



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1266
 (503) 986-0900
 www.wrd.state.or.us

Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit or water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. ***If for multiple rights, a separate form for each right will be required.***

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION

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Applicant(s): Jim Nightengale
First Last OCT 24 2012

Mailing Address: 608 Dennis Lane
Salem OR 97303
City State Zip
 WATER RESOURCES DEPT
 SALEM, OREGON

Phone: _____
Home Work Other

PROPERTY BUYER INFORMATION

Applicant(s): City of Keizer
First Last

Mailing Address: PO Box 21000
Keizer OR 97307
City State Zip

Phone: 503-390-3700
Home Work Other

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Marion Township: 6S Range: 3W Section: 35, 36

Tax Lot Number(s): Section 35-Tax lots 6300, 8600 Section 36- TL 5600

Street address of water right property: 6288 17th Ave, 6250 13th Ave, 6180 Lauderback

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: G-6189 Permit #: G-6838 Certificate or Page #: 50519

Will all the lands associated with this water right be owned by the buyer? Yes No

Name of individual completing this form: Bill Lawyer Phone: 503-390-3700

Signature: Bill Lawyer Date: 8/28/12

Please be sure to attach a copy of your property deed or legal description of the property.

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WARRANTY DEED

WILARK PARK WATER COMPANY, a corporation duly organized and existing under the laws of the state of Oregon, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell, and convey unto KEIZER WATER DISTRICT, an Oregon domestic water supply district, hereinafter called Grantee and Grantee's successors and assigns, that certain real property, with the tenements, hereditaments, and appurtenances thereunto belonging or appertaining, situated in the county of Marion, and state of Oregon, described as follows, to wit:

Tract 1: Lot 53, Block 3, Northtree Estates, Marion County, Oregon.

Tract 2, Parcel A: Beginning at a point on the South line of Lot 9, Block 10, Wilark Park Annex No. 3, which is 74.70 feet East from the Southwest corner of said Lot 9, thence North 46°11' East 103.85 feet to the most Northerly Southeast corner of said Lot 9, thence North 25 feet to the Northeast corner of said Lot 9; thence North 89°46' West along the North line of said Lot 9 to a point that is North 1°44' West from the point of beginning; thence South 1°44' East to the point of beginning being in Marion County, Oregon.

Tract 2, Parcel B: Lot 10, Block 10, Wilark Park Annex No. 3, Marion County, Oregon.

Tract 3: Beginning at the Northwest corner of Lot 2, Block 4, Wilark Park, Marion County, Oregon, and running thence North 88°22' East 45 feet; thence South 18°28' East 15 feet; thence West 43 feet to a point on the West line of said lot which is 30 feet South of the place of beginning; thence North 30 feet to the place of beginning, being a part of said Lot 2, Block 4.

To Have and to Hold the same unto the said Grantee and Grantee's successors and assigns forever.

And said Grantor hereby covenants to and with said Grantee and Grantee's successors and assigns, that Grantor is lawfully seized

MAIL TAX STATEMENTS TO:

*Keizer Water District
Keizer OR 97303*

AFTER RECORDING RETURN TO:

Harland, Ritter, Saalfeld & Griggs
P. O. Box 470
Salem, OR 97308

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SALEM, OREGON

in fee simple of the above granted premises, free from all encumbrances, except as follows:

- (1) The premises herein described are within and subject to the statutory powers, including the power of assessment, of Keizer Sewer District (Affects Tracts 1, 2, and 3).
- (2) Easements and setback lines as shown by the recorded plat (Tract 1).
- (3) Conditions and restrictions as contained in Declaration filed by Ernest D. Fish and Jack R. Lowery, recorded March 16, 1973, in Volume 747, page 286, Deed Records for Marion County, Oregon (Tract 1).
- (4) Restrictive covenant, including the terms and provisions thereof, recorded April 11, 1973, in Volume 749, page 447, Deed Records for Marion County, Oregon (Tract 2).
- (5) Setback provisions as delineated on the recorded plat (Tract 2).
- (6) Water line easement as delineated on the plat (Tract 2).
- (7) Easement, including the terms and provisions thereof, for perpetual easement and right of way over, across, upon, and under the North 5 feet of Lot 9, in favor of Pacific Northwest Bell Telephone Company, a corporation, recorded September 2, 1964, in Volume 590, page 603, Deed Records for Marion County, Oregon (Tract 2).
- (8) Conditions and restrictions as contained in Declaration, recorded March 18, 1965, in Volume 598, page 432, Deed Records for Marion County, Oregon (Tract 2).
- (9) Setback lines as shown on the recorded plat of Wilark Park (Tract 3).
- (10) Conditions and restrictions as contained in Declaration, recorded October 31, 1961, in Volume 550, page 530, Deed Records for Marion County, Oregon, and modified by instrument recorded in Volume 554, page 351, Deed Records for Marion County, Oregon (Tract 3).

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Willark Park Water Company/Keizer Water District

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(11) Existence of a community well on Tract 3 as disclosed by deed, including the terms and provisions thereof, recorded June 5, 1983, in Volume 573, page 18, Deed Records for Marion County, Oregon.

and that Grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

This deed is executed and delivered to Grantee as a part of the conveyance of all of the assets of Wilark Park Water Company, and no separate dollar consideration has been stated with respect to the above-described property.

Done by order of the Grantor's Board of Directors, this 3rd day of May, 1983.

WILARK PARK WATER COMPANY

By James W. Nightengale
James W. Nightengale, President

By Dorris Nightengale
Dorris Nightengale, Secretary

STATE OF OREGON,)
County of Marion.) ss.

On this 3rd day of May, 1983, personally appeared JAMES W. NIGHTENGALE and DORRIS NIGHTENGALE who, being duly sworn, did say that the former is the president and that the latter is the secretary of WILARK PARK WATER COMPANY, a corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and acknowledged said instrument to be its voluntary act and deed.

Before me:



Daniel A. Ritter
Notary Public for Oregon
My commission expires: 8-8-86

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OFFICE OF THE CLERK

CLERK OF DISTRICT COURT
1100 COMMERCIAL
SALEM, OREGON 97301
RECORDS SECTION

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EDWIN P. MORGAN
MARION COUNTY CLERK

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