



Oregon Water Resources Department 725  
 Summer Street NE, Suite A  
 Salem Oregon 97301-1271  
 (503) 986-0900  
 www.wrd.state.or.us

# Application for a Permit to Use Ground Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. APPLICANT INFORMATION

### A. Individuals

Applicant: \_\_\_\_\_  
First Last

Mailing Address: \_\_\_\_\_  
 \_\_\_\_\_  
City State Zip

Phone: \_\_\_\_\_  
Home Work Other

\*Fax: \_\_\_\_\_ \*Email Address: \_\_\_\_\_

### B. Organizations

(Corporations, associations, firms, partnerships, joint stock companies, cooperatives, public and municipal corporations)

Name of Organization: Seclusion Estates Community Water System, LLC

Name and Title of Person Applying: Joseph M Zagorski

Mailing Address or Organization: 521 Seclusion Loop

Grants Pass Oregon 97526  
City State Zip

Phone : 541-479-6408 541-479-6408  
Day Evening

\*Fax: \_\_\_\_\_ \*Email Address: arbutus33@msn.com

\*Optional

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For Department Use		
App. No. <u>G-17194</u>	Permit No. _____	Date _____

Last Updated: 11/24/2008

Ground Water/1

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2. PROPERTY OWNERSHIP

Yes (Please check appropriate box below then skip to section 3 'Ground Water Development')

- There are no encumbrances
This land is encumbered by easements, rights of way, roads or other encumbrances (please provide a copy of the recorded deed(s))

No (Please check the appropriate box below)

- I have a recorded easement or written authorization permitting access.
I do not currently have written authorization or easement permitting access.
Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigated and/or domestic use only (ORS 274.040).

You must provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.

List the names and mailing addresses of all affected landowners.

see attachment 1

3. GROUND WATER DEVELOPMENT

A. Well Information

Number of well(s): two

Name of nearest surface water body: Pass Creek

Distance from well(s) to nearest stream or lake:

1) Well 1 ID36427, 4,600' to Pass Cr 2) Well 2 ID38961, 4,491' to Pass Cr

If distance from surface water is less than one mile, indicate elevation difference between nearest surface water and well head:

1) Well ID 36427 100' elev. diff. 2) Well ID38961 4) 80' elev. diff

B. Well Characteristics

Wells must be constructed according to standards set by the Department for the construction and maintenance of water wells. If the well is already constructed, please enclose a copy of the well constructor's log and the well ID number, if available, for each well with this application. Identify each well with a number corresponding to the wells designated on the map and proceed to section 4 of the form. If the well has not been constructed, or if you do not have a well log, please complete the following:

Well(s) will be constructed by:

Wells are already constructed

Mailing Address:

City State Zip

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Completion Date: see attached well logs

Please provide a description of your well development. (Attach additional sheets if needed.)

Well No.	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

Note: Well numbers in this listing must correspond to well locations(s) shown on accompanying map.

If well log is not available, or well is not yet constructed, you must provide: proposed total depth, depth of casing and seal, and the anticipated perforation and open intervals.

**C. Artesian Flows**

If your water well is flowing artesian, describe your water control and conservation works:

not applicable

**4. WATER USE**

Please read the instruction booklet for more details on "type of use" definitions, how to express how much water you need and how to identify the water source you propose to use. You must fill out a supplemental form for some uses as they require specific information for that type of use.

**A. Type(s) of Use(s)**

See list of beneficial uses provided in the instructions.

- If your proposed use is **domestic**, indicate the number of households to be supplied with water: \_\_\_\_\_
- If your proposed use is **irrigation**, please attach **Form I**
- If your proposed use is **mining**, attach **Form R**
- If your proposed use is **municipal or quasi-municipal**, attach **Form M**
- If your proposed use is **commercial/industrial**, attach **Form Q**

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**B. Amount of Water**

Provide the production rate in gallons per minute (gpm) and the total annual amount of water you need from each well, from each source or aquifer, for each use. You do not need to provide source information if you are submitting a well log with your application.

Well No.	Source or aquifer	Type of use	Total rate of water requested (in gpm)	Total annual quantity (in gallons)	Production rate of well (in gpm)
36427	well	quais municipal	6 gpm	3,153,600	7 gpm
38961	well	quais municipal	16 gpm	8,409,600	18 gpm

**C. Maximum Rate of Use Requested**

What is the maximum, instantaneous rate of water that will be used? 0.05 cfs  
(The fees for your application will be based on this amount.)

**D. Period of Use**

Indicate the time of year you propose to use the water: 4/1-10/31 for irrigation; quasi muni. 1/1-12/31  
(For seasonal uses like irrigation give dates when water use would begin and end, e.g. March 1-October 31.)

**E. Acreage**

If you will be applying water to land, indicate the total number of acres where water will be applied or used: quasi municipal (6 acres irrigation)  
(This number should be consistent with your application map.)

**5. WATER MANAGEMENT**

**A. Diversion**

What method will you use to divert water from the source?

- Pump (give horsepower and pump type): (2hp ID 38961); (2hp ID 36427) both centrifugal
- other means (describe): \_\_\_\_\_

**B. Transport**

How will you transport water to your place of use?

- Ditch or canal (give average width and depth):

Width \_\_\_\_\_ Depth \_\_\_\_\_

Is the ditch or canal to be lined?  Yes  No

- Pipe (give diameter and total length):

Diameter \_\_\_\_\_ Length \_\_\_\_\_

- other, describe: see attachments 2A and 2B

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**C. Application/Distribution Method**

What equipment will you use to apply water to your place of use?

See attachment 2A and 2B

Irrigation or land application method (check all that apply):

- Flood
- Drip
- Hand Lines
- Siphon tubes or gated pipe with furrows
- other, describe: \_\_\_\_\_
- High pressure sprinkler
- Water Cannons
- Wheel Lines
- Low pressure sprinkler
- Center pivot system

Distribution method

- Direct pipe from source
- In-line storage (tank or pond)
- Open Canal

**E. Conservation**

What methods will you use to conserve water? Why did you choose this distribution or application method? Have you considered other methods to transport, apply, distribute or use water? For example, if you are using sprinkler irrigation rather than drip irrigation, explain. If you need additional space, attach a separate sheet.

combination of drip lines and low pressure sprinklers on each individual lot

**6. PROJECT SCHEDULE**

Indicate the anticipated dates that the following construction tasks should begin. If construction has already begun, or is completed, please indicate that date.

Proposed date construction will begin: \_\_\_\_\_

Proposed date construction will be completed: \_\_\_\_\_

Proposed date beneficial water use will begin: system in use since 2000; see attach 2A & 2B

**7. REMARKS**

*If you would like to clarify any information you have provided in the application, please do so here and reference the specific application question you are addressing.*

see attachments 2A and 2B

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**8. MAP REQUIREMENTS**

The Department cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the township, range, section, and quarter/quarter section of the proposed well location and place of use. The map must provide tax lot numbers. See the map guidelines sheet for detailed map specifications.

**9. SIGNATURE**

By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be canceled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.

I swear that all information provided in this application is true and correct to the best of my knowledge:


2/24/09  
 \_\_\_\_\_  
 Signature of Applicant (If more than one applicant, all must sign.) Date

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included a Land Use Information Form or receipt stub signed by a local official.
- Included the legal description of all the property involved with this application. You may supply a copy of the deed, land sales contract, or title insurance policy, to meet this requirement.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount. The Department's fee schedule can be found at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

**WRD on the web:**  
[www.wrd.state.or.us](http://www.wrd.state.or.us)

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Description of  
Seclusion Estates Community Water System

The Seclusion Estates Community Water System is owned and operated by Seclusion Estates Community Water System, LLC, an Oregon Limited Liability Corporation. The system is located in Josephine County and serves twelve (12) lots or parcels that are part of Seclusion Estates subdivision, originally owned by Spaulding & Sons. The developer was Richard Ward Associates. The original Declaration of Restrictions for Seclusion Estates was filed in Josephine County on July 6, 1995.

The twelve lots are ~~parcels~~<sup>tax</sup> 2202, 2203, 905, 906, 907, 908, 909, 910, 913, 915, 917, and 917 in Tract T36S R6W Section 6. Parcel 911 is not served by the system but is affected in that there exists an easement for pipe through the property. Homes have been built on the twelve lots and are currently occupied by residents who are partners in the LLC. The system is identified as a Public Water System and registered with the State of Oregon with ID # 41-06127 in the Drinking Water Program. The system began supplying water to the first home that was built on parcel 916 in December 2000. The remaining lots were added as homes were built and occupied, the last one being in June 2008. Some lots have been sold at least once since the system was established in 2000.

The system was built in the late 1990's by Spaulding & Sons and transferred to the LLC in 2005. Amended CC&R's and Declaration of Easements as well as Operating Principles have been developed, signed off by the partners and filed with the County Clerk of Josephine County.

The water system itself consists of two wells, one located on parcel 2003 with ID # 38961 and the other on parcel 917 with ID # 36427. The 2 hp pumps in these two wells work in tandem to feed two 6,000-gallon water tanks through approximately 2,700 feet of 1 ¼ inch schedule 40 pipe. The tanks are located on parcel 909. The water is then moved by gravity through a system of approximately 6,500 feet of 3-inch schedule 40 pipe to valves located on each of the twelve lots. From these valves on, the homeowners of each lot assume responsibility for connecting to their respective homes. The water system contains many shut-off valves on both the 1 ¼ and 3-inch lines in order to isolate portions of the system should that become necessary.

The Amended CC&R's include a provision that irrigation is limited to ½ acre per lot as that was the understanding of the law at the time the water system was transferred to the LLC by Spaulding & Sons. Each lot includes landscaping that is less than ½ acre with some lawn irrigated by sprinklers while other landscaping such as shrubs, plants and trees are irrigated by drip systems. Since 2000, the system has been more than sufficient to serve the domestic and irrigation needs of the twelve lots.

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Names and Addresses of All Affected Landowners

All addresses are located in Grants Pass, OR 97526

Lot #2 Parcel 2201  
Larry and Sue West  
9703 Lower River Road

Lot #3 Parcel 901  
Tyson and Carol Polk  
9701 Lower River Road

Lot #8 Parcel 905  
Andy and Susan Goldner  
330 Seclusion Loop

Lot #9 Parcel 906  
Ken and Marie Weist  
398 Seclusion Loop

Lot # 10 Parcel 907  
Brad Connolly  
584 Seclusion Loop

Lot #11 Parcel 908  
John and Sharon Warren  
582 Seclusion Loop

Lot #12 Parcel 909  
Andreas and Carole Blech  
580 Seclusion Loop

Lot #13 Parcel 910  
Paul and Via Kelly  
740 Seclusion Loop

\*Lot 14 Parcel 911  
Chad and Jennifer Guthrie  
921 Seclusion Loop

Lot #16 Parcel 913  
Buster Bews  
700 Seclusion Loop

Lot #18 Parcel 915  
Don and Lorelee Turnbaugh  
643 Seclusion Loop

Lot #19 Parcel 916  
Joe and Sharrie Zagorski  
521 Seclusion Loop

Lot #20 Parcel 917  
Rod and Pamela Rowe  
365 Seclusion Loop

\*This parcel is not part of the water system but includes an easement for pipe running through it.

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# Oregon Water Resources Department

## FORM M

### FOR MUNICIPAL AND QUASI MUNICIPAL WATER SUPPLIES

Unless otherwise noted, water use information should be in acre-feet per year (AFY).  
1 acre-foot is equal to 325,851 gallons.

#### Background Information

Name of water supplier: Seclusion Estates Community Water System, LLC

Name and size of area to be served: 68.12 acres/0.106 sq. miles; portion of Seclusion Estates Subdivision  
*(in square miles)*

Present population of service area: 34 people  
*(Contact county planning staff, if needed.)*

Projected population in 20 years: maximum of 72 people  
*(Cite source and year. For example: "20,595 Based upon 1995 Portland State University projections.")*

List present water rights and permits held:

Date of Issuance:	Natural Source of Water:	Amount Permitted:	Utilization:
<u>no ground water rights</u>			

#### Water Use

Average yearly demand: 35 AFY      Year: 2008

Per-capita daily consumption (in gallons): 931  
*(Divide average annual water sales by population to arrive at consumption, then divide by 365 to get daily values.)*

Peak season (by month/day): April 1 to Oct 31    Total peak season demand: ?? Acre-feet

Peak season per-capita daily consumption: Don't know; wells not metered  
*(Divide total peak season demand by population and the number of days during the peak.)*

Annual amount of water:  
produced: Don't know; wells are not metered  
*(diverted or pumped)*  
delivered: don't know

Is your system fully metered?    Yes    No

Describe your rate structure: Currently households are charged \$25 per month flat rate  
*(e.g. flat rate, increasing or decreasing block rate or combination of different systems)*

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**Request for Water**

6-1794

**A. Discuss the reason(s) for your request for additional water**

(e.g. loss of current supply, peak demand, growth, or other): We do not have ground water rights

We need more water than exempt ground water use allows

**B. How long is the amount of water requested in this application expected to meet future needs?**

(e.g. until the year 2040) in perpetuity; no new households will be added to the system

**C. Briefly discuss operation of water system and the most constraining component of the system:**

see attachments 2A and 2B

**D. Percentage of water use by type:**

Residential: domestic and irrigation of yards Commercial: N/A

Public Authority: N/A Agricultural: N/A

Unaccounted for use: N/A Industrial: domestic and irrigation of yards

Other (specify use): \_\_\_\_\_

**E. List cost to implement proposed request.**

*Compare cost and benefits with other water supply, or combination of supply options. This should include water efficiency measures such as replacing current showerheads with low-flow types. (Attach documentation, as available.)*

This water system has been in place and in use since 2000.

We will need to install a meter for an approximate cost of \$700 including installation

**F. How and by how much will your proposed water use efficiency programs increase efficiency?**

*(Express as a percentage of per-capita consumption.)*

The water system has been in place and in use since 2000; see attachment 2A and 2B

Owners on individual lots use drip lines and low pressure sprinklers

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*Last revision: April 9, 1996*

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FEB 26 2009 8:41AM

QUINN'S 541-862-7105

Jose 53407

NO. 693

WATER SUPPLY WELL REPORT

(As required by ORS 537.745)

Amended

WELL I.D. # 38691

START CARD # 131732

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number

Name John Jones
Address 858 NW 6th St
City Grants Pass State OR Zip 97526

(2) TYPE OF WORK

New Well Deepening Alteration (repair/condition) Abandonment

(3) DRILL METHOD:

Rotary Air Rotary Mud Cable Auger Other

(4) PROPOSED USE:

Domestic Commercially Industrial Irrigation Thermal Injection Livestock Other

(5) BORE HOLE CONSTRUCTION:

Special Construction approval Yes No Depth of Completed Well 150 ft.
Explosives used Yes No Type Amount

Table with columns: HOLE, SEAL, Diameter, From, To, Material, Backer/pumps

How was seal placed: Method A B C D E

Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Table with columns: Diameter, From, To, Gauge, Slot, Plastic, Welded, Threaded

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

Table with columns: From, To, Slot Size, Number, Diameter, Material, Casing, Lift

(8) WELL TESTS: Minimum testing time is 1 hour

Table with columns: Pump, Baller, Air, Flowing Artesian, Yield, Drawdown, Discharge, Time

Temperature of water 54 Depth Artesian Flow Footed
Was a water analysis done? Yes By who
Did any strata contain water not suitable for intended use? Too little
Depth of sl...

(9) LOCATION OF WELL, by legal description:

County JOHNSON Latitude Longitude
Township 36 S N or S Range 06 W O or W. WM.
Section 06 NE 1/4 SW 1/4
Block Subdivision
Street Address of Well (or nearest address)
Lower River Rd TL 2203

(10) STATIC WATER LEVEL:

38 ft. below land surface. Date 7/13/00
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 64'

Table with columns: From, To, Estimated Flow Rate, gwl

(12) WELL LOG:

Ground Elevation

Table with columns: Material, From, To, gwl

Amended Tax ID number
Bob Quinn

Date started 7/13/00 Completed 7/13/00

(banded) Water Well Constructor Certification

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Material used and information reported above are true to the best of my knowledge and belief.

Signed Steve Carter WWC Number 1859 Date 7/13/00

(banded) Water Well Constructor Certification

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

Signed Bob Quinn WWC Number 675 Date 7/13/00

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JOSE 52077

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Amended

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WATER WELL CONSTRUCTION REPORT  
(as required by ORS 537.765)

Jose  
52972

WELL I.D. # L-36429-36427  
START CARD # 126733

Instructions for completing this report are on the last page of this form.

(1) OWNER: Well Number \_\_\_\_\_  
Name Kenneth Winther  
Address 280 Cathedral Drive  
City Grants Pass State Oregon Zip 97526

(9) LOCATION OF WELL by legal description:  
County Josephine altitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 36 N or S Range 6 E or W. WM.  
Section 6 NW 1/4 SW 1/4  
Tax Lot 916 Lot 217 Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Street Address of Well (or nearest address) 521 Seclusion Loop

(2) TYPE OF WORK  
 New Well  Deepening  Alteration (repair/recondition)  Abandonment

(10) STATIC WATER LEVEL:  
50 ft. below land surface. Date 10/12/99  
Artesian pressure \_\_\_\_\_ lb. per square inch. Date \_\_\_\_\_

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  Auger  
 Other \_\_\_\_\_

(11) WATER BEARING ZONES:  
Depth at which water was first found 280

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Livestock  Other \_\_\_\_\_

From	To	Estimated Flow Rate	SWL
280	285	7	50

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 300 ft.  
Explosives used  Yes  No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE		SEAL		Sacks or pounds		
Diameter	From To	Material	From To			
10	0	18	Bentonite	0	18	7
6	18	300				

How was seal placed: Method  A  B  C  D  E  
 Other Dry Poured  
Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(12) WELL LOG:  
Ground Elevation \_\_\_\_\_

Diameter	From To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6	+1	19	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Liner: 4	0	300	160	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Material	From	To	SWL
Decomposed Granite - Brown	0	12	
Tombstone Granite - Black White	12	300	
Amended Tax ID # By: <u>Michael Peice SR</u>			
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OCT 18 1999			
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(7) PERFORATIONS/SCREENS:  
 Perforations Method Saw  
 Screens Type \_\_\_\_\_ Material \_\_\_\_\_

(8) WELL TESTS: Minimum testing time is 1 hour  
 Pump  Bailor  Air  Flowing Artesian  
Yield gal/min 7 Drawdown \_\_\_\_\_ Discharge at \_\_\_\_\_ Time \_\_\_\_\_  
Temperature of water 58 Depth Artesian Flow Found \_\_\_\_\_

Date started 10/11/99 Completed 10/12/99  
(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed Michael Peice WWC Number 1251 Date 10/14/99  
(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed Michael Peice WWC Number 1251 Date 10/14/99

Was a water analysis done?  Yes By whom \_\_\_\_\_  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other \_\_\_\_\_  
Depth of strata: \_\_\_\_\_

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Receipt for Request for Land Use Information

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Applicant name: Seclusion Estates

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City or County: Josephine

Staff contact: Roger Harada

Signature: [Handwritten Signature]

Phone: 474-5420

Date: 2-26-09

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Oregon Water Resources Department
Land Use Information Form

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THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: SECLUSION ESTATES COMMUNITY WATER SYSTEM LLC
Mailing Address: 521 SECLUSION LOOP
City: GRANTS PASS State: OR Zip: 97526 Day Phone: 541-429-6408

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Table with 8 columns: Township, Range, Section, 1/4 1/4, Tax Lot #, Plan Designation, Water to be (Diverted, Conveyed, Used), Proposed Land Use. Includes handwritten entries for Township 36S, Range 4W, Section 6, and various tax lots.

List all counties and cities where water is proposed to be diverted, conveyed, or used. JOSEPHINE

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water (checked)
Water-Right Transfer
Exchange of Water
Allocation of Conserved Water
Limited Water Use License
Permit Amendment or Ground Water Registration Modification

Source of water: Reservoir/Pond (checked) Ground Water (checked) Surface Water (name)

Estimated quantity of water needed: 0.05 CFS (checked) cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for household(s)
Municipal (checked) Quasi-municipal Instream Other

Briefly describe: SEE ATTACHMENT

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

4-744

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MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

Description of  
Seclusion Estates Community Water System

The Seclusion Estates Community Water System is owned and operated by Seclusion Estates Community Water System, LLC, an Oregon Limited Liability Corporation. The system is located in Josephine County and serves twelve (12) lots or parcels that are part of Seclusion Estates subdivision, originally owned by Spaulding & Sons. The developer was Richard Ward Associates. The original Declaration of Restrictions for Seclusion Estates was filed in Josephine County on July 6, 1995.

The twelve lots are parcels 2202, 2203, 905, 906, 907, 908, 909, 910, 913, 915, 917, and 917 in Tract T36S R6W Section 6. Parcel 911 is not served by the system but is affected in that there exists an easement for pipe through the property. Homes have been built on the twelve lots and are currently occupied by residents who are partners in the LLC. The system is identified as a Public Water System and registered with the State of Oregon with ID # 41-06127 in the Drinking Water Program. The system began supplying water to the first home that was built on parcel 916 in December 2000. The remaining lots were added as homes were built and occupied, the last one being in June 2008. Some lots have been sold at least once since the system was established in 2000.

The system was built in the late 1990's by Spaulding & Sons and transferred to the LLC in 2005. Amended CC&R's and Declaration of Easements as well as Operating Principles have been developed, signed off by the partners and filed with the County Clerk of Josephine County.

The water system itself consists of two wells, one located on parcel 2003 with ID # 38961 and the other on parcel 917 with ID # 36427. The 2 hp pumps in these two wells work in tandem to feed two 6,000-gallon water tanks through approximately 2,700 feet of 1 ¼ inch schedule 40 pipe. The tanks are located on parcel 909. The water is then moved by gravity through a system of approximately 6,500 feet of 3-inch schedule 40 pipe to valves located on each of the twelve lots. From these valves on, the homeowners of each lot assume responsibility for connecting to their respective homes. The water system contains many shut-off valves on both the 1 ¼ and 3-inch lines in order to isolate portions of the system should that become necessary.

The Amended CC&R's include a provision that irrigation is limited to ½ acre per lot as that was the understanding of the law at the time the water system was transferred to the LLC by Spaulding & Sons. Each lot includes landscaping that is less than ½ acre with some lawn irrigated by sprinklers while other landscaping such as shrubs, plants and trees are irrigated by drip systems. Since 2000, the system has been more than sufficient to serve the domestic and irrigation needs of the twelve lots.

6-17194

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SALEM, OREGON

### For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

#### Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 84.030 & 84.100 (Rural Land Development Code)

Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained	<input type="checkbox"/> Being pursued
		<input type="checkbox"/> Denied	<input type="checkbox"/> Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Please see attached

Name: Valerie Montague Title: Planner  
Signature: Valerie Montague Phone: 5414745427 Date: 3-16-2009  
Government Entity: Josephine County Planning Office

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



# Josephine County, Oregon

Board of Commissioners: Dave Toler, Dwight Ellis and Sandi Cassanelli



March 16, 2009

## PLANNING OFFICE

Michael Snider, Director

700 NW Dimmick Street, Suite C

Grants Pass, Oregon 97526

Tel: (541) 474-5421 / Fax: (541) 474-5422

Email: [planning@co.josephine.or.us](mailto:planning@co.josephine.or.us)

**RECEIVED**

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

RE: OWRD Land Use Information Form

Applicant/Property Owner: Seclusion Estates Community Water, LLC.

Map#: 36-06-06; tax lot 916

Situs: 521 Seclusion Loop

On June 4, 1993 an approval for Seclusion Estates Subdivision was approved with conditions by the Hearings Officer. Seclusion Estates is currently a developed and established subdivision. The community water system began supplying water to the first home in 2000 and is registered with the State of Oregon as a Public Water System. Per an email from Kathy Smith, Water Master, no water rights were ever obtained.

Obtaining water rights at this point in time does not require any review or permits with Josephine County Planning Office.

*Valerie Montague*

Valerie Montague

Planner

ext 5427

**OFFICE HOURS: 8-12 & 1-3 (Mon & Fri) • 8-12 (Tue & Thurs) • Closed (Wed)**

"Josephine County is an Affirmative Action / Equal Opportunity Employer and Complies with Section 504 of the Rehabilitation Act of 1973"



\*

- - Property Data Selection Menu - -

Prop ID : R337717 (Real Estate) Owner: ROWE, RODNEY T &  
 Map Tax Lot: 36-06-06-00-000917-00 (73110) ROWE, PAMELA R  
 Legal : SECLUSION EST. SUB. PH. 2, LOT 20, 365 SECLUSION LOOP  
 ACRES 5.63 GRANTS PASS, OR 97526

Situs : 365 SECLUSION LOOP Year Built : 2003  
 GRANTS PASS, OR 97526 Living Area: 3019

Name(s) :

Code Area : 05

Sale Info : 12/27/02 \$62,388

2008 Roll Values

Deed Type : WD	RMV Land \$	238,940 (+)
Instrument: 02-027174	RMV Improvements \$	430,510 (+)
2008 Tax Status * No Taxes Due *	RMV Total \$	669,450 (=)
Current Levied Taxes : 2,189.47	Total Exemptions \$	0
Special Assessments : 92.11	M5 Net Value \$	669,450
2009-10 SB125 Taxes :	M50 Assd Value \$	365,770

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: \_\_

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 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON



Josephine County Title Division

JOSEPHINE COUNTY OFFICIAL RECORDS  
GEORGETTE BROWN, COUNTY CLERK

2002-027174



\$15.00

DED-WRD Cnt=1 Stn=4 RECEIPTS  
\$5.00 \$11.00

12/27/2002 03:09:18 PM

16

36-6-6  
917

Order # 10012380KF

WARRANTY DEED (CORPORATION)

KNOW ALL MEN BY THESE PRESENTS, That SPALDING & SON INCORPORATED, an Oregon corp., duly organized and existing under the laws of the State of Oregon, in consideration of Sixty-Two Thousand Three Hundred Eighty-Eight And 00/100 DOLLARS \$62,388.00 to it paid by RODNEY T. ROWE and PAMELA R. ROWE, Husband and Wife as Tenants by the Entirety does hereby grant, bargain, sell and convey to said Grantee(s), their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the county of Josephine, and State of Oregon, bounded and described as follows, to-wit:

Lot 20, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County Oregon.

To Have and to Hold the above described and granted premises unto the said Grantees, their heirs and assigns forever.

And the grantor does covenant that it is lawfully seized in fee simple of the above granted premises free from all encumbrances, SUBJECT TO:

Rights of way of record. Easements of record. Conditions and Restrictions of record. The exclusive use of an existing well as of record.

and that it will and its successors shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate City or County Planning Department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

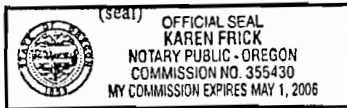
Done by order of the Board of Directors, this 18<sup>th</sup> day of DECEMBER, 2002.

SPALDING & SON INCORPORATED

Merwin L. Spalding  
BY: Merwin L. Spalding, President

STATE OF OREGON )  
 ) ss.  
County of Josephine )

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of DECEMBER, 2002, by MERWIN L. SPALDING, as PRESIDENT of SPALDING & SON INCORPORATED, a corporation, on behalf of the corporation.



Karen Frick  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

Until a change is requested,  
send all tax statements to:  
Grantee at:  
652 RENAISSANCE AVENUE  
GREEN VALLEY, CA 94534  
Return document to:  
Josephine County Title Company  
118 N.E. "C" Street, P.O. Box 71  
Grants Pass, OR 97526

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MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

\* - - Property Data Selection Menu - -

Owner: GOLDNER FAMILY TRUST  
 Prop ID : R337705 (Real Estate) (73090) %GOLDNER, ANDREAS M &  
 Map Tax Lot: 36-06-06-00-000905-00 CLAYTON-GOLDNER, SUSAN TRUST  
 Legal : SECLUSION EST. SUB. PH. 2, LOT 8, 330 SECLUSION LOOP  
 ACRES 5.31 GRANTS PASS, OR 97526-9683

Situs : 330 SECLUSION LOOP Year Built : 2001  
 GRANTS PASS, OR 97526 Living Area: 3602

Name(s) :

Code Area : 05

Sale Info : 12/26/02 \$577,000

2008 Roll Values

Deed Type : WD	RMV Land \$	235,410 (+)
Instrument: 02-027070	RMV Improvements \$	653,590 (+)
2008 Tax Status * No Taxes Due *	RMV Total \$	889,000 (=)
Current Levied Taxes : 2,829.37	Total Exemptions \$	0
Special Assessments : 92.11	M5 Net Value \$	889,000
2009-10 SB125 Taxes :	M50 Assd Value \$	472,670

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: \_\_

**RECEIVED**  
 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON



JOSEPHINE COUNTY OFFICIAL RECORDS  
GEORGETTE BROWN, COUNTY CLERK

2002-027070



\$16.00

12/26/2002 02:55:30 PM

DED-WRD Cnt=1 Stn=4 RECEIPTS  
\$5.00 \$11.00

Josephine County Title Division

16-

36-66 905.

Order # 10015833CH

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That TIMOTHY B. CUMMINGS, Grantor, conveys and warrants to ANDREAS M. GOLDNER and SUSAN CLAYTON-GOLDNER, as Trustees of the GOLDNER FAMILY TRUST, u/a/d August 15, 1994, Grantee, the following described real property, together with appurtenances, free of encumbrances except as specifically set forth herein, situated in Josephine County, State of Oregon, described as follows,

Lot 8, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County Oregon.

TOGETHER WITH AN EASEMENT APPURTENANT TO THE HEREIN DESCRIBED PROPERTY FOR FOOT PATH, INCLUDING TH TERMS AND PROVISIONS THEREOF, AS SET FORTH IN INSTRUMENT RECORDED IN DOCUMENT NO. 99-15592, Official Records of Josephine County, Oregon

TOGETHER WITH AN EASEMENT APPURTENANT TO THE HEREIN DESCRIBED PROPERTY FOR INGRESS AND EGRESS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS SET FORTH IN INSTRUMENT RECORDED IN DOCUMENT NO. 00-22332, Official Records of Josephine County, Oregon.

TOGETHER WITH AN EASEMENT APPURTENANT TO THE HEREIN DESCRIBED PROPERTY FOR ACCESS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS SET FORTH IN RECORDED PLAT.

\*Trust Deed recorded September 14, 2001, as Document No. 01-17648, Official Records of Josephine County, which grantee agrees to assume and pay.

SUBJECT TO:

Conditions and Restrictions of record .Easements of record Rights of way of record. Agreement of Record. \*


The true consideration paid for this conveyance is Five Hundred Seventy-Seven Thousand And 00/100 DOLLARS \$577,000.00.

However, the whole consideration includes other value given or promised (check if other consideration statement applies).

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate City or County Planning Department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

Dated this 20 day of DECEMBER, 2002.

Date \_\_\_\_\_  
Read & Approved \_\_\_\_\_

  
TIMOTHY B. CUMMINGS

STATE OF OREGON )  
 ) ss.  
County of Josephine )



This instrument was acknowledged before me on the 20 day of DECEMBER, 2002, by TIMOTHY B. CUMMINGS. (seal)

  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

Until a change is requested,  
send all tax statements to:  
Grantee at:  
1570 Beckwith Road  
Mt. Juliet TN 37122  
Return document to:  
Josephine County Title Company  
118 N.E. "C" Street, P.O. Box 71  
Grants Pass, OR 97526

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MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

\*

- - Property Data Selection Menu - -

Owner: WEIST, KENNETH &  
 Prop ID : R337706 (Real Estate) (98323) WEIST, MARIE  
 Map Tax Lot: 36-06-06-00-000906-00 398 SECLUSION LOOP  
 Legal : P.P. 2005-68, PARCEL 2, ACRES 5.79 GRANTS PASS, OR 97526

Situs : 398 SECLUSION LOOP Year Built : 2005  
 GRANTS PASS, OR 97526 Living Area: 2780

Name(s) :

Code Area : 05

Sale Info : 11/20/07 \$607,000

2008 Roll Values

Deed Type : WD

RMV Land \$ 234,650 (+)

Instrument: 07-021957

RMV Improvements \$ 354,200 (+)

2008 Tax Status \* No Taxes Due \*

RMV Total \$ 588,850 (=)

Current Levied Taxes : 1,428.67

Total Exemptions \$ 0

Special Assessments : 92.11

M5 Net Value \$ 588,850

2009-10 SB125 Taxes :

M50 Assd Value \$ 238,670

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: \_\_

**RECEIVED**

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

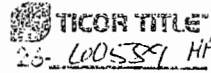
①

JOSEPHINE COUNTY OFFICIAL RECORDS  
GEORGETTE BROWN, COUNTY CLERK 2007-021957  
\$25.00  
00190839200700219570020022 11/20/2007 10:35:35 AM  
DED-WRD Cnt=1 Str=4 RECEIPTS  
\$10.00 \$11.00 \$4.00



After Recording Return To:  
Ticor Title  
744 NE 7th St  
Grants Pass OR 97526

Send Tax Statements To:  
Kenneth F. Weist  
Marie L. Weist  
398 Seclusion Loop  
Grants Pass OR 97526



Title Order No. 26-60589  
Escrow No. 26-60589  
Tax Account No. R337706  
36060600 906

**WARRANTY DEED**  
(ORS 93.850)

Michael A. Bello and Beth A. Bello, as tenants by the entirety, Grantor, conveys and warrants to Kenneth F. Weist and Marie L. Weist, as tenants by the entirety, Grantee, the following described real property:

See Exhibit 'A' attached hereto and by reference made a part hereof.

The said property is free from encumbrances except: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, SET BACK LINES, POWERS OF SPECIAL DISTRICTS AND EASEMENTS OF RECORD, IF ANY.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is \$607,000.00.

Dated this 16 day of November, 2007.

Michael A. Bello

Beth A. Bello

State of OR, County of Josephine )ss.

This instrument was acknowledged before me on 11-16, 2007  
by Michael A. Bello and Beth A. Bello.

Notary Public

My commission expires: 8-30-08



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WATER RESOURCES DEPT  
SALEM, OREGON



2

Title No. 26-60589      Escrow No. 26-60589

**EXHIBIT 'A'**

Legal Description:

PARCEL 1:

Parcel 2 of Partition Plat No. 2005-068, in Josephine County, Oregon.

PARCEL 2:

Easement for the benefit of Parcel 1, as set forth on the recorded plat for Seclusion Estates Subdivision, Phase 2, and Partition Plat No. 2005-068, Josephine County, Oregon.

**RECEIVED**

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

\* - - Property Data Selection Menu - -

Owner: CONNOLLY, BRAD J  
 Prop ID : R337707 (Real Estate) (90311) 445 PLEASANT VIEW DR  
 Map Tax Lot: 36-06-06-00-000907-00 GRANTS PASS, OR 97526-1027  
 Legal : P.P. 2005-68, PARCEL 1, ACRES 6.30

Situs : 584 SECLUSION LOOP Year Built : 2007  
 GRANTS PASS, OR 97526 Living Area: 2567

Name(s) :  
 Code Area : 05

Sale Info :

2008 Roll Values

Deed Type : BS	RMV Land \$	276,880 (+)
Instrument: 06-002651	RMV Improvements \$	237,540 (+)
2008 Tax Status * No Taxes Due *	RMV Total \$	514,420 (=)
Current Levied Taxes : 1,054.11	Total Exemptions \$	0
Special Assessments : 92.11	M5 Net Value \$	514,420
2009-10 SB125 Taxes :	M50 Assd Value \$	176,100

(AD) Alt Disp  
 (O)wnership

(Y) primary  
 (H)istory

(L)and/Impr  
 (W) Spec Assmt

(G)en Appr  
 (.) More

Enter Option from Above or <RET> to Exit: \_\_

**RECEIVED**

MAR 23 2009

WATER RESOURCES DEPT  
 SALEM, OREGON

EA NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



Jonathan + Patricia Connolly  
445 Pleasant View Dr.  
Grants Pass, OR 97526

Brad J. Connolly  
445 Pleasant View Dr.  
Grants Pass, OR 97526

After recording, return to (Name, Address, Zip):  
Brad J. Connolly  
445 Pleasant View Dr.  
Grants Pass, OR 97526

Until requested otherwise, send all tax statements to (Name, Address, Zip):  
Brad J. Connolly  
445 Pleasant View Dr.  
Grants Pass, OR 97526

JOSEPHINE COUNTY OFFICIAL RECORDS  
GEORGETTE BROWN, COUNTY CLERK

2006-002651

\$20.00



00138460200600026510010017

02/02/2006 03:49:18 PM

SPA DED-BSD Cal=1 Stn=4 RECEIPTS  
REC \$5.00 \$11.00 \$4.00

Witness my hand and seal of County affixed.

NAME TITLE  
By \_\_\_\_\_, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that JONATHAN CONNOLLY AND PATRICIA CONNOLLY

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BRAD J. CONNOLLY

hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Josephine County, State of Oregon, described as follows, to-wit:

Lot 10, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon, according to Official Plat thereof, recorded in Volume 9, Page 169, Plat Records. TOGETHER WITH: An easement for access as set forth on the recorded plat. ALSO TOGETHER WITH: An easement for foot path access, including the terms and provisions thereof, as set forth in Instrument recorded in Document No. 99-15592, Official Records of Josephine County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the whole (indicate which) consideration. (The sentence between the symbols, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on \_\_\_\_\_; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Jonathan J. Connolly  
Patricia A. Connolly

STATE OF OREGON, County of Josephine, ss.

This instrument was acknowledged before me on February 1, 2006 by Jonathan Connolly and Patricia Connolly

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_ as \_\_\_\_\_ of \_\_\_\_\_

Linda R. Duncan  
Notary Public for Oregon  
My commission expires 6/15/06

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MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON



\*

- - Property Data Selection Menu - -

Owner: WARREN, JOHN W &  
 Prop ID : R337708 (Real Estate) (97579) WARREN, SHARON A  
 Map Tax Lot: 36-06-06-00-000908-00 582 SECLUSION LOOP  
 Legal : SECLUSION EST. SUB. PH. 2, LOT 11, GRANTS PASS, OR 97526  
 ACRES 5.60

Situs : 582 SECLUSION LOOP Year Built : 2004  
 GRANTS PASS, OR 97526 Living Area: 2664

Name(s) :

Code Area : 05

Sale Info : 09/26/07 \$512,500

2008 Roll Values

Deed Type : WD

RMV Land \$ 247,880 (+)

Instrument: 07-018742

RMV Improvements \$ 277,520 (+)

2008 Tax Status \* No Taxes Due \*

RMV Total \$ 525,400 (=)

Current Levied Taxes : 1,474.98

Total Exemptions \$ 0

Special Assessments : 92.11

M5 Net Value \$ 525,400

2009-10 SB125 Taxes :

M50 Assd Value \$ 246,410

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: \_\_

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MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON



After recording return to:  
JOHN W. WARREN and SHARON A.  
WARREN  
582 Seclusion Loop  
Grants Pass, OR 97526

Until a change is requested all tax statements  
shall be sent to the following address:  
JOHN W. WARREN and SHARON A.  
WARREN  
582 Seclusion Loop  
Grants Pass, OR 97526

File No.: 7151-1109468 (vb)  
Date: September 19, 2007

JOSEPHINE COUNTY OFFICIAL RECORDS  
GEORGETTE BROWN, COUNTY CLERK

2007-018742



\$25.00

00187030200700187420020026

09/26/2007 03:14:07 PM

DED-WRD Cnt=1 Stn=4 RECEIPTS  
\$10.00 \$11.00 \$4.00

25

### STATUTORY WARRANTY DEED

DAVID A. ZAKLAN and KATIE L. ZAKLAN, Grantor, conveys and warrants to JOHN W. WARREN and SHARON A. WARREN, husband and wife as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**LOT 11, SECLUSION ESTATES SUBDIVISION PHASE 2, JOSEPHINE COUNTY, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED IN VOLUME 9, PAGE 169, PLAT RECORDS.**

**Subject to:**

1. The 2007-2008 Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$512,500.00**. (Here comply with requirements of ORS 93.030)

**RECEIVED**

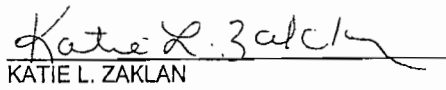
MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 21<sup>st</sup> day of September, 2007.

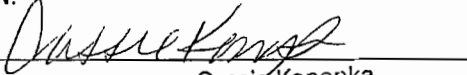
  
\_\_\_\_\_  
DAVID A. ZAKLAN

  
\_\_\_\_\_  
KATIE L. ZAKLAN

STATE OF WASHINGTON )  
County of Clallam )ss.

This instrument was acknowledged before me on this 21<sup>st</sup> day of September, 2007 by **DAVID A. ZAKLAN and KATIE L. ZAKLAN.**



  
\_\_\_\_\_  
Cassie Konopka  
Notary Public for WASHINGTON  
My commission expires: 12/21/2008

**RECEIVED**  
MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

\*

- - Property Data Selection Menu - -

Owner: BLECH, ANDREAS &  
 Prop ID : R337709 (Real Estate) (100710) BLECH, CAROLE  
 Map Tax Lot: 36-06-06-00-000909-00 580 SECLUSION LOOP  
 Legal : SECLUSION EST. SUB. PH. 2, LOT 12, GRANTS PASS, OR 97526  
 ACRES 6.12

Situs : 580 SECLUSION LOOP Year Built : 2003  
 GRANTS PASS, OR 97526 Living Area: 2309

Name(s) :

Code Area : 05

Sale Info : 05/23/08 \$570,000

Deed Type : WD

Instrument: 08-008424

2008 Tax Status \* No Taxes Due \*  
 Current Levied Taxes : 1,433.50

Special Assessments : 92.11

2009-10 SB125 Taxes :

2008 Roll Values

RMV Land	\$	242,110 (+)
RMV Improvements	\$	250,580 (+)
RMV Total	\$	492,690 (=)
Total Exemptions	\$	0
M5 Net Value	\$	492,690
M50 Assd Value	\$	239,480

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: \_\_

**RECEIVED**

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

TICOR TITLE™  
23-102592 AH  
Bleche to 909

11

JOSEPHINE COUNTY OFFICIAL RECORDS 2008-008424  
GEORGETTE BROWN, COUNTY CLERK



\$30.00

00203875200800084240030032

05/23/2008 11:07:29 AM

DED-WRD Cnt=1 Stn=4 RECEIPTS  
\$15.00 \$11.00 \$4.00



After Recording Return To:  
Ticor Title  
744 NE 7th Street  
Grants Pass OR 97526

Send Tax Statements To:  
Andreas J. Blech  
Carole J. Blech  
580 Seclusion Loop  
Grants Pass OR 97526

Title Order No. 26-62592  
Escrow No. 26-62592  
Tax Account No. R337709 360606  
909

**WARRANTY DEED**  
(ORS 93.850)

William L. Kohnen and Donna J. Kohnen, Trustee(s) of the Kohnen Loving Trust Dated May 24, 2007, Grantor, conveys and warrants to Andreas  Blech and Carole  Blech, as tenants by the entirety, Grantee, the following described real property:

See Exhibit 'A' attached hereto and by reference made a part hereof.

The said property is free from encumbrances except: COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, SET BACK LINES, POWERS OF SPECIAL DISTRICTS AND EASEMENTS OF RECORD, IF ANY.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

The true consideration for this conveyance is \$570,000.00.

Dated this 20<sup>th</sup> day of May, 2008.

KOHNEN LOVING TRUST

William L. Kohnen, Trustee  
By: William L. Kohnen, Trustee

KOHNEN LOVING TRUST

Donna J. Kohnen Trustee  
By: Donna J. Kohnen, Trustee

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MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON



2

State of Oregon, County of Josephine )ss.

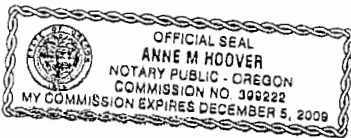
May 20, 2008

Personally appeared the above named WILLIAM L. KOHNEN AND DONNA J. KOHNEN TRUSTEES OF THE KOHNEN LOVING TRUST DATED MAY 24, 2007 and acknowledged the forgoing instrument to be their voluntary act and deed.

Before me:

Anne M Hoover  
Notary Public for Oregon

My Commission Expires: 12/5/2009  
(SEAL)



**RECEIVED**

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

13

Title No. 26-62592

Escrow No. 26-62592

**EXHIBIT 'A'**

Legal Description:

Lot 12, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

**RECEIVED**

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

70'

\*

- - Property Data Selection Menu - -

Owner: KELLY, PAUL L &  
 Prop ID : R337710 (Real Estate) (70663) KELLY, VASILIKI P  
 Map Tax Lot: 36-06-06-00-000910-00 PO BOX 542  
 Legal : SECLUSION EST. SUB. PH. 2, LOT 13, GRANTS PASS, OR 97528-0045  
 ACRES 6.47

Situs : 740 SECLUSION LOOP Year Built : 2002  
 GRANTS PASS, OR 97526 Living Area: 2302

Name(s) :

Code Area : 05

Sale Info : 07/18/02 \$55,500

2008 Roll Values

Deed Type : WD

RMV Land \$ 245,330 (+)

Instrument: 02-014973

RMV Improvements \$ 257,510 (+)

2008 Tax Status \* No Taxes Due \*

RMV Total \$ 502,840 (=)

Current Levied Taxes : 1,542.98

Total Exemptions \$ 0

Special Assessments : 92.11

M5 Net Value \$ 502,840

2009-10 SB125 Taxes :

M50 Assd Value \$ 257,770

(AD) Alt Disp  
 (O)wnership

(Y) primary  
 (H)istory

(L)and/Impr  
 (W) Spec Assmt

(G)en Appr  
 (.) More

Enter Option from Above or <RET> to Exit: \_\_

**RECEIVED**

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON



00013890200200149730010016

07/18/2002 09:50:55 AM

DED-WRD Cnt=1 Stn=4 RECEIPTS  
\$5.00 \$11.00

JUL 18 2002



Josephine County Title Division

36-06-06-00  
910

Order # 10012389KF

WARRANTY DEED (CORPORATION)

KNOW ALL MEN BY THESE PRESENTS, That SPALDING & SON, INCORPORATED, an Oregon Corporation, an Oregon corporation, duly organized and existing under the laws of the State of Oregon, in consideration of Fifty-Five Thousand Five Hundred And 00/100 DOLLARS \$55,500.00 to it paid by PAUL L. KELLY and VASILIKI P. KELLY, Husband and Wife as Tenants by the Entirety does hereby grant, bargain, sell and convey to said Grantee(s), their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the county of Josephine, and State of Oregon, bounded and described as follows, to-wit:  
Lot 13 of SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County Oregon.

To Have and to Hold the above described and granted premises unto the said Grantees, their heirs and assigns forever.

And the grantor does covenant that it is lawfully seized in fee simple of the above granted premises free from all encumbrances, SUBJECT TO:  
Real Property and/or Mobile Home taxes for 2002-03 are now a lien not yet payable. Rights of way of record. Easements, restrictions, reservations, covenants, conditions and any other encumbrances of record, or apparent on the ground.

and that it will and its successors shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate City or County Planning Department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

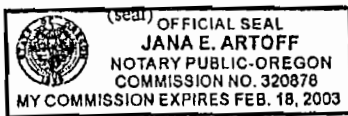
Done by order of the Board of Directors, this 17<sup>th</sup> day of JULY, 2002.

SPALDING & SON INC., an Oregon Corporation

Merwin L. Spalding  
BY: MERWIN L. SPALDING, President

STATE OF OREGON )  
 ) ss.  
County of Josephine )

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of JULY, 2002, by MERWIN L. SPALDING AS PRESIDENT OF SPALDING & SON, INC. AN OREGON CORPORATION, a corporation, on behalf of the corporation.



Jana E. Artoff  
Notary Public for Oregon  
My commission expires: 2-18-03

Until a change is requested,  
send all tax statements to:  
Grantee at:  
P.O. Box 542  
Grants Pass, OR 97528  
Return document to:  
Josephine County Title Company  
118 N.E. "C" Street, P.O. Box 71  
Grants Pass, OR 97526

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MAR 23 2003

WATER RESOURCES DEPT  
SALEM, OREGON

16-

\*

- - Property Data Selection Menu - -

Owner: GUTHRIE, CHAD &  
 Prop ID : R337711 (Real Estate) (102021) GUTHRIE, JENNIFER  
 Map Tax Lot: 36-06-06-00-000911-00 920 SECLUSION LOOP  
 Legal : P.P. 2005-97, PARCEL 2, ACRES 5.00 GRANTS PASS, OR 97526

Situs : 920 SECLUSION LOOP Year Built : 2007  
 GRANTS PASS, OR 97526 Living Area: 2952

Name(s) :

Code Area : 05

Sale Info : 09/25/08 \$0

Deed Type : BS

Instrument: 08-014947

2008 Tax Status \* Unpaid Taxes \*

Current Levied Taxes : 503.60

Special Assessments : 92.11

2009-10 SB125 Taxes :

2008 Roll Values

RMV Land	\$	210,290 (+)
RMV Improvements	\$	62,200 (+)
RMV Total	\$	272,490 (=)
Total Exemptions	\$	0
M5 Net Value	\$	272,490
M50 Assd Value	\$	84,130

(AD) Alt Disp  
 (O)wnership

(Y) primary  
 (H)istory

(L)and/Impr  
 (W) Spec Assmt

(G)en Appr  
 (.) More

Enter Option from Above or <RET> to Exit: \_\_

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 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON

①

JOSEPHINE COUNTY OFFICIAL RECORDS  
ART HARVEY, COUNTY CLERK

2008-014947

TICOR TITLE  
62520 AH



\$25.00

00212355200800149470020027

09/25/2008 03:30:49 PM

DED-BSD Cnt=1 Stn=4 RECEIPTS  
\$10.00 \$11.00 \$4.00



After Recording Return To:  
Ticor Title  
744 NE 7th Street  
PO Box 1960  
Grants Pass OR 97526-0167

Send Tax Statements To:  
Chad Guthrie  
920 Seclusion Loop  
Grants Pass OR 97526

Title Order No. 26-62520  
Escrow No. 26-62520  
Tax Account No. R337711 360606  
911

**BARGAIN AND SALE DEED**  
(ORS 93.860)

Chad F. Guthrie, an estate in fee simple, Grantor, conveys to Chad Guthrie and Jennifer Guthrie, as tenants by the entirety, Grantee, the following described real property:

See Exhibit 'A' attached hereto and by reference made a part hereof.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

The true consideration for this conveyance is \$0.00.

Dated this 24<sup>th</sup> day of Sept, 2008.

Chad F. Guthrie

State of OR, County of Josephine )ss.

This instrument was acknowledged before me on 9-24, 2008  
by Chad F. Guthrie.

Notary Public

My commission expires: 12/5/2009



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MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

2

Title No. 26-62520

Escrow No. 26-62520

**EXHIBIT 'A'**

Legal Description:

Parcel 2 of Partition Plat No. 2005-097, in Josephine County, Oregon.

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MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

\*

- - Property Data Selection Menu - -

Owner: BEWS, BUSTER J  
 Prop ID : R337712 (Real Estate) (80027) 700 SECLUSION LOOP  
 Map Tax Lot: 36-06-06-00-000912-00 GRANTS PASS, OR 97526  
 Legal : P.P. 2005-97, PARCEL 1, ACRES 5.13

Situs : 10451 LOWER RIVER RD Year Built :  
 Living Area:

Name(s) :

Code Area : 05

Sale Info : 03/18/04 \$172,500

Deed Type : WD

Instrument: 04-006288

2008 Tax Status \* No Taxes Due \*

Current Levied Taxes : 306.72

Special Assessments : 20.64

2009-10 SB125 Taxes :

2008 Roll Values

RMV Land	\$	201,800 (+)
RMV Improvements	\$	0 (+)
RMV Total	\$	201,800 (=)
Total Exemptions	\$	0
M5 Net Value	\$	201,800
M50 Assd Value	\$	51,240

(AD) Alt Disp  
 (O)wnership

(Y) primary  
 (H)istory

(L)and/Impr  
 (W) Spec Assmt

(G)en Appr  
 (.) More

Enter Option from Above or <RET> to Exit: \_\_

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 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON



\*

- - Property Data Selection Menu - -

Owner: BEWS, BUSTER J  
 Prop ID : R337713 (Real Estate) (80027) 700 SECLUSION LOOP  
 Map Tax Lot: 36-06-06-00-000913-00 GRANTS PASS, OR 97526  
 Legal : SECLUSION EST. SUB. PH. 2, LOT 16,  
 ACRES 5.00

Situs : 700 SECLUSION LOOP Year Built : 2004  
 GRANTS PASS, OR 97526 Living Area: 2983

Name(s) :

Code Area : 05

Sale Info : 03/18/04 \$172,500

2008 Roll Values

Deed Type : WD

RMV Land \$ 241,200 (+)

Instrument: 04-006288

RMV Improvements \$ 389,270 (+)

2008 Tax Status \* No Taxes Due \*

RMV Total \$ 630,470 (=)

Current Levied Taxes : 1,827.74

Total Exemptions \$ 0

Special Assessments : 92.11

M5 Net Value \$ 630,470

2009-10 SB125 Taxes :

M50 Assd Value \$ 305,340

(AD) Alt Disp  
 (O)wnership

(Y) primary  
 (H)istory

(L)and/Impr  
 (W) Spec Assmt

(G)en Appr  
 (.) More

Enter Option from Above or <RET> to Exit: \_\_

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 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON

36-6-6 912  
913  
FIRST AMERICAN

After recording return to:  
BUSTER J. BEWS  
2014 Kayleigh Way 700 Seclusion  
Grants Pass, OR 97526 Loop

Until a change is requested all tax statements  
shall be sent to the following address:  
BUSTER J. BEWS  
2014 Kayleigh Way 700 Seclusion  
Grants Pass, OR 97526 Loop

File No.: 7151-345646 (CAH)  
Date: March 05, 2004

THIS SPACE RESERVED FOR RECORDER'S USE

JOSEPHINE COUNTY OFFICIAL RECORDS 2004-006288  
 GEORGETTE BROWN, COUNTY CLERK

00070990200400062880020023 03/18/2004 02:41:13 PM  
 DED-WRD Cnt=1 Stn=4 RECEIPTS  
 \$10.00 \$11.00

**STATUTORY WARRANTY DEED**

①

CUMMINGS CONSTRUCTION INC., Grantor, conveys and warrants to BUSTER J. BEWS, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**Lots 15 and 16 of SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County Oregon.**

**This property is free from liens and encumbrances, EXCEPT: Right of way and Road Use Agreement, including the terms, provisions and obligations thereof set forth in instrument recorded in Volume 329, Page 1027, Josephine County Deed Records.**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is **\$172,500.00**. (Here comply with requirements of ORS 93.030)

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MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON



\*

- - Property Data Selection Menu - -

Prop ID : R337715 (Real Estate) Owner: TURNBAUGH, DONALD L &  
 Map Tax Lot: 36-06-06-00-000915-00 (69794) TURNBAUGH, LORALEE  
 Legal : PART. PLAT 2002-80, PARCEL 1, ACRES MERLIN, OR 97532-0372  
 6.29

Situs : 643 SECLUSION LOOP Year Built : 2003  
 GRANTS PASS, OR 97526 Living Area: 2815

Name(s) :

Code Area : 05

Sale Info : 05/21/02 \$56,845

Deed Type : WD

Instrument: 02-010800

2008 Tax Status \* No Taxes Due \*

Current Levied Taxes : 2,010.72

Special Assessments : 92.11

2009-10 SB125 Taxes :

2008 Roll Values

RMV Land \$ 239,960 (+)

RMV Improvements \$ 371,780 (+)

RMV Total \$ 611,740 (=)

Total Exemptions \$ 0

M5 Net Value \$ 611,740

M50 Assd Value \$ 335,910

(AD) Alt Disp  
 (O)wnership

(Y) primary  
 (H)istory

(L)and/Impr  
 (W) Spec Assmt

(G)en Appr  
 (.) More

Enter Option from Above or <RET> to Exit: \_\_

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MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON



Josephine County Title Division

36-06-06-00  
915

Order # 10012381KF

### WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That SPALDING & SON INCORPORATED An Oregon Corp., Grantor, conveys and warrants to DONALD L. TURNBAUGH and LORALEE TURNBAUGH, Husband and Wife as Tenants by the Entirety, Grantee, the following described real property, together with appurtenances, free of encumbrances except as specifically set forth herein, situated in Josephine County, State of Oregon, described as follows,

Lot 18 of SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County Oregon. TOGETHER WITH An easement for foot path access over and across "a 50 foot wide access easement for B.L.M. and Lots 6 and 7" as set forth in instrument recorded July 15, 1999, as Document No. 99-15592, Official Records of Josephine County, Oregon.

**SUBJECT TO:**

Rights of way of record. Easements, restrictions, reservations, covenants, conditions and any other encumbrances of record, or apparent on the ground.

The true consideration paid for this conveyance is Fifty-Six Thousand Eight Hundred Forty-Five And 00/100 DOLLARS \$56,845.00.

However, the whole consideration includes other value given or promised (check if other consideration statement applies).

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate City or County Planning Department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

Dated this 17<sup>th</sup> day of MAY, 2002.

SPALDING & SON INCORPORATED An Oregon Corp.  
  
*Merwin L. Spalding*  
BY: MERWIN L. SPALDING, PRESIDENT

STATE OF OREGON                    )  
  ) ss.  
County of Josephine                )

This instrument was acknowledged before me on the 17<sup>th</sup> day of MAY, 2002, by MERWIN L. SPALDING AS PRESIDENT OF SPALDING & SON, INCORPORATED, AN OREGON CORP.

*Karen Frick*  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

Until a change is requested,  
send all tax statements to:  
Grantee at:  
P.O. BOX 73  
HOPE, ID 83836

Return document to:  
Josephine County Title Company  
118 N.E. "C" Street, P.O. Box 71  
Grants Pass, OR 97526

16-

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WATER RESOURCES DEPT  
SALEM, OREGON

\*

- - Property Data Selection Menu - -

Owner: WEST, LARRY J &  
 Prop ID : R336599 (Real Estate) (89361) WEST, LINDA S  
 Map Tax Lot: 36-06-06-00-002202-00 9703 LOWER RIVER RD  
 Legal : PART. PLAT 2002-80, PARCEL 2, ACRES GRANTS PASS, OR 97526  
 5.01

Situs : 9703 LOWER RIVER RD Year Built : 2001  
 Living Area: 2379

Name(s) :

Code Area : 05

Sale Info : 11/14/05 \$518,000

Deed Type : WD

Instrument: 05-026587

2008 Tax Status \* No Taxes Due \*

Current Levied Taxes : 1,669.40

Special Assessments : 92.11

2009-10 SB125 Taxes :

2008 Roll Values

RMV Land	\$	225,560 (+)
RMV Improvements	\$	284,380 (+)
RMV Total	\$	509,940 (=)
Total Exemptions	\$	0
M5 Net Value	\$	509,940
M50 Assd Value	\$	278,890

(AD) Alt Disp (O)wnership	(Y) primarY (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
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Enter Option from Above or <RET> to Exit: \_\_

**RECEIVED**  
 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON



After recording return to:  
Larry J. West and Linda S. West  
9703 Lower River Road  
Grants Pass, OR 97526

Until a change is requested all tax statements  
shall be sent to the following address:  
Larry J. West and Linda S. West  
9703 Lower River Road  
Grants Pass, OR 97526

File No.: 7151-696454 (CAH)  
Date: November 07, 2005

17

1

JOSEPHINE COUNTY OFFICIAL RECORDS 2005-026587  
GEORGETTE BROWN, COUNTY CLERK

00128725200500265870020021 \$25.00  
11/14/2005 09:46:58 AM

DED-WRD Cnt=1 Stn=4 RECEIPTS  
\$10.00 \$11.00 \$4.00

25

### STATUTORY WARRANTY DEED

Dewayne L. Bridges and Sandra K. Bridges, Grantor, conveys and warrants to Larry J. West and Linda S. West, husband and wife as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Parcel 2 of PARTITION PLAT NO. 2002-080, located in the Southwest Quarter of Section 6, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon. TOGETHER WITH, an easement appurtenant to the herein described property for foot path access, including the terms and provisions thereof, as set forth in instrument recorded in Document No. 99-15592, Official Records of Josephine County, Oregon.

This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$518,000.00. (Here comply with requirements of ORS 93.030)

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SALEM, OREGON

2

APN: R336599

Statutory Warranty Deed  
- continued

File No.: 7151-696454 (CAH)  
Date: 11/07/2005

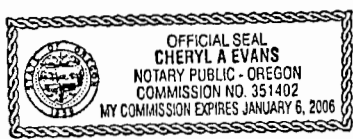
Dated this 11 day of November, 2005.

Dewayne L. Bridges  
Dewayne L. Bridges

Sandra K. Bridges  
Sandra K. Bridges

STATE OF Oregon )  
 )ss.  
County of Josephine )

This instrument was acknowledged before me on this 11 day of November, 2005  
by Dewayne L. Bridges and Sandra K. Bridges.



Cheryl A. Evans  
Notary Public for Oregon  
My commission expires:

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WATER RESOURCES DEPT  
SALEM, OREGON



\* - - Property Data Selection Menu - -

Prop ID : R336600 (Real Estate) (79657) POCK, TYSON G &  
 Map Tax Lot: 36-06-06-00-002203-00 POCK, CAROL A  
 Legal : SECLUSION EST. SUB. PH. 1, LOT 3, 9701 LOWER RIVER RD  
 ACRES 5.26 GRANTS PASS, OR 97526

Situs : 9701 LOWER RIVER RD Year Built : 2002  
 Living Area: 2997

Name(s) :

Code Area : 05

Sale Info : 02/20/04 \$395,000

2008 Roll Values

Deed Type : WD

RMV Land \$ 223,040 (+)

Instrument: 04-003834

RMV Improvements \$ 279,930 (+)

2008 Tax Status \* No Taxes Due \*

RMV Total \$ 502,970 (=)

Current Levied Taxes : 1,523.83

Total Exemptions \$ 0

Special Assessments : 92.11

M5 Net Value \$ 502,970

2009-10 SB125 Taxes :

M50 Assd Value \$ 254,570

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(L)and/Impr (W) Spec Assmt	(G)en Appr (.) More
------------------------------	--------------------------	-------------------------------	------------------------

Enter Option from Above or <RET> to Exit: \_\_

**RECEIVED**  
 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON



After recording return to:  
 Tyson G. Pock and Carol A. Pock  
 9701 Lower River Road  
 Grants Pass, OR 97526

Until a change is requested all tax statements  
 shall be sent to the following address:  
 Tyson G. Pock and Carol A. Pock

9701 Lower River Road  
 Grants Pass, OR 97526

File No.: 7151-330915 (CAH)  
 Date: February 11, 2004

7

THIS SPACE RESERVED FOR RECORDER'S USE

JOSEPHINE COUNTY OFFICIAL RECORDS  
 GEORGETTE BROWN, COUNTY CLERK

2004-003834

\$16.00

02/20/2004 09:33:58 AM

DED-WRD Cnt=1 Stn=4 RECEIPTS  
 \$5.00 \$11.00

16 -

**STATUTORY WARRANTY DEED**

JOHN C. JONES AND LOIS L. JONES, Trustees, or their successors in trust, under the JONES LIVING TRUST dated July 18, 2001, Grantor, conveys and warrants to Tyson G. Pock and Carol A. Pock, husband and wife as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lot 3 of PHASE I SECLUSION ESTATES SUBDIVISION, Josephine County, Oregon. TOGETHER WITH an easement appurtenant to the herein described property for easement for foot path access over and across a fifty foot wide access easement, including the terms and provisions thereof, as set forth in instrument recorded in document No. 99-15592. ALSO TOGETHER WITH a water easement for water storage tank as set forth in Document No. 00-22333. ALSO TOGETHER WITH a water easement as set forth in Document No. 00-22334.

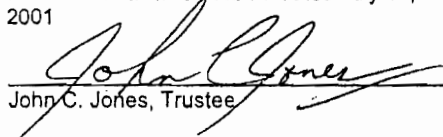
This property is free from liens and encumbrances, EXCEPT:

- 1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$395,000.00. (Here comply with requirements of ORS 93.030)

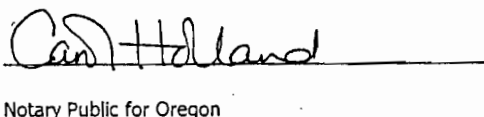
JOHN C. JONES AND LOIS L. JONES,  
 Trustees, or their successors in trust, under  
 the JONES LIVING TRUST dated July 18,  
 2001

  
 John C. Jones, Trustee

STATE OF Oregon )  
 )ss.  
 County of Josephine )

This instrument was acknowledged before me on this 18 day of FEBRUARY, 2004 by as of JOHN C. JONES Trustees, or his successors in trust, under the JONES LIVING TRUST dated July 18, 2001, on behalf of the .



  
 Notary Public for Oregon

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 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON

MAR 29 2009

2005 097

PARTITION PLAT NO. 2005-97

PROPERTY LINE ADJUSTMENT

SITUATED IN LOT 14 AND LOT 15 OF SECLUSION ESTATES SUBDIVISION PHASE 2, W1/2 OF SEC. 6, T.36S., R.6W., W.M., JOSEPHINE COUNTY, OREGON. (MAP 36-6-6, TL's 911 & 912)

SURVEYOR'S CERTIFICATE

I, GERALD V. NYGREN, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1035, HEREBY CERTIFY THAT I HAVE ACCURATELY SURVEYED AND MARKED WITH PROPER MONUMENTS THE PARCEL OF LAND DESIGNATED AND REPRESENTED ON THIS PROPERTY LINE ADJUSTMENT PLAT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

GERALD V. NYGREN, P.L.S. NO. 1035

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, THAT BUSTER J. BEWS AND MCKENNA HOMES, LLC, ARE THE OWNERS OF THE REAL PROPERTY REPRESENTED ON THE ANNEXED PLAT AND THAT THEY HAVE CAUSED THE SAME TO BE SURVEYED, ADJUSTED AND PARTITIONED AS SHOWN ON THE ANNEXED PLAT, TO BE RECORDED AS A PARTITION PLAT, AND THAT THE SAME IS BEING RECORDED AS AN EASEMENT AS SHOWN HEREON AND ALL EASEMENTS OF RECORD FOR THE PURPOSES INTENDED FOREVER.

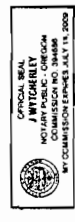
BUSTER J. BEWS, MARTIN J. MCKENNA, MEMBER MCKENNA HOMES, LLC

WATER RESOURCES DEPT SALEM, OREGON

STATE OF OREGON COUNTY OF JOSEPHINE) S.S.

THIS IS TO CERTIFY THAT ON THIS 19th DAY OF OCTOBER 2008, I, GERALD V. NYGREN, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1035, BEFORE ME PERSONALLY CAME BUSTER J. BEWS AND MARTIN J. MCKENNA, TO MEET WITH ME AND THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN SET FORTH, AND THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN SET FORTH, MY COMMISSION EXPIRES ON THE 19th DAY OF JULY 2009, A.D.

NOTARY PUBLIC OF OREGON (PRINT NAME) Gerald V. Nygren, NOTARY PUBLIC OF OREGON (SIGNATURE), COMMISSION NUMBER 341556



GERALD V. NYGREN, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1035, HEREBY CERTIFY THIS IS AN EXACT COPY OF THE FINAL PARTITION PLAT.

GERALD V. NYGREN, P.L.S. NO. 1035

DATE: OCT. 3, 2005 SCALE: 1" = 100' JOB NO. 04-45

APPROVALS

APPROVED BY THE JOSEPHINE COUNTY SURVEYOR THIS 13th DAY OF OCTOBER 2005.

JOSEPHINE COUNTY SURVEYOR

APPROVED BY THE JOSEPHINE COUNTY PLANNING DEPARTMENT THIS 13th DAY OF DECEMBER 2005.

JOSEPHINE COUNTY ASSESSOR

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID THIS 13th DAY OF DECEMBER 2005, JOSEPHINE COUNTY ASSESSOR.

ASSESSOR OR DEPUTY

STATE OF OREGON COUNTY OF JOSEPHINE) S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORDING ON THIS 13th DAY OF DECEMBER 2005, AT 1:15 P.M., AND RECORDED AS PARTITION PLAT NO. 2005-97, JOSEPHINE COUNTY RECORDS.

JOSEPHINE COUNTY CLERK



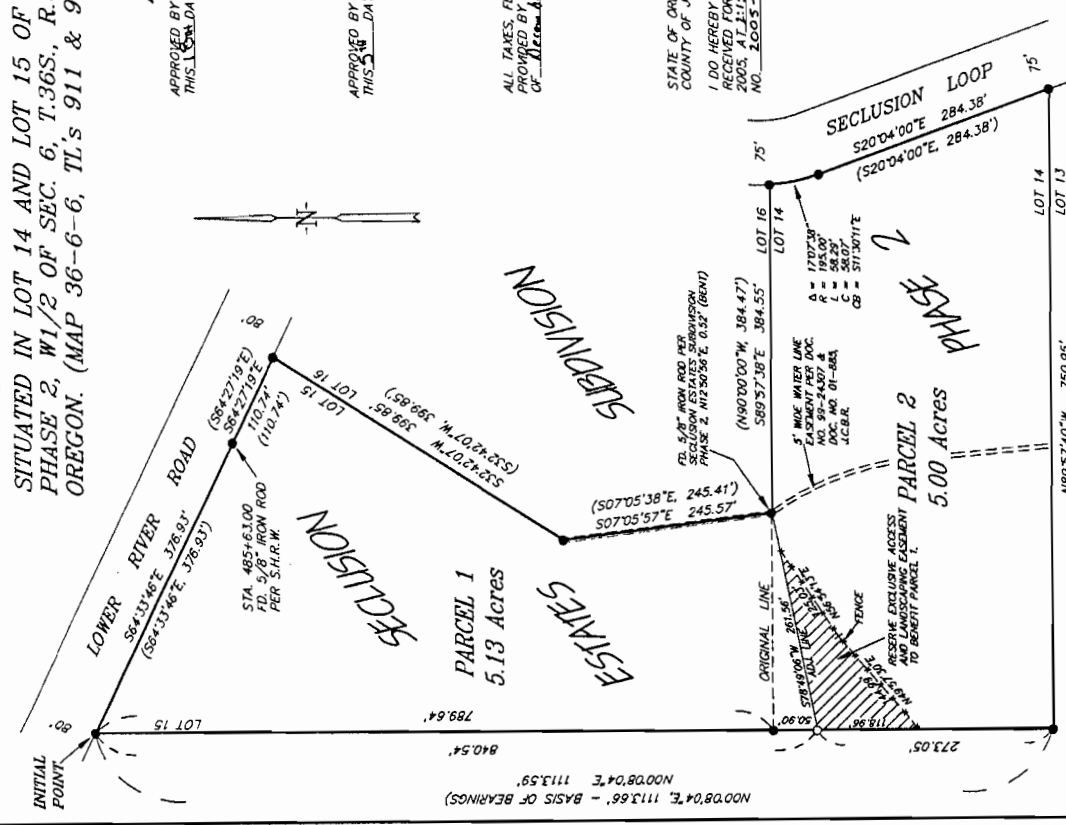
SURVEY NARRATIVE

THE PURPOSE IS TO ADJUST THE COMMON LINE BETWEEN LOT 14 AND LOT 15 OF SECLUSION ESTATES SUBDIVISION PHASE 2, RECOVERED AND HELD TO MONUMENTS SET PER SECLUSION ESTATES SUBDIVISION PHASE 2. MONUMENTS ARE MARKED HERE AS SHOWN ON THE ANNEXED PLAT. THENCE 1 SET MONUMENTS AS SHOWN ON THE ANNEXED PLAT.

A NIKON DTM-420LG TOTAL STATION WAS USED TO EXECUTE THIS SURVEY.

LEGEND

- SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "NYGREN L51005".
● FD. 5/8" IRON ROD PER SECLUSION ESTATES SUBDIVISION PHASE 2, UNLESS OTHERWISE NOTED.
( ) RECORD PER SECLUSION ESTATES SUBDIVISION PHASE 2
I.C.B.R. JOSEPHINE COUNTY BOOK OF RECORDS
S.H.R.W. STATE HIGHWAY RIGHT OF WAY
BEARINGS BASED ON SECLUSION ESTATES SUBDIVISION PHASE 2



①

**WATER EASEMENT**

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**GRANTOR'S NAME & ADDRESS:** UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO:  
Spalding & Son, Inc.  
9701 Lower River Road  
Grants Pass, Oregon 97526  
Spalding & Son, Inc.  
9701 Lower River Road  
Grants Pass, Oregon 97526

**GRANTEE'S NAME & ADDRESS:** AFTER RECORDING, RETURN TO:  
See Exhibit A attached hereto  
Douglas C. Spletter  
Attorney at Law  
220 SE "H" Street  
Grants Pass, Oregon 97526

---

**GRANTOR:** Spalding & Son, Inc.  
**GRANTEES:** See Exhibit A attached hereto

**CONSIDERATION:**

The true and actual consideration paid for this transfer, stated in terms of dollars, is none. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

**PROPERTY:**

The "Property" is Lot 3 of Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon:

The property having a physical street address of 9701 Lower River Road, Grants Pass, Josephine County, Oregon 97526.

**RECITAL:**

Grantor is the owner of the property.

Grantees are the owners of their respective lots in Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon, as represented on Exhibit A, attached hereto.

There is on the above-mentioned property of Grantor a well, together with casing, pump, engine, underground pipe and electrical wiring used in connection therewith owned by the homeowners of the Seclusion Estates Subdivision listed on Exhibit A.

**RECEIVED**

**MAR 23 2009**

**WATER RESOURCES DEPT  
SALEM, OREGON**

2

**CONVEYANCE:**

Grantor, for the above-mentioned consideration, does hereby grant, sell, and convey to Grantees an easement in the property encompassing the well located on the Northeast portion of the property, plus an additional 100 foot radius around the well and such portions of the property through which water lines and electrical wiring are buried.

It is expressly understood and agreed that Grantees shall have the right of ingress to and egress from the well, water lines and electrical wiring located on the property for the purpose of maintaining, repairing and keeping the well, water lines and electrical wiring in usable condition at all times.

The well shall have adequate protection. 100-Foot Radius: There shall be designated a 100-foot radius circle centered on the subject well that delineates the location of the well easement. Within the 100-foot radius circle, there shall be no public or private road/driveway unless the well is properly protected. The access road to the well shall not be subject to this restriction. There shall be no activity, event, structure, or other occurrence that may affect the purity of the well. More specifically but not limited to the following activity/occurrence within the circle, no one shall place a pit privy, subsurface sewage disposal drain field, cesspool, solid waste disposal site, pressure sewer line, fuel storage tank, or similar public hazard, shall not be permitted within the 100 feet of the designated well that serves the public system. 50-Foot Radius: No gravity sewer or septic tank shall be permitted within the 50 feet of the designated well. The topography shall not be altered by fill, grading or other means in such a way as to change the current drainage pattern, without taking into consideration the protection of the well. Above ground fuel storage tanks may be exempted from the requirement when provided for emergency water pumping equipment associated with the well.

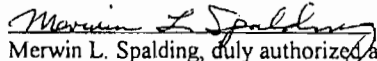
**HABENDUM:**

TO HAVE AND TO HOLD the same unto the Grantees and Grantees' successors and assigns forever.

**STATEMENT REQUIRED BY ORS 93.040:**

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE REQUIRED LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, Grantor has executed this instrument this 22 day of DEC, 2000

  
Merwin L. Spalding, duly authorized agent for  
Spalding & Son, Inc.

**RECEIVED**  
MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

3

STATE OF OREGON        )  
                                  ) ss:  
County of Josephine     )

This instrument was acknowledged before me on the 22 day of Dec, 2000, by Merwin L. Spalding, duly authorized agent for Spalding & Son, Inc.

Seal:



K Jan Farr  
Notary Public for Oregon

My commission expires 2-2-04

**RECEIVED**  
MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

4

# EXHIBIT A

The following Lot Numbers refer to Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon, legally described as the W1/2, W1/2, Sec. 6, T36S, R6W:

<u>LOT</u>	<u>OWNER</u>	<u>ADDRESS</u>
2	John Jones	9703 Lower River Road
8	Spalding & Son, Inc.	330 Seclusion Loop
9	Spalding & Son, Inc.	398 Seclusion Loop
10	Spalding & Son, Inc.	584 Seclusion Loop
11	Spalding & Son, Inc.	582 Seclusion Loop
12	Spalding & Son, Inc.	580 Seclusion Loop
13	Spalding & Son, Inc.	740 Seclusion Loop
14	Spalding & Son, Inc.	920 Seclusion Loop
15	Spalding & Son, Inc.	10451 Lower River Road
16	Spalding & Son, Inc.	700 Seclusion Loop
18	Spalding & Son, Inc.	643 Seclusion Loop
19	Ken Winther	521 Seclusion Loop
20	Spalding & Son, Inc.	365 Seclusion Loop

INSTRUMENT 00 - 22332

STATE OF OREGON  
COUNTY OF JOSEPHINE

I, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded at

Date: 12/22/00 Time: 11:44 AM

in the Josephine County Book of Records.  
GEORGETTE BROWN, COUNTY CLERK

By Deputy: *P. Aubrey*

# Pages: 4 Fee: \$31.00

Hand Returned  Mailed  Hold

31

RECEIVED

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

①

**WATER EASEMENT**

---

**GRANTOR'S NAME & ADDRESS:** UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO:  
Spalding & Son, Inc.  
580 Seclusion Loop  
Grants Pass, Oregon 97526  
Spalding & Son, Inc.  
2345 N.E. "N" Street  
Grants Pass, Oregon 97528

**GRANTEE'S NAME & ADDRESS:** AFTER RECORDING, RETURN TO:  
See Exhibit A attached hereto  
Douglas C. Spletter  
Attorney at Law  
220 SE "H" Street  
Grants Pass, Oregon 97526

---

**GRANTOR:** Spalding & Son, Inc.  
**GRANTEES:** See Exhibit A attached hereto

**CONSIDERATION:**

The true and actual consideration paid for this transfer, stated in terms of dollars, is none. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

**PROPERTY:**

The "Property" is Lot 12 of Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon:

The property having a physical street address of 580 Seclusion Loop, Grants Pass, Josephine County, Oregon 97526.

**RECITAL:**

Grantor is the owner of the property.

Grantees are the owners of their respective lots in Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon, as represented on Exhibit A, attached hereto.

There is on the above-mentioned property of Grantor a water storage tank owned by the homeowners of the Seclusion Estates Subdivision listed on Exhibit A.

**RECEIVED**  
MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON



2

**CONVEYANCE:**

Grantor, for the above-mentioned consideration, does hereby grant, sell, and convey to Grantees an easement in the property encompassing the water storage tank located on the Western portion of the property, plus an additional 100 foot radius around the tank and such portions of the property through which water lines and electrical wiring are buried.

It is expressly understood and agreed that Grantees shall have the right of ingress to and egress from the storage tank, water lines and electrical wiring located on the property for the purpose of maintaining, repairing and keeping the storage tank, water lines and electrical wiring in usable condition at all times.

The water storage tank shall have adequate protection. 100-Foot Radius: There shall be designated a 100-foot radius circle centered on the subject tank that delineates the location of the easement. Within the 100-foot radius circle, there shall be no public or private road/driveway unless the tank is properly protected. The access road to the tank shall not be subject to this restriction. There shall be no activity, event, structure, or other occurrence that may affect the purity of the water within the tank. More specifically but not limited to the following activity/occurrence within the circle, no one shall place a pit privy, subsurface sewage disposal drain field, cesspool, solid waste disposal site, pressure sewer line, fuel storage tank, or similar public hazard, shall not be permitted within the 100 feet of the designated tank that serves the public system. 50-Foot Radius: No gravity sewer or septic tank shall be permitted within the 50 feet of the designated tank. The topography shall not be altered by fill, grading or other means in such a way as to change the current drainage pattern, without taking into consideration the protection of the tank. Above ground fuel storage tanks may be exempted from the requirement when provided for emergency water pumping equipment associated with the tank.

**HABENDUM:**

TO HAVE AND TO HOLD the same unto the Grantees and Grantees' successors and assigns forever.

**STATEMENT REQUIRED BY ORS 93.040:**

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE REQUIRED LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, Grantor has executed this instrument this 22 day of DEC., 2000

*Merwin L. Spalding*  
Spalding & Son, Inc., through its only  
authorized agent, Merwin L. Spalding

RECEIVED

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON )  
 ) ss:  
County of Josephine )

This instrument was acknowledged before me on the 22 day of Dec, 2000, by Merwin L. Spalding, duly authorized agent for Spalding & Son.

Seal:



K Jan Farr  
Notary Public for Oregon

My commission expires 2-2-04

RECEIVED  
MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

EXHIBIT A

The following Lot Numbers refer to Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon, legally described as the W1/2, W1/2, Sec. 6, T36S, R6W:

<u>LOT</u>	<u>OWNER</u>	<u>ADDRESS</u>
2	John Jones	9703 Lower River Road
3	Spalding & Son, Inc.	9701 Lower River Road
8	Spalding & Son, Inc.	330 Seclusion Loop
9	Spalding & Son, Inc.	398 Seclusion Loop
10	Spalding & Son, Inc.	584 Seclusion Loop
11	Spalding & Son, Inc.	582 Seclusion Loop
13	Spalding & Son, Inc.	740 Seclusion Loop
14	Spalding & Son, Inc.	920 Seclusion Loop
15	Spalding & Son, Inc.	10451 Lower River Road
16	Spalding & Son, Inc.	700 Seclusion Loop
18	Spalding & Son, Inc.	643 Seclusion Loop
19	Ken Winther	521 Seclusion Loop
20	Spalding & Son, Inc.	365 Seclusion Loop

INSTRUMENT 00 - 22333  
STATE OF OREGON  
COUNTY OF JOSEPHINE

I, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded at

Date: 12/22/08 Time: 11:44 AM  
in the Josephine County Book of Records.  
GEORGETTE BROWN, COUNTY CLERK  
By Deputy: *P. Ruby*

# Pages: 4 Fee: \$31.00  
Hand Returned  Mailed  Hold

31  
**RECEIVED**  
MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

Ⓛ

**WATER EASEMENT**

---

**GRANTOR'S NAME & ADDRESS:** UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO:  
Spalding & Son, Inc.  
365 Seclusion Loop  
Grants Pass, Oregon 97526  
Spalding & Son, Inc.  
2345 N.E. "N" Street  
Grants Pass, Oregon 97528

**GRANTEE'S NAME & ADDRESS:** AFTER RECORDING, RETURN TO:  
See Exhibit A attached hereto  
Douglas C. Spletter  
Attorney at Law  
220 SE "H" Street  
Grants Pass, Oregon 97526

---

**GRANTOR:** Spalding & Son, Inc.  
**GRANTEES:** See Exhibit A attached hereto

**CONSIDERATION:**

The true and actual consideration paid for this transfer, stated in terms of dollars, is none. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

**PROPERTY:**

The "Property" is Lot 20 of Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon:

The property having a physical street address of 365 Seclusion Loop, Grants Pass, Josephine County, Oregon 97526.

**RECITAL:**

Grantor is the owner of the property.

Grantees are the owners of their respective lots in Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon, as represented on Exhibit A, attached hereto.

There is on the above-mentioned property of Grantor a well, together with casing, pump, and engine used in connection therewith owned by the homeowners of the Seclusion Estates Subdivision listed on Exhibit A.

**RECEIVED**  
MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

2

**CONVEYANCE:**

Grantor, for the above-mentioned consideration, does hereby grant, sell, and convey to Grantees an easement in the property encompassing the well located on the Northeast portion of the property, plus an additional 100 foot radius around the well and such portions of the property through which water lines and electrical wiring are buried.

It is expressly understood and agreed that Grantees shall have the right of ingress to and egress from the well, water lines and electrical wiring located on the property for the purpose of maintaining, repairing and keeping the well, water lines and electrical wiring in usable condition at all times.

The well shall have adequate protection. 100-Foot Radius: There shall be designated a 100-foot radius circle centered on the subject well that delineates the location of the well easement. Within the 100-foot radius circle, there shall be no public or private road/driveway unless the well is properly protected. The access road to the well shall not be subject to this restriction. There shall be no activity, event, structure, or other occurrence that may affect the purity of the well. More specifically but not limited to the following activity/occurrence within the circle, no one shall place a pit privy, subsurface sewage disposal drain field, cesspool, solid waste disposal site, pressure sewer line, fuel storage tank, or similar public hazard, shall not be permitted within the 100 feet of the designated well that serves the public system. 50-Foot Radius: No gravity sewer or septic tank shall be permitted within the 50 feet of the designated well. The topography shall not be altered by fill, grading or other means in such a way as to change the current drainage pattern, without taking into consideration the protection of the well. Above ground fuel storage tanks may be exempted from the requirement when provided for emergency water pumping equipment associated with the well.

**HABENDUM:**

TO HAVE AND TO HOLD the same unto the Grantees and Grantees' successors and assigns forever.

**STATEMENT REQUIRED BY ORS 93.040:**

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE REQUIRED LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, Grantor has executed this instrument this 22 day of DEC., 2000

*Merwin L. Spalding*  
Spalding & Son, Inc., through its duly  
authorized agent, Merwin L. Spalding

**RECEIVED**  
MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON )  
 ) ss:  
County of Josephine )

This instrument was acknowledged before me on the 22 day of Dec, 2000, by Merwin L. Spalding, duly authorized agent for Spalding & Son, Inc.

Seal:



K Jan Farr  
Notary Public for Oregon

My commission expires 2-2-04

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MAR 23 2003  
WATER RESOURCES DEPT  
SALEM, OREGON

4

EXHIBIT A

The following Lot Numbers refer to Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon, legally described as the W1/2, W1/2, Sec. 6, T36S, R6W:

<u>LOT</u>	<u>OWNER</u>	<u>ADDRESS</u>
2	John Jones	9703 Lower River Road
3	Spalding & Son, Inc.	9701 Lower River Road
8	Spalding & Son, Inc.	330 Seclusion Loop
9	Spalding & Son, Inc.	398 Seclusion Loop
10	Spalding & Son, Inc.	584 Seclusion Loop
11	Spalding & Son, Inc.	582 Seclusion Loop
12	Spalding & Son, Inc.	580 Seclusion Loop
13	Spalding & Son, Inc.	740 Seclusion Loop
14	Spalding & Son, Inc.	920 Seclusion Loop
15	Spalding & Son, Inc.	10451 Lower River Road
16	Spalding & Son, Inc.	700 Seclusion Loop
18	Spalding & Son, Inc.	643 Seclusion Loop
19	Ken Winther	521 Seclusion Loop

INSTRUMENT  
**00 - 22334**  
 STATE OF OREGON  
 COUNTY OF JOSEPHINE

I, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded at

Date: **12/22/00** Time: **11:44 AM**  
 in the Josephine County Book of Records.  
 GEORGETTE BROWN, COUNTY CLERK  
 By Deputy: *J. Kelly*  
 # Pages: **4** Fee: **\$31.00**  
 Hand Returned  Mailed  Hold

31

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**MAR 23 2009**  
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 SALEM, OREGON



## SECLUSION ESTATES SUBDIVISION COVENANTS, CONDITIONS & RESTRICTIONS

### Well Agreement

This agreement is entered into this <sup>27<sup>th</sup></sup> day of December, 2000, by and between the residents of Seclusion Estates Subdivision, Grants Pass, Oregon, as listed on Exhibit A attached hereto (hereinafter collectively referred to as the "Residents"). Pursuant to three Water Easements recorded on December 22, 2000, in Josephine County Records, Instrument Numbers 00-22332, 00-22333, 00-22334, the Residents have each acquired an easement in Lots 3, 12 and 20 of the Subdivision.

The purpose of this agreement is to provide for the maintenance and repairs of a Community Water System consisting of two wells, located on Lots 3 and 20 of Seclusion Estates Subdivision, and one storage tank located on Lot 12 of Seclusion Estates Subdivision.

The wells and tank shall have adequate protection. 100-Foot Radius: There shall be designated a 100-foot radius circle centered on the subject wells and tank that delineates the location of the easement. Within the 100-foot radius circle, there shall be no public or private road/driveway unless the wells and tank are properly protected. The access roads to the wells and tanks shall not be subject to this restriction. There shall be no activity, event, structure, or other occurrence that may affect the purity of the wells or the water within the tank. More specifically but not limited to the following activity/occurrence within the circle, no one shall place a pit privy, subsurface sewage disposal drain field, cesspool, solid waste disposal site, pressure sewer line, fuel storage tank, or similar public hazard, shall not be permitted within the 100 feet of the designated wells and storage tank that serves the public system. 50-Foot Radius: No gravity sewer or septic tank shall be permitted within the 50 feet of the designated wells and storage tank. The topography shall not be altered by fill, grading or other means in such a way as to change the current drainage pattern, without taking into consideration the protection of the wells and storage tank. Above ground fuel storage tanks may be exempted from the requirement when provided for emergency water pumping equipment associated with the wells.

The Residents agree to hold a meeting once per year, during the first week of January. At such meeting, the Residents shall vote to elect one of its members (the "Manager") to maintain the Community Water System and provide for general maintenance and repairs. Written notice of all meetings shall be provided by the current Manager, or the Resident calling such meeting. The notice shall include the date and time of such meeting and the purpose of the meeting. The Manager shall include in such notice a voting form to elect the next Manager. Residents may vote by proxy or mail their votes to the Manager by the date of the proposed meeting. The individual receiving the most number of votes SHALL serve as the Manager.

The individual elected Manager may be removed by a majority vote of the Residents at any time during the year. Upon such an event, a new Manager shall be elected.

The position of Manager shall last for one year. The Manager shall not be required to serve more than one term until all other residents have served as Manager. However, the Manager may serve more than one term if he/she so desires.

Each Resident shall pay a maintenance fee of Twenty-Five Dollars (\$25.00) per month, or such other amount as the Manager determines necessary for maintenance and repairs.

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SALEM, OREGON



2

This agreement is intended to be binding on all subsequent purchasers of property located in Seclusion Estates Subdivision and such subsequent purchasers shall be required to sign an Addendum to this Maintenance Agreement, accepting the terms herein and agreeing to be bound by them.

Merwin L. Spalding  
Spalding & Son, Inc., through its Duly Authorized agent, Merwin L. Spalding (Owner of Lots 3, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 20)

12/27/00  
Date

John Jones  
John Jones (Owner of Lot 2)

1/11/01  
Date

Joseph M. Zagorski  
JOSEPH M. (Owner of Lot 19)  
ZAGORSKI AKA J. M. ZAGORSKI

12-27-00  
Date

Sharon E. Zagorski  
SHARON E. ZAGORSKI (Owner of Lot 19)

STATE OF OREGON, County of Josephine .....  
This instrument was acknowledged before me on December 27 ..... 2000  
by Joseph M. Zagorski and Sharon E. Zagorski  
AKA J. M. ZAGORSKI  
This instrument was acknowledged before me on ..... 19.....  
by .....  
as .....  
of .....



Nancy R. Smith  
Notary Public for Oregon.  
My Commission expires 9/23/02

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MAR 23 2009  
WATER RESOURCES DEPT  
SALF.M. OREGON

STATE OF OREGON, County of Josephine Jss.  
 This instrument was acknowledged before me on January 11, 2001  
 by John Jones  
 This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_  
 by \_\_\_\_\_  
 as \_\_\_\_\_  
 of \_\_\_\_\_

*Nancy R. Smith*  
 Notary Public for Oregon.  
 My Commission expires 9/23/02



STATE OF OREGON, County of Josephine Jss.  
 This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_  
 by \_\_\_\_\_  
 This instrument was acknowledged before me on December 27, 2000  
 by Merwin L. Spalding  
 as \_\_\_\_\_  
 of Spalding & Son, Inc.

*Nancy R. Smith*  
 Notary Public for Oregon.  
 My Commission expires 9/23/02



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 MAR 23 2009  
 WATER RESOURCES DEPT  
 SALEM, OREGON

(F)

**EXHIBIT A**

---

The following Lot Numbers refer to Seclusion Estates Subdivision, Grants Pass, Josephine County, Oregon, legally described as the W1/2, W1/2, Sec. 6, T36S, R6W:

<u>LOT</u>	<u>OWNER</u>	<u>ADDRESS</u>
2	John Jones	9703 Lower River Road
3	Spalding & Son, Inc.	9701 Lower River Road
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12	Spalding & Son, Inc.	580 Seclusion Loop
13	Spalding & Son, Inc.	740 Seclusion Loop
14	Spalding & Son, Inc.	920 Seclusion Loop
15	Spalding & Son, Inc.	10451 Lower River Road
16	Spalding & Son, Inc.	700 Seclusion Loop
18	Spalding & Son, Inc.	643 Seclusion Loop
19	Joseph M. Zagorski	521 Seclusion Loop
20	Spalding & Son, Inc.	365 Seclusion Loop

**INSTRUMENT 01 - 885**  
STATE OF OREGON  
COUNTY OF JOSEPHINE

I, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded at

Date: 1/17/01 Time: 9:06 AM

in the Josephine County Book of Records.  
GEORGETTE BROWN, COUNTY CLERK

By Deputy:  4  
# Pages: 4 Fee: \$36.00

Hand Returned  Mailed  Hold

**RECEIVED**  
MAR 23 2009  
WATER RESOURCES DEPT  
SALMON, OREGON



21



345646 (CH)

JOSEPHINE COUNTY OFFICIAL RECORDS  
GEORGETTE BROWN, COUNTY CLERK

2004-006287



\$21.00

03/18/2004 02:40:48 PM

DEE-AGR Cnt=1 Str=4 RECEIPTS  
\$10.00 \$11.00

21-

# Josephine County Clerk & Recorder's Office

①

# CERTIFICATE PAGE

This page MUST be included  
if document is re-recorded.

DO NOT remove from original document.

*Clarification Future Well Agree.*

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MAR 23 2004

WATER RESOURCES DEPT  
SALEM, OREGON

2

Clarification for future well agreement:

Whereas, an easement provision for a future well has been granted on Lot #15 of Seclusion Estates, Grants Pass, Oregon to the Seclusion Estates Homeowner's Association this memo clarifies the following:

\*Phase 2

- Parties to mutually agree on the location of a well site prior to any work.
- Well location shall not adversely affect the well production of the existing well on Lot #15.
- All easements and recording cost shall be the expense of the Seclusion Estates Homeowners Association.
- The Association shall not unreasonably damage or leave in disrepair any work on Lot # 15.

This clarification signed March 11, 2004.

*Mervin L Spalding*  
Spalding and Son, Inc

*Timothy B Cummings*  
Cummings Construction Inc. Owner  
*Mervin L Spalding*  
Spalding and Son Inc.

*Buster Bews*  
Buster Bews  
Purchaser Lot #15



State of Oregon  
County of Josephine

This instrument was acknowledgement before me on this 17 day of March, 2004 by Mervin L. Spalding of Spalding and Son Inc.

*K Jan Farr*  
NOTARY PUBLIC FOR OREGON

State of Oregon  
County of Josephine

This instrument was acknowledgment before me on this 17 day of March, 2004 by Buster Bews

*Carol Holland*  
NOTARY PUBLIC FOR OREGON



STATE OF OREGON, County of .....Josephine.....,ss.

This instrument was acknowledged before me on ....., 19.....

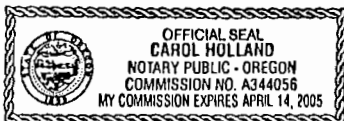
by .....

This instrument was acknowledged before me on ..... March ..... 18 ..... 2004 .....

by ..... Timothy B. Cummings .....

as ..... President .....

of ..... Cummings Construction Inc. ....



*Carol Holland*  
Notary Public for Oregon.

My Commission expires .....

RECEIVED  
MAR 23 2004  
WATER RESOURCES DEPT  
SALEM, OREGON



After recording return to:  
BUSTER J. BEWS  
~~2014 Kaye City Way~~ 700 Seclusion  
Grants Pass, OR 97526 Loop

Until a change is requested all tax statements  
shall be sent to the following address:  
BUSTER J. BEWS  
~~2014 Kaye City Way~~ 700 Seclusion  
Grants Pass, OR 97526 Loop


File No.: 7151-345646 (CAH)  
Date: March 05, 2004

THIS SPACE RESERVED FOR RECORDER'S USE

---

JOSEPHINE COUNTY OFFICIAL RECORDS      2004-006288  
 GEORGETTE BROWN, COUNTY CLERK

\$21.00



00070990200400062880020023      03/18/2004 02:41:13 PM

DED-WRD Cnt=1 Stn=4 RECEIPTS  
 \$10.00 \$11.00

**STATUTORY WARRANTY DEED**

①

**CUMMINGS CONSTRUCTION INC.**, Grantor, conveys and warrants to **BUSTER J. BEWS**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**Lots 15 and 16 of SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County Oregon.**

**This property is free from liens and encumbrances, EXCEPT: Right of way and Road Use Agreement, including the terms, provisions and obligations thereof set forth in Instrument recorded in Volume 329, Page 1027, Josephine County Deed Records.**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is **\$172,500.00**. (Here comply with requirements of ORS 93.030)

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WATER RESOURCES DEPT  
SALFAM, OREGON

2

APN: R337712

Statutory Warranty Deed  
- continued

File No.: 7151-345646 (CAH)  
Date: 03/05/2004

CUMMINGS CONSTRUCTION INC.

*Timothy B. Cummings*  
By: Timothy B. Cummings, President

STATE OF Oregon )  
 )ss.  
County of Josephine )

This Instrument was acknowledged before me on this 17 day of MARCH, 2004  
by Timothy B. Cummings as President of CUMMINGS CONSTRUCTION INC., on behalf of the  
Incorporation.

*Carol Holland*



Notary Public for Oregon  
My commission expires:

3

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**MAR 23 2009**  
**WATER RESOURCES DEPT**  
**SALEM, OREGON**





After recording return to:  
Walter L. Cauble  
CAUBLE, DOLE & SORENSON  
P O BOX 398  
GRANTS PASS, OR 97528

**AMENDED DECLARATION OF  
COVENANTS, CONDITIONS, & RESTRICTIONS  
OF SECLUSION ESTATES SUBDIVISION  
AND DECLARATION OF EASEMENTS**

This document amends that certain document entitled SECLUSION ESTATES SUBDIVISION COVENANTS, CONDITIONS & RESTRICTIONS - Well Agreement, which was recorded January 17, 2001, as Document No. 01-885, Official Records of Josephine County, Oregon. This document further amends and clarifies those certain Water Easements recorded December 22, 2000, as Documents No. 00-22332, No. 00-22333, and 00-22334, Official Records of Josephine County, Oregon.

The undersigned, being SECLUSION ESTATES COMMUNITY WATER SYSTEM, LLC, and all of the owners of the real property described in Exhibit "A" attached hereto, all of which properties are lots within SECLUSION ESTATES SUBDIVISION (hereafter "the Subdivision"), hereby certify and declare that all lots described herein are part of the community water system which shall be managed and operated by SECLUSION ESTATES COMMUNITY WATER SYSTEM, LLC, an Oregon limited liability company; and all lots described herein now owned by the parties hereto or hereafter conveyed, leased, rented, or occupied shall be subject to all of the reservations, conditions, covenants, restrictions, easements and agreements set forth herein.

1. **PURPOSE.** The purpose of this amendment is to protect the full benefit and enjoyment of each lot as to the community water system.

2. **COMMUNITY WATER SYSTEM.** Potable water for the lots subject to this agreement shall be provided by SECLUSION ESTATES COMMUNITY WATER SYSTEM, LLC, (hereafter "SECLUSION ESTATES CWS") through the Public Water System number 4106127, approved by the State of Oregon, Department of Human Services, Drinking Water Program. SECLUSION ESTATES CWS shall maintain the water system for human consumption within the effective standards of the State of Oregon and shall comply with all reporting required to maintain the water system number 4106127 in good standing with all governmental agencies regulating the system. SECLUSION ESTATES CWS may impose and collect reasonable fees and assessments, which, to the extent permitted by law, may become liens on one or more lots for which water service is provided. All owners of the Subdivision lots subject to the community water system will be members of SECLUSION ESTATES CWS and membership interests shall transfer with conveyances of those Subdivision lots subject to the community water system.

Amended Declaration - Page 1.

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SALEM, OREGON

The terms of water agreements between SECLUSION ESTATES CWS and the parties hereto, their successors-in-interest, executors, administrators, and assigns, (hereafter Owners) are as follows:

2.1 SECLUSION ESTATES CWS shall not charge Owners a service connection fee. Owners shall pay to SECLUSION ESTATES CWS a flat rate in the amount of Three Hundred Dollars (\$300.00) annually for the delivery of water. Water shall be used only for domestic use and irrigation purposes for one residence on each lot subject of this agreement. Irrigation use shall be limited to irrigation of one-half acre of land. SECLUSION ESTATES CWS reserves the right to increase the rate or to establish a metered usage rate. Payment shall be due on Feb. 1<sup>st</sup> of each year. SECLUSION ESTATES CWS may apply a late payment charge not to exceed \_\_\_\_\_ Dollars (\$30.00) if any Owner fails to pay the annual payment in full by the last day of the month in which the payment comes due.

2.2 SECLUSION ESTATES CWS shall use its best efforts to furnish water in sufficient quantity and quality for the purposes stated in this Agreement. SECLUSION ESTATES CWS shall promptly correct any defects in the water supply system upon notice of any defects in the supply or in the quality of water furnished. SECLUSION ESTATES CWS, or its members, shall not be responsible or liable for acts or conditions beyond its control which cause temporary interruptions, reduced usage, restricted usage, breakdowns in supply, or defects of any kind in the quality of the water so provided.

2.3 SECLUSION ESTATES CWS shall not be liable for any damages to the residences or properties of Owners caused by water leakage or damage from the system, except that SECLUSION ESTATES CWS shall promptly, upon notification from any Owner, repair any defect in the piping system to that Owner's property. Nothing herein stated shall require SECLUSION ESTATES CWS to maintain or repair the household plumbing or irrigation pipes on any Owner's property. Owners shall, at their own expense, install, maintain, and repair all pipes past each Owner's shut off valve.

2.4 The Owner of each lot agrees to abide by the rules and regulations of any governmental agencies regulating the water system and the rules and regulations of SECLUSION ESTATES CWS, and the terms of its operating agreement.

2.5 SECLUSION ESTATES CWS and all Owners of lots subject to this Agreement agree that the rights, obligations, and limitations provided in this Agreement shall run with the land as described herein and all the terms, conditions, and covenants herein contained shall be binding upon the parties hereto and on their successors-in-interest, heirs, executors, administrators, and assigns. SECLUSION ESTATES CWS and all Owners of lots subject to this Agreement further agree that nothing in this

Amended Declaration - Page 2.

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WATER RESOURCES DEPT  
SALEM, OREGON

Agreement creates any rights, obligations, or liabilities for Spalding & Son, Incorporated, the developer of the Subdivision.

3. **WELLS.** SECLUSION ESTATES CWS shall be the primary source of water for all lots described herein. If permitted by law, and only after obtaining prior written approval from the architectural committee of the Subdivision and the written consent of all members of SECLUSION ESTATES CWS, the Owner of any lot subject of this agreement may drill, install and utilize one well on such Owner's lot for the use of that lot only. However, the drilling of a well by a lot Owner does not constitute a withdrawal from the Seclusion Estates Community Water System LLC. A lot Owner may only withdraw from the LLC pursuant to the terms of the LLC Operating Agreement. Once a lot Owner withdraws from the LLC as a member, that Owner's lot shall no longer have rights running with the land to receive water from SECLUSION ESTATES CWS, except that the lot shall remain subject to any easements benefitting the water system and other lots within the system. SECLUSION ESTATES CWS, SECLUSION ESTATES CWS shall have no obligation to reinstate the rights of the withdrawing Owner's lot to receive water from the community water system or to provide any further water or services to Owner, or Owner's successor in-interest or assigns. Lot Owners who withdraw as members of SECLUSION ESTATES CWS agree to execute whatever documents are necessary to release of record their interest in the community water system and terminate the appurtenant easements in favor of those lots.

4. **EASEMENTS.**

4.1 The easements created under those certain Water Easements recorded December 22, 2000, as Documents No. 00-22332, No. 00-22333, and 00-22334, Official Records of Josephine County, Oregon, and clarified herein, shall be perpetual and non-exclusive easements in favor of SECLUSION ESTATES CWS and the lots subject to this agreement. The easements shall run with the land and be appurtenant to the lots subject to this agreement, for the exclusive use of those certain existing wells located on Lots 3 and 20; and to the exclusive use of the water storage tanks on Lot 12; and for the installation and maintenance of water pipe lines and other necessary improvements from the wells to such locations, including the referenced storage tanks as may be necessary to facilitate creation, maintenance and operation of the water system.

4.2 In the event that SECLUSION ESTATES CWS determines that it shall be necessary to create further easements or convey property to a separate entity relating to the water system, the parties hereto, and their successors-in-interest and assigns, shall be required to make those conveyances or grant those easements that are required to effectuate this purpose. Notwithstanding, neither SECLUSION ESTATES CWS or the Owners of lots subject to this agreement shall not unreasonably interfere with the quiet enjoyment for residential purposes of Lots 3, 20, and 12, upon which the wells and storage tanks are situated.

Amended Declaration - Page 3.

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MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

4.3 These easements shall be enforceable by suit for injunction or for damages by SECLUSION ESTATES CWS or its authorized agents, designees or assigns.

4.4 In the event that suit, action or other legal proceedings shall be instituted to declare or enforce any right created by this instrument, the prevailing party therein and in any appellate court proceedings, shall be entitled to recover such sum as the court may adjudge reasonable for attorney fees and costs.

If this agreement is referred by either party to an attorney upon any default, the defaulting party agrees to pay to the nondefaulting party the latter's reasonable attorney fees and costs, regardless of whether or not any suit or action is commenced, including both prepetition and postpetition costs and attorney fees incurred in filing a proof of claim in any bankruptcy filed by the defaulting party.

5. **EXHIBIT.** Exhibit "A" attached hereto is incorporated herein by reference.

6. **ADDITIONAL DOCUMENTS.** The parties hereto, their successors-in-interest and assigns, shall take all actions reasonably necessary or required to facilitate the purpose of this document, including but not limited to, the execution and recording of additional documents in connection herewith.

7. **RATIFICATION.** Except as amended by this document, the SECLUSION ESTATES SUBDIVISION COVENANTS, CONDITIONS & RESTRICTIONS - Well Agreement, which was recorded January 17, 2001, as Document No. 01-885, Official Records of Josephine County, Oregon and the Water Easements created under those certain documents recorded December 22, 2000, as Documents No. 00-22332, No. 00-22333, and 00-22334, Official Records of Josephine County, Oregon, shall remain in full force and effect as of the dates of their respective original recordings.

Dated this 10 day of Nov, 2005.

SECLUSION ESTATES COMMUNITY WATER SYSTEM, LLC,  
an Oregon limited liability company

By Joseph M. Zagorski  
Joseph M. Zagorski, Manager

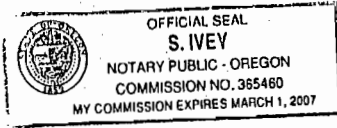
STATE OF OREGON, County of Josephine ) ss.

On Nov 10, 2005, the foregoing instrument was acknowledged before me by

Amended Declaration - Page 4.

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MAR 23 2009  
WATER RESOURCES DEPT  
SALEM, OREGON

Joseph M. Zagorski, as the duly authorized Manager of Seclusion Estates Community Water System, LLC, an Oregon limited liability company, on behalf of the members of said company.



S. Ivey  
Notary Public for Oregon  
My Commission Expires: 3-1-07

Dewayne L. Bridges  
Dewayne L. Bridges

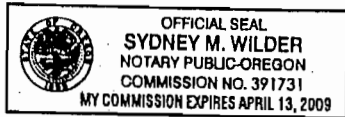
Sandra K. Bridges  
Sandra K. Bridges

Larry J. West  
Larry J. West

Linda S. West  
Linda S. West

STATE OF OREGON, County of Josephine ) ss.

On Nov 8, 2005, the foregoing instrument was acknowledged before me by Dewayne L. Bridges and Sandra K. Bridges.



Sydney M. Wilder  
Notary Public for Oregon  
My Commission Expires: 4/13/2009

STATE OF OREGON, County of Josephine ) ss.

On 5 DECEMBER, 2005, the foregoing instrument was acknowledged before me by Larry J. West and Linda S. West.



Jason R. Fletcher  
Notary Public for Oregon  
My Commission Expires: 11/06/2009

Amended Declaration - Page 5.

RECEIVED

MAR 23 2009

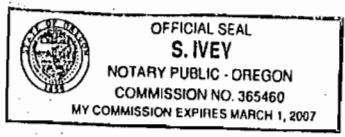
WATER RESOURCES DEPT  
SALEM, OREGON

Tyson G. Pock  
Tyson G. Pock

Carol A. Pock  
Carol A. Pock

STATE OF OREGON, County of Josephine ) ss.

On Nov 8, 2005, the foregoing instrument was acknowledged before me by Tyson G. Pock and Carol A. Pock.



S. Ivey  
Notary Public for Oregon  
My Commission Expires: 3-1-07

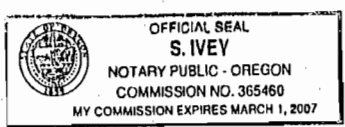
Goldner Family Trust, u/a/d 8-15-94

By Andreas M. Goldner  
Andreas M. Goldner, Trustee

By Susan Clayton-Goldner  
Susan Clayton-Goldner, Trustee

STATE OF OREGON, County of Josephine ) ss.

On Nov 14, 2005, the foregoing instrument was acknowledged before me by Andreas M. Goldner and Susan Clayton-Goldner, as Trustees of the Goldner Family Trust, u/a/d 8-15-94.



S. Ivey  
Notary Public for Oregon  
My Commission Expires: 3-1-07

Michael A. Bello  
Michael A. Bello

Beth A. Bello  
Beth A. Bello

STATE OF OREGON, County of Josephine ) ss.

On 11-18, 2005, the foregoing instrument was acknowledged before me by Michael A. Bello and Beth A. Bello.



Rachel Derek  
Notary Public for Oregon  
My Commission Expires: Oct. 10, 2009

Amended Declaration - Page 6.

RECEIVED

MAR 23 2009

WATER RESOURCES DEPT  
SALEM, OREGON

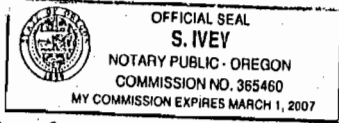


Paul L. Kelly  
Paul L. Kelly

Vasiliki P. Kelly  
Vasiliki P. Kelly

STATE OF OREGON, County of Josephine ) ss.

On Nov 9, 2005, the foregoing instrument was acknowledged before me by Paul L. Kelly and Vasiliki P. Kelly.

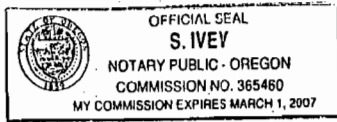


S. Ivey  
Notary Public for Oregon  
My Commission Expires: 3-1-07

Buster J. Bews  
Buster J. Bews

STATE OF OREGON, County of Josephine ) ss.

On Nov 8, 2005, the foregoing instrument was acknowledged before me by Buster J. Bews.



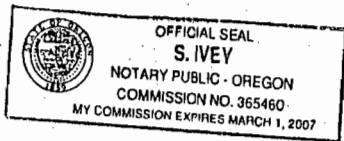
S. Ivey  
Notary Public for Oregon  
My Commission Expires: 3-1-07

Donald L. Turnbaugh  
Donald L. Turnbaugh

Loralee Turnbaugh  
Loralee Turnbaugh

STATE OF OREGON, County of Josephine ) ss.

On Nov 8, 2005, the foregoing instrument was acknowledged before me by Donald L. Turnbaugh and Loralee Turnbaugh.



S. Ivey  
Notary Public for Oregon  
My Commission Expires: 3-1-07

Amended Declaration - Page 8.

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SALEM, OREGON



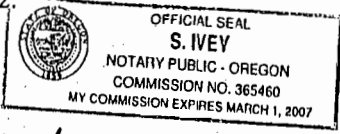
Zagorski Family Trust Dated 3/1/2002

By J.M. Zagorski  
J.M. Zagorski, Trustee

By Sharon E. Zagorski  
Sharon E. Zagorski, Trustee

STATE OF OREGON, County of Josephine ) ss.

On Nov 10, 2005, the foregoing instrument was acknowledged before me by J.M. Zagorski and Sharon E. Zagorski, Trustees of the Zagorski Family Trust Dated March 1, 2002.



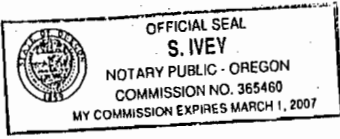
S. Ivey  
Notary Public for Oregon  
My Commission Expires: 3-1-07

Rodney T. Rowe  
Rodney T. Rowe

Pamela R. Rowe  
Pamela R. Rowe

STATE OF OREGON, County of Josephine ) ss.

On Nov 9, 2005, the foregoing instrument was acknowledged before me by Rodney T. Rowe and Pamela R. Rowe.



S. Ivey  
Notary Public for Oregon  
My Commission Expires: 3-1-07

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Exhibit "A"

1. **Lot 2 - 9703 Lower River Road:** Current Owner: Dewayne L. Bridges and Sandra K. Bridges, husband and wife, as tenants by the entirety; Purchasers: Larry J. West and Linda S. West, husband and wife (sale schedule to close 11/14/2005) more particularly described as follows:

Parcel 2 of PARTITION PLAT NO. 2002-80, located in the Southwest Quarter of Section 6, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon.

2. **Lot 3 - 9701 Lower River Road:** Current Owner: Tyson G. Pock and Carol A. Pock, husband and wife, as tenants by the entirety; more particularly described as follows:

Lot 3 of PHASE I SECLUSION ESTATES SUBDIVISION, Josephine County, Oregon.

3. **Lot 8 - 330 Seclusion Loop:** Current Owner: Andreas M. Goldner and Susan Clayton-Goldner, as Trustees of the Goldner Family Trust, u/a/d August 15, 1994; more particularly described as follows:

Lot 8, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

4. **Lot 9 - 398 Seclusion Loop:** Current Owner: Michael A. Bello and Beth A. Bello, husband and wife, as tenants by the entirety; more particularly described as follows:

Lot 9 of SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

5. **Lot 10 - 548 Seclusion Loop:** Current Owner: Jonathon Connolly and Patricia Connolly, husband and wife; conveying to son: Bradley Connolly; more particularly described as follows:

Lot 10, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

6. **Lot 11 - 582 Seclusion Loop:** Current Owner: Carlos A. Pimentel and Gina M. Pimentel, husband and wife, as tenants by the entirety; more particularly described as follows:

Lot 11, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

7. **Lot 12 - 580 Seclusion Loop:** Current Owner: William L. Kohnen and Donna J. Kohnen, husband and wife, as tenants by the entirety; more particularly described as follows:

Lot 12, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

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8. Lot 13 - 740 Seclusion Loop: Current Owner: Paul L. Kelly and Vasiliki P. Kelly, husband and wife, as tenants by the entirety; more particularly described as follows:

Lot 13 of SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

9. Lot 16 - 700 Seclusion Loop: Current Owner: Buster J. Bews; more particularly described as follows:

Lot 16 of SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

10. Lot 18 - 643 Seclusion Loop: Current Owner: Donald L. Turnbaugh and Lorelee Turnbaugh, husband and wife, as tenants by the entirety; more particularly described as follows:

Parcel 1 of PARTITION PLAT NO. 2002-80, located in the Southwest Quarter of Section 6, Township 36 South, Range 6 West of the Willamette Meridian, Josephine County, Oregon.

11. Lot 19 - 521 Seclusion Loop: Current Owner: J.M. Zagorski and Sharon E. Zagorski, Trustees, or their Successor in Trust, under the Zagorski Family Trust Dated March 1, 2002, and any amendments thereto; more particularly described as follows:

Lot 19 of SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

12. Lot 20 - 365 Seclusion Loop: Current Owner: Rodney T. Rowe and Pamela R. Rowe, husband and wife, as tenants by the entirety; more particularly described as follows:

Lot 20, SECLUSION ESTATES SUBDIVISION, PHASE 2, Josephine County, Oregon.

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2

ALSO TOGETHER WITH:  
 An Exclusive use of an existing well that is located on the North East portion of lot #20 of the Seclusion Estates Subdivision, Phase 2, Josephine County, Oregon.

Also an easement for water & electrical lines, 5ft in width, from said well following existing lines to said lot #19, including the right of ingress & egress for the purpose of maintaining & repair of said lines. The use contemplated is that for a single family residence. By this agreement mutual easements and rights are established to the parties for the existing well, together with any future addition thereto.

The parties agree the owner of lot #19 to bear the cost of maintaining and operating the well for their benefit. The provisions of this are binding on the heirs, assigns & successors in interest of the owners of said lot #19. Said provisions shall be perpetual & shall be considered as covenants running with the land or appurtenant thereto & the burden & benefits of the grant shall run with the respective land to the parties.

The parties are aware that a water system is being established for the benefit of most of the lots in Phase 1 & Phase 2 of The Seclusion Estates Subdivision.

The owner of the property (lot #19) agrees to relinquish all interest in this well to the owner of said water system, under the following conditions: 1) Upon written notice of approval of the appropriate government agencies for the water system for The Seclusion Estates Subdivision. 2) lot #19 is included in the water system. 3) The water system is physically built & lot #19 is physically hooked up to the water system.

Upon completion #1,2,3 above, the owner of this property (lot #19) agrees to relinquish all interest in the well & pumping system by recording a Quit Claim Deed removing all interest in the well located on said lot #20.

The Owners of Lots 19 and 20 shall use arbitration to resolve any disagreement between them arising from this agreement. The provisions of ORS (Oregon Revised statutes) 36.300 et. Seq. as now written and hereafter amended shall control. Any owner may invoke arbitration by giving written notice thereof. Within 10 days thereafter, each owner may appoint an arbitrator. The arbitrators so appointed shall select another arbitrator. Thereafter that panel of arbitrators shall conduct arbitration and render an award.

This agreement and grant of easement shall be binding upon and inure to the benefit of each party hereto and each parties heirs, successors and assigns.

November , 1999

Spalding & Son, Incorporated

By: Merwin L. Spalding  
 Merwin L. Spalding, Pres

APPROVED: Kenneth Winther  
 Kenneth Winther

INSTRUMENT 99 - 24307  
 STATE OF OREGON  
 COUNTY OF JOSEPHINE

I, County Clerk and ex-officio Recorder of Conveyances, in and for said County, do hereby certify that the within instrument was received for record and recorded at

Date: 11/18/99 Time: 9:55 AM  
 in the Josephine County Book of Records.  
 GEORGETTE BROWN COUNTY CLERK

By Deputy: [Signature]

# Pages: 2 Fee: \$30.00  
 Hand Returned  Mailed  Hold

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