

AFTER RECORDING RETURN TO:
PAT HUNTER
18670 SW MELVISTA DR
HILLSBORO, OR 97123

OFFICIAL YAMHILL COUNTY RECORDS
REBEKAH STERN DOLL, COUNTY CLERK



00348560201000066610080084

201006661

9:37:27 AM 5/25/2010

DMR-EDMR Cnt=1 Stn=3 SUSIE
\$40.00 \$10.00 \$11.00 \$15.00

\$76.00

UTILITY EASEMENT

WHEREAS, Robert D. Hunter and Pat Hunter ("Grantors") own the unimproved real property legally described on Exhibit A attached hereto and incorporated herein by this reference (Assessor's Parcel No. R2315-03300);

WHEREAS, Robert D. Hunter and Pat Hunter ("Hunter") own the real property and improvements located at 18670 SW Melvista Drive, Hillsboro, OR 97123 and legally described on Exhibit B attached hereto and incorporated herein by this reference (Assessor's Parcel No. R2315-03600);

WHEREAS, Brian D. Hudson and Karen E. Billington ("Hudson/Billington") own the real property and improvements located at 18700 SW Melvista Drive, Hillsboro, OR 97123 and legally described on Exhibit C attached hereto and incorporated herein by this reference (Assessor's Parcel No. R2315-03700);

WHEREAS, the easement area is legally described on Exhibit D attached hereto and incorporated herein by this reference ("Easement Area"); and

WHEREAS, a map of the Easement Area is attached as Exhibit E and incorporated herein by this reference.

NOW THEREFORE, the parties agree as follows:

1. Grant of Easement. Grantors hereby grant a perpetual non-exclusive 10 foot wide utility easement over the Easement Area to Hunter and to Hudson/Billington. This Easement does not extinguish or revise the existing 20 foot wide utilities easement as shown on the Plat of Melvista Ridge Estates.
2. Purpose of the Easement. The purpose of the Easement is to allow Hunter and Hudson/Billington access to the waterline for such parties' use, enjoyment, operation and maintenance of the water line and other utilities in Easement Area.
3. Ownership of Land. Except as to the rights herein granted, Grantors shall have the full use and control of the Easement Area and may landscape the Easement Area with a driveway, pathways, plantings, lawn or a parking strip.



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4. Use of the Easement Area. Any party using the Easement Area shall be responsible to return the Easement Area to its condition prior to such parties' use. Such restoration work shall be done in a timely and workmanlike manner. Any installation of the utilities in the Easement Area shall be performed only by a licensed and bonded contractor experienced in the installation and maintenance of such utilities.

5. Run with the Land. The easement, covenants, rights, benefits and obligations granted and assumed herein are intended to run with the land; therefore, such easement, covenants, rights, benefits, and obligations shall inure to the successors and assigns of each party hereto. The exercise by any party hereto of such rights shall be reasonable and respect the rights of each party hereto to the quiet enjoyment of their respective property. A failure by any party hereto to comply with the covenants and obligations contained herein shall entitle the other party hereto to all available lawful remedies, but shall not cause this document or any easement granted hereby to terminate.

6. Maintenance. During the existence of this Easement, maintenance of the utilities and costs of repair of the utilities, shall be made in accordance with ORS 105.175, as amended.

7. Damage to Utilities or Easement Area. During the existence of this Easement, holders of an interest in the Easement who are responsible for damage to the utilities or to the Easement Area because of negligence or abnormal use shall repair the damage at their sole expense.

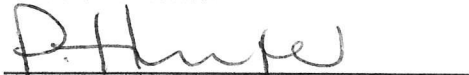
8. Attorney Fees. If suit, action or arbitration is brought regarding any matter or claim arising out of the subject matter of this Easement, the party succeeding either affirmatively or defensively on claims having the greatest value or importance as reasonably determined by the court or arbitrator in the trial or appeal of any civil action, arbitration proceeding, or insolvency proceeding will be entitled to recover its reasonable attorney fees, costs and disbursements including expert witness fees.

IN WITNESS WHEREOF, the parties have entered into this Utility Easement on
24 day of May, 2010.

Grantors:



Robert D. Hunter

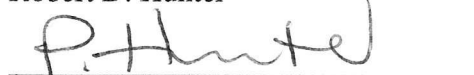


Pat Hunter

Hunter:



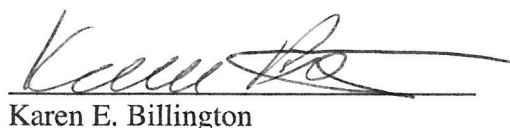
Robert D. Hunter



Pat Hunter

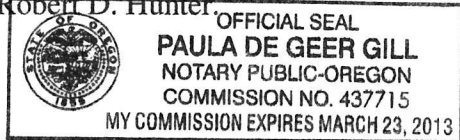
Hudson/Billington:


Brian D. Hudson


Karen E. Billington

STATE OF OREGON)
County of Multnomah) ss.

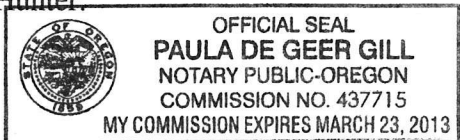
This instrument was acknowledged before me on May 24, 2010 by
Robert D. Hunter



Paula De Geer Gill
Notary Public for Oregon
My Commission Expires: March 23, 2013

STATE OF OREGON)
County of Multnomah) ss.

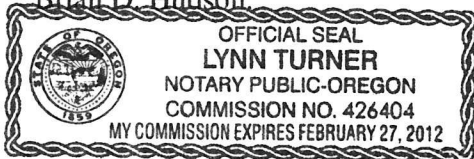
This instrument was acknowledged before me on May 24, 2010 by Pat
Hunter.



Paula De Geer Gill
Notary Public for Oregon
My Commission Expires: March 23, 2013

STATE OF OREGON)
County of Washington) ss.

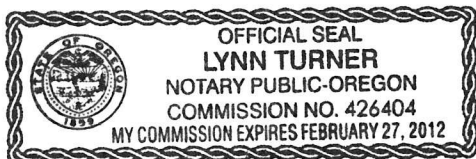
This instrument was acknowledged before me on May 21st, 2010 by
Brian D. Hudson.



Lynn Turner
Notary Public for Oregon
My Commission Expires: February 27, 2012

STATE OF OREGON)
County of Washington) ss.

This instrument was acknowledged before me on May 21st, 2010 by
Karen E. Billington.



Lynn Turner
Notary Public for Oregon
My Commission Expires: February 27th, 2012

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EXHIBIT A

PARCEL 1: A tract of land in Lot 11, in the Plat of MELVISTA RIDGE ESTATES (Yamhill County Plat Records) in the Northwest Quarter of Section 15, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with no cap marking the Southwest corner of Lot 11 of said Plat; thence North 01°28'13" East on the West line of said Lot 11, 168.53 feet to a 5/8 inch iron rod with a red plastic cap scribed "Centerline Concepts, Inc." (hereinafter referred to as a 5/8 inch iron rod with a CCI cap); thence leaving said West line North 59°00'59" East 282.69 feet to a 5/8 inch iron rod with a CCI cap lying within said Lot 11; thence North 32°02'27" East 20.48 feet to a 5/8 inch iron rod with a CCI cap and the North line of said Lot 11; thence South 89°41'06" East on said North line 677.66 feet to a 5/8 inch iron rod with no cap marking the Northeast corner of said Lot 11; thence South 00°10'41" West on the East line of said Lot 11, 332.77 feet to a 5/8 inch iron rod marking the Southeast corner of said Lot 11; thence North 89°41'07" West on the South line of said Lot 11, 934.17 feet to the point of beginning.

PARCEL 2: A tract of land in Lot 11 and Lot 8, in the Plat of MELVISTA RIDGE ESTATES (Yamhill County Plat Records) in the Northwest Quarter of Section 15, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with a red plastic cap scribed "Centerline Concepts, Inc." (hereinafter referred to as a 5/8 inch iron rod with a CCI cap) lying on the West line of said Lot 11 and being North 01°28'13" East 168.53 feet from a 5/8 inch iron rod with no cap marking the Southwest corner of Lot 11 of said plat; thence North 01°28'13" East on the West line of said Lot 11, and continuing on the West line of said Lot 8, 197.86 feet to a 5/8 inch iron rod with no cap and the start of a 373.59 foot radius curve concave Westerly; thence on said curve through a central angle of 19°51'02" (which chord bears North 08°27'18" West 128.79 feet) an arc distance of 129.43 feet to a 5/8 inch iron rod with no cap; thence, leaving said West line South 89°14'41" East 49.83 feet to a 5/8 inch iron rod with a CCI cap lying within said Lot 8; thence South 53°21'01" East 270.79 feet to a 5/8 inch iron rod with a CCI cap and the North line of said Lot 11; thence leaving said North line South 32°02'27" West 20.48 feet to a 5/8 inch iron rod with a CCI cap lying within said Lot 11; thence South 59°00'59" West 282.69 feet to the point of beginning.

PARCEL 3: An easement for roadway purposes over the following:

A portion of Lot 8, MELVISTA RIDGE ESTATES, a Plat of record in Section 15, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, said portion being more particularly described as follows:

BEGINNING at an iron rod on the East line of said Lot 8, which bears South 00°17' West 594.72 feet from the Quarter corner on the North line of said Section 15; and running thence South 87°35' West 360.77 feet to an iron rod; thence South 14°29'30" East 628.80 feet to an iron rod at the True Point of Beginning of the herein described tract; thence North 89°43' West 305.00 feet to an iron rod; thence South 50°37' West 297.61 feet to an iron rod; thence North 89°43' West 236.86 feet to a point on the Easterly line of Melott Road; thence on the arc of a 373.59 foot radius curve, the center of which bears South 61°44'07" West (the long chord of which bears South 23°14'24" East 65.45 feet) 65.53 feet to an iron rod; thence South 89°43' East 232.37 feet to an iron rod; thence North 50°37' East 297.61 feet to an iron rod; thence South 89°43' East 283.36 feet to an iron rod; thence North to the True Point of Beginning.

EXHIBIT B

A portion of Lot 8, MELVISTA RIDGE ESTATES, a plat of records in Section 15, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, said portion being more particularly described as follows:

BEGINNING at an iron rod on the south line of said Lot 8 which bears North 89° 35' West, 200.00 feet from the Southeast corner thereof, and running thence along said South line, North 89° 35' West, 476.40 feet to an iron rod; thence North 53° 14' 30" West, 271.64 feet to a point; thence South 89° 43' East, 182.37 feet to an iron rod; thence North 50° 37' East, 297.61 feet to an iron rod; thence South 89° 43' East, 283.36 feet to an iron rod; thence South 00° 17' West, 352.56 feet to the PLACE OF BEGINNING.

TOGETHER WITH a non-exclusive easement for access roadway purposes of the following described tract:

BEGINNING at an iron rod on the East line of said Lot 8 which bears South 00° 17' West 594.72 feet from the quarter corner on the North line of said section 15 and running thence South 87° 35' West 360.77 feet to an iron rod; thence South 14° 29' 30" East 628.80 feet to an iron rod at the TRUE PLACE OF BEGINNING of the herein described tract; thence North 89° 43' West 305.00 feet to an iron rod; thence South 50° 37' West 297.61 feet to an iron rod; thence North 89° 43' West 236.86 feet to a point on the Easterly line of Melott Road; thence on the arc of a 373.59 foot radius curve the center of which bears South 61° 44' 07" West (the long chord of which bears South 23° 14' 24" East 65.45 feet) 65.53 feet to an iron rod; thence South 89° 43' East 232.37 feet to an iron rod; thence North 50° 37' East 297.61 feet to an iron rod; thence South 89° 43' East 283.36 feet to an iron rod; thence North to the TRUE POINT OF BEGINNING.

EXHIBIT C

A portion of Lot 8, MELVISTA RIDGE ESTATES a plat of record in Section 15, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, said portion being more particularly described as follows:

BEGINNING at an iron rod on the Southeast corner of said Lot 8; thence North along the East line of said lot 412.82 feet; thence North $89^{\circ} 43'$ West 200 feet to an iron rod; thence South $00^{\circ} 17'$ West 412.56 feet to an iron rod on the South line of said Lot 8; thence along said South line 200 feet to the point of beginning.

TOGETHER WITH a non-exclusive easement for roadway purposes over the following described tract:

BEGINNING at an iron rod at the East line of said Lot 8 which bears South $00^{\circ} 17'$ West 594.72 feet from the quarter corner on the North line of said section 15 and running thence South $87^{\circ} 35'$ West 360.77 feet to an iron rod; thence South $14^{\circ} 29' 30''$ East 628.80 feet to an iron rod at the TRUE POINT OF BEGINNING of the herein described tract; thence North $89^{\circ} 43'$ West 305.00 feet to an iron rod; thence South $50^{\circ} 37'$ West 297.61 feet to an iron rod; thence North $89^{\circ} 43'$ West 236.86 feet to a point on the Easterly line of Melott Road; thence on the arc of a 373.59 foot radius curve the center of which bears South $61^{\circ} 44' 07''$ West (the long chord of which bears South $23^{\circ} 14' 24''$ East 65.45 feet) 65.53 feet to an iron rod; thence South $89^{\circ} 43'$ East 232.37 feet to an iron rod; thence North $50^{\circ} 37'$ East 297.61 feet to an iron rod; thence South $89^{\circ} 43'$ East 283.36 feet to an iron rod; thence North $00^{\circ} 17'$ East to the True Point of Beginning.

EXHIBIT D

A 10.00 foot wide easement located in Section 15, Township 2 South, Range 3 West of the Willamette Meridian in Yamhill County, Oregon, said easement lying 5.00 feet on each side of the following described centerline:

Beginning at a point on the east margin of MELOTT ROAD that is North 01°28'13" East 77.23 feet from an iron rod at the southwest corner of LOT 11 of MELVISTA RIDGE ESTATES; thence South 81°57'10" East 27.66 feet; thence North 64°05'23" East 21.36 feet; thence North 44°05'34" East 63.06 feet; thence North 56°44'12" East 57.68 feet; thence North 52°50'47" East 164.18 feet; thence North 64°20'38" East 58.49 feet; thence North 58°12'24" East 60.22 feet; thence North 78°57'28" East 24.94 feet to a point that is 10.00 feet south of north line of said LOT 11 when measured at right angles; thence parallel with and 10.00 feet from said south line South 89°41'06" East 134.35 feet; thence North 82°21'53" East 43.19 feet; thence South 88°20'06" East 41.98 feet; thence North 78°40'29" East 24.86 feet to a point on the north line of said LOT 11 that is South 89°41'06" East 385.88 feet from an iron rod at the most northerly northwest corner of that tract of land described in deed to ROBERT D. HUNTER and PAT HUNTER, recorded in Instrument Number 200207293, Yamhill County Deed Records, said point being the end of the centerline of this easement description, the sidelines of which are to shorten and extend with the east margin of said MELOTT ROAD and the north line of said LOT 11, as shown on attached Exhibit "E".

EASEMENT MAP for: PAT HUNTER







LOCATION: NW 1/4 SEC. 15, T. 2 S., R. 3 W., W.M.
LOT 11 OF MELVISTA RIDGE ESTATES
YAMHILL COUNTY, OREGON

TAX LOT: R2315 - 03300

DATE: 13 MAY 2010

EXHIBIT " E "

LEGEND

-  = MONUMENT AS NOTED
-  = PROPERTY LINE
-  = NEW EASEMENT
-  = EXISTING UTILITIES EASEMENT
-  = CENTERLINE OF ROAD OR DRIVEWAY
-  = APPROXIMATE WATERLINE

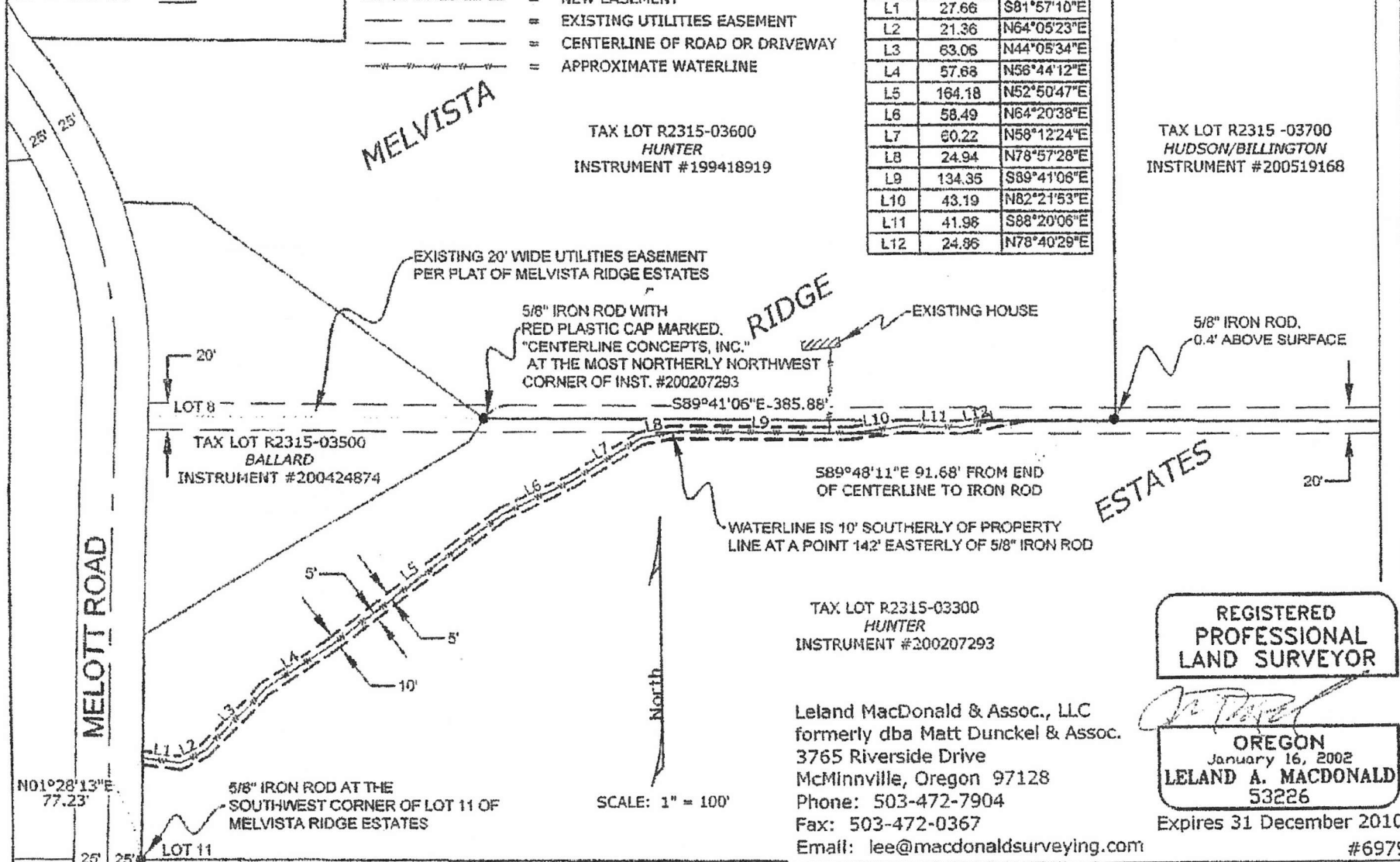
LINE TABLE

LINE	LENGTH	BEARING
L1	27.66	S81°57'10"E
L2	21.36	N64°05'23"E
L3	63.06	N44°05'34"E
L4	57.68	N58°44'12"E
L5	164.18	N52°50'47"E
L6	58.49	N64°20'38"E
L7	60.22	N58°12'24"E
L8	24.94	N78°57'28"E
L9	134.35	S89°41'06"E
L10	43.19	N82°21'53"E
L11	41.98	S88°20'06"E
L12	24.86	N78°40'29"E

TAX LOT R2315-03600
HUNTER
INSTRUMENT #199418919

TAX LOT R2315 -03700
HUDSON/BILLINGTON
INSTRUMENT #200519168

EXHIBIT E



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Leland MacDonald
OREGON
January 16, 2002
LELAND A. MACDONALD
53226

Expires 31 December 2010

#6979

Leland MacDonald & Assoc., LLC
formerly dba Matt Dunckel & Assoc.
3765 Riverside Drive
McMinnville, Oregon 97128
Phone: 503-472-7904
Fax: 503-472-0367
Email: lee@macdonaldsurveying.com

1 - UTILITY EASEMENT - EXHIBIT E

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