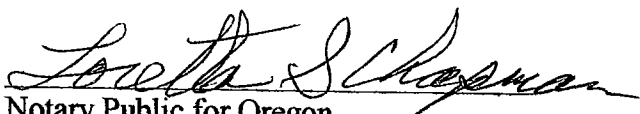


TODD M. ALBERTS, Member

STATE OF OREGON)
COUNTY OF LANE) SS

On March 10, 2005, personally appeared the above named Todd M. Alberts and acknowledged the foregoing to be his voluntary act and deed as a member of Alberts Development, LLC




Notary Public for Oregon

The Conveyance set forth in this instrument conveying title or interest to the City of Springfield, a Municipal Corporation of the State of Oregon, is hereby approved, and the title or interest conveyed herein is hereby accented.

X

**PUBLIC UTILITY EASEMENTS
OVER THE LANDS OF ALBERTS DEVELOPMENT, LLC**
(Tax Map 18-02-03 Tax Lot 303)

THIS INDENTURE MADE and entered into this 10 day of March, 2005, by and between (1) **ALBERTS DEVELOPMENT, LLC**, hereinafter referred to as the Grantor, and (2) **THE CITY OF SPRINGFIELD**, a municipal corporation in Lane County, State of Oregon, hereinafter referred to as the Grantee;

WITNESSETH

In consideration of the acceptance by Grantee and the use or holding of said easements for present or future use by Grantee, Grantor hereby grants, bargains, sells and conveys unto the Grantee, two separate, perpetual, non-exclusive easements, each five (5.00) feet in width, together with the right to go upon said easement areas hereinafter described for the purpose of constructing, maintaining, and using public utilities which may currently exist or hereinafter be installed on the following described properties to-wit:

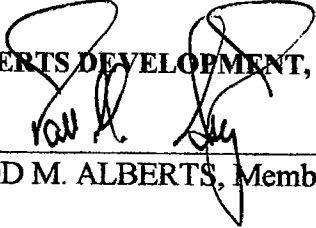
SITUATED in the Southeast one quarter of Section 34, Township 17 South, Range 2 West, of the Willamette Meridian in the City of Springfield, Lane County, State of Oregon and described as follows:

BEING all of those certain areas designated as "OFFSITE EASEMENT NO. 7" and "OFFSITE EASEMENT NO. 8" that are contiguous with, lie outside the plat boundary of, and are shown on the plat of "MOUNTAINGATE" as platted and recorded May 10, 2005 in the Plat Records of Lane County, State of Oregon, Reception No. 2005-033764.

TO HAVE AND TO HOLD the above easements to the Grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor above named has hereto set its hand this 10th day of March, 2005.

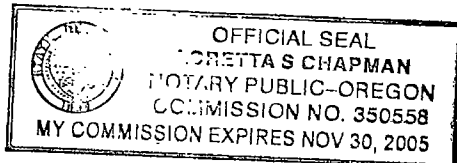
ALBERTS DEVELOPMENT, LLC



TODD M. ALBERTS, Member

STATE OF OREGON)
COUNTY OF LANE) SS

On March 10, 2005, personally appeared the above named Todd M. Alberts and acknowledged the foregoing to be his voluntary act and deed as a member of Alberts Development, LLC





Notary Public for Oregon

The Conveyance set forth in this instrument conveying title or interest to the City of Springfield, a Municipal Corporation of the State of Oregon, is hereby approved, and the title or interest conveyed herein is hereby accepted