

Application for a Permit to Use Surface Water



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
www.oregon.gov/OWRD

SECTION 1: APPLICANT INFORMATION AND SIGNATURE

Applicant

NAME JER-ANN LLC C/O TONY SMITH		PHONE (HM)	
PHONE (WK)	CELL (503) 710-1401	FAX	
ADDRESS 19101 RIVER ROAD NE			
CITY SAINT PAUL	STATE OR	ZIP 97137	E-MAIL *

Organization

NAME		PHONE	FAX
ADDRESS			CELL
CITY	STATE	ZIP	E-MAIL *

Agent – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME DOANN HAMILTON / PACIFIC HYDRO-GEOLOGY, INC.		PHONE (503) 632-5016	FAX (503) 632-5983
ADDRESS 18487 S. VALLEY VISTA ROAD			CELL (503) 349-6946
CITY MULINO	STATE OR	ZIP 97042	E-MAIL * PHGDMH@GMAIL.COM

Note: Attach multiple copies as needed

* By providing an e-mail address, consent is given to receive all correspondence from the Department electronically. (Paper copies of the proposed and final order documents will also be mailed.)

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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.
- I cannot legally use water until the Water Resources Department issues a permit.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I receive 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 cancelled.
- 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 receive water to which they are entitled.

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 **I (we) affirm that the information contained in this application is true and accurate**


Applicant Signature

Tony Smith
Print Name and Title if applicable

3/17/19
Date

Applicant Signature

Print Name and Title if applicable

Date

SECTION 2: PROPERTY OWNERSHIP

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

TL 4 2W 30 600

- YES, there are no encumbrances.
- YES, the land is encumbered by easements, rights of way, roads or other encumbrances.

TL 4 2W 30 601, 800, and 1000

- NO, I have a recorded easement or written authorization permitting access.
- NO, I do not currently have written authorization or easement permitting access.
- NO, 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 irrigation and/or domestic use only (ORS 274.040).
- NO, because water is to be diverted, conveyed, and/or used only on federal lands.

Affected Landowners: List the names and mailing addresses of all owners of any lands that are not owned by the applicant and that are crossed by the proposed ditch, canal or other work, even if the applicant has obtained written authorization or an easement from the owner. *(Attach additional sheets if necessary).*

TL 2 2W 30 601

Jerome J. Smith
19101 River Road NE
St. Paul, OR 97137

TL 2 2W 30 800

Jerome J. and Annette Smith Trustee and JRT Smith
19101 River Road NE
St. Paul, OR 97137

TL 2 2W 30 1000

Anthony J. Smith and Jamie Sewell
19111 River Road NE
ST. PAUL, OR 97137

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Legal Description: 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.

SECTION 3: SOURCE OF WATER

A. Proposed Source of Water

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into (if unnamed, say so), and the locations of the point of diversion (POD):

Source 1: Bureau of Reclamation Stored water from Willamette River System	Tributary to: Columbia River
---	------------------------------

TRSQQ of POD: T.4S., R.3W., Section 26, SW1/4 NE ¼, Lot 7, 1,210 feet south and 1,600 feet east from the NE corner, Lot 11, Section 26.	
Source 2: NA	Tributary to:
TRSQQ of POD:	

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

B. Applications to Use Stored Water

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Do you, or will you, own the reservoir(s) described in Section 3A above?

- Yes. No. (Enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which should have been mailed or delivered to the operator.)

If all sources listed in Section 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:

- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
- A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

SECTION 4: SENSITIVE, THREATENED OR ENDANGERED FISH SPECIES PUBLIC INTEREST INFORMATION

This information must be provided for your application to be accepted as complete. The Water Resources Department will determine whether the proposed use will impair or be detrimental to the public interest with regard to sensitive, threatened or endangered fish species.

To answer the following questions, use the map provided in Attachment 3 or the link below to determine whether the proposed point of diversion (POD) is located in an area where the Upper Columbia, the Lower Columbia, and/or the Statewide public interest rules apply.

For more detailed information, click on the following link and enter the T,R,S,QQ or the Lat/Long of a POD and click on "Submit" to retrieve a report that will show which section, if any, of the rules apply:
https://apps.wrd.state.or.us/apps/misc/lkp_trsqq_features/

If you need help to determine in which area the proposed POD is located, please call the customer service desk at (503) 986-0801.

Upper Columbia - OAR 690-033-0115 thru -0130

Is the POD located in an area where the Upper Columbia Rules apply?

For Department Use: App. Number: 5-88768

Yes No

If yes, you are notified that the Water Resources Department will consult with numerous federal, state, local and tribal governmental entities so it may determine whether the proposed use is consistent with the "Columbia River Basin Fish and Wildlife Program" adopted by the Northwest Power Planning Council in 1994 for the protection and recovery of listed fish species. The application may be denied, heavily conditioned, or if appropriate, mitigation for impacts may be needed to obtain approval for the proposed use.

If yes,

- I understand that the proposed use does not involve appropriation of direct streamflow during the time period April 15 to September 30, except as provided in OAR 690-033-0140.
- I understand that I will install, operate and maintain a fish screen and fish passage as listed in ORS 498.301 through 498.346, and 509.580 through 509.910, to the specifications and extent required by Oregon Department of Fish and Wildlife, prior to diversion of water under any permit issued pursuant to this application.
- I understand that the Oregon Department of Environmental Quality will review my application to determine if the proposed use complies with existing state and federal water quality standards.
- I understand that I will install and maintain water use measurement and recording devices as required by the Water Resources Department, and comply with recording and reporting permit condition requirements.

Lower Columbia - OAR 690-033-0220 thru -0230

Is the POD located in an area where the Lower Columbia rules apply?

Yes No

If yes, you are notified that that the Water Resources Department will determine, by reviewing recovery plans, the Columbia River Basin Fish and Wildlife Program, and regional restoration programs applicable to threatened or endangered fish species, in coordination with state and federal agencies, as appropriate, whether the proposed use is detrimental to the protection or recovery of a threatened or endangered fish species and whether the use can be conditioned or mitigated to avoid the detriment.

If a permit is issued, it will likely contain conditions to ensure the water use complies with existing state and federal water quality standards; and water use measurement, recording and reporting required by the Water Resources Department. The application may be denied, or if appropriate, mitigation for impacts may be needed to obtain approval of the proposed use.

If yes, provide the following information (the information must be provided with the application to be considered complete).

Yes No The proposed use is for more than **one** cubic foot per second (448.8 gpm) and is not subject to the requirements of OAR 690, Division 86 (Water Management and Conservation Plans).

If yes, provide a description of the measures to be taken to assure reasonably efficient water use:
NA

Statewide - OAR 690-033-0330 thru -0340

Is the POD located in an area where the Statewide rules apply?

Yes No

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For Department Use: App. Number: 5-88768

If yes, the Water Resources Department will determine whether the proposed use will occur in an area where endangered, threatened or sensitive fish species are located. If so, the Water Resources Department, Department of Fish and Wildlife, Department of Environmental Quality, and the Department of Agriculture will recommend conditions required to achieve "no loss of essential habitat of threatened and endangered (T&E) fish species," or "no net loss of essential habitat of sensitive (S) fish species." If conditions cannot be identified that meet the standards of no loss of essential T & E fish habitat or no net loss of essential S fish habitat, the agencies will recommend denial of the application unless they conclude that the proposed use would not harm the species.

SECTION 5: WATER USE

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):

(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)

SOURCE	USE	PERIOD OF USE	AMOUNT
Willamette River (BOR stored water)	Irrigation	March 1 through October 31	142.25 <input type="checkbox"/> cfs <input type="checkbox"/> gpm <input checked="" type="checkbox"/> af
			<input type="checkbox"/> cfs <input type="checkbox"/> gpm <input type="checkbox"/> af

*CEL
4/13/2019*

Please indicate the number of primary and supplemental acres to be irrigated.

Primary: 56.9 Acres Supplemental: 0.0 Acres

If supplemental acres are listed, provide the Permit or Certificate number of the underlying primary water right(s):

NA

Indicate the maximum total number of acre-feet you expect to use in an irrigation season: 142.25 AF *CEL 4/13/2019*

- If the use is **municipal or quasi-municipal**, attach Form M
- If the use is **domestic**, indicate the number of households: NA
- If the use is **mining**, describe what is being mined and the method(s) of extraction: NA

SECTION 6: WATER MANAGEMENT

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A. Diversion and Conveyance

What equipment will you use to pump water from your source?

Pump (give horsepower and type): 100 Hp centrifugal pump

Other means (describe): _____

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

Water will be conveyed from the POD through an 8-inch mainline with hydrants where laterals with impact sprinkler or a hard-hose traveler will be attached.

B. Application Method

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

Impact sprinklers or hard-hose traveler

C. Conservation

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

Water will be applied to crops when needed. The most water efficient method of irrigation will be used for the crop being irrigated

SECTION 7: RESOURCE PROTECTION

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources:

- Diversion will be screened per ODFW specifications in ORS 498.301 through 498.346 to prevent uptake of fish and other aquatic life.
Describe planned actions:
If ODFW determines a fish screen is needed we will attached the screen to the pumps in the river.

- Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.
Note: If disturbed area is more than one acre, applicant should contact the Department of Environmental Quality to determine if a 1200C permit is required.

Describe planned actions and additional permits required for project implementation:
The proposed point of diversion is already in place and in use for Certificate 36332 (transfer T-12983 pending); therefore, there should be no excavation or clearing of the river bank associated with this proposed new use.

- Operating equipment in a water body will be managed and timed to prevent damage to aquatic life. Describe planned actions and additional permits required for project implementation:
No equipment will be operated in the river

- Water quality will be protected by preventing erosion and run-off of waste or chemical products.
Describe planned actions:
Best management practices will be followed to prevent erosion and run-off of waste or chemical products.

- List other federal and state permits or contracts to be obtained, if a water right permit is granted.
NA

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SECTION 8: PROJECT SCHEDULE

- a) Date construction will begin: within three years after the permit is issued
- b) Date construction will be completed: within five years after the permit is issued
- c) Date beneficial water use will begin: within five years after the permit is issued

SECTION 9: WITHIN A DISTRICT

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district.

Irrigation District Name NA	Address	
City	State	Zip

SECTION 10: REMARKS

Use this space to clarify any information you have provided in the application. (*Attach additional sheets if necessary*).

None

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Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

Please submit the original application and signatures to the Water Resources Department. Applicants are encouraged to keep a copy of the completed application.

- SECTION 1: Applicant Information and Signature
- SECTION 2: Property Ownership
- SECTION 3: Source of Water
- SECTION 4: Sensitive, Threatened or Endangered Fish Species Public Interest Information
- SECTION 5: Water Use
- SECTION 6: Water Management
- SECTION 7: Resource Protection
- SECTION 8: Project Schedule
- SECTION 9: Within a District
- SECTION 10: Remarks

Include the following additional items:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt.
- 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.
- Fees - Amount enclosed: \$ 1,280
See the Department's Fee Schedule at www.oregon.gov/owrd or call (503) 986-0900.
- Map that includes the following items:
 - Permanent quality and drawn in ink
 - Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
 - North Directional Symbol
 - Township, Range, Section, Quarter/Quarter, Tax Lots
 - Reference corner on map
 - Location of each diversion, by reference to a recognized public land survey corner (distances north/south and east/west)
 - Indicate the area of use by Quarter/Quarter and tax lot identified clearly.
 - Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use)

GEK
4/18/2019

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For Department Use: App. Number: 5-88748

Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

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 - Reference corner on map
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Land Use Information Form



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 503-986-0900
 www.oregon.gov/OWRD

Applicant

NAME Jer-Ann LLC c/o Tony Smith			PHONE (HM)		
PHONE (WK)		CELL (503) 710-1401		FAX	
ADDRESS 19101 River Road NE					
CITY Saint Paul		STATE OR	ZIP 97137	E-MAIL*	

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
4S	2W	30		600		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
4S	2W	30		601		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
4S	2W	30		800		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
4S	2W	30		1000		<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR

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List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Marion County

B. Description of Proposed Use

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

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Groundwater Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

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

Estimated quantity of water needed: 142.3
 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

New surface water right permit application to use stored water from Bureau of Reclamation Projects for irrigation of supply water for growing hazelnuts, rye grass, and / or row crops.



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

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For Local Government Use Only

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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 the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCC 17.136.020.
- Land uses to be served by the 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"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <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.

NAME <i>[Signature]</i>		TITLE: <i>Associate Planner</i>	
SIGNATURE <i>Seth Thompson</i>	PHONE: <i>503-588-5038</i>	DATE: <i>04/15/19</i>	
GOVERNMENT ENTITY Marion County Planning Division 5155 Silverton Rd. NE Salem, OR 97305			

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.

Receipt for Request for Land Use Information



Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

5-88768



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Customer Service Department
Phone: 503.219.TRIO (8746)
Fax: 503.790.7872
Email: cs.oregon@firstam.com
Date: 3/21/2019

OWNERSHIP INFORMATION

Owner: Jer-Ann LLC
CoOwner:
Site: , OR 97000
Mail: 19101 River Rd NE St Paul, OR 97137

Parcel #: R12504
Ref Parcel #: 042W30 00600
TRS: 04S / 03W / 25
County: Marion

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 010100 Block: 1022
Neighborhood:
School Dist: 45 St Paul
Impr Type: A90S - AGRICULTURE - NO RESIDENCE
Subdiv/Plat:
Land Use: 551 - Specially assessed farm land, improved, zoned EFU, SA, FT or UTF
Std Land Use: VAGR - Vacant Agriculture/Rural
Zoning: EFU - Exclusive Farm Use
Lat/Lon: 45.197013 / -123.009718
Watershed: Chehalem Creek-Willamette River
Legal: ACRES 321.2, 19-20: DEFERRED ADDITIONAL TAX LIABILITY SB125.18 \$157.66

ASSESSMENT AND TAXATION

Market Land: \$405,230.00
Market Impr: \$25,590.00
Market Total: \$430,820.00 (2018)
% Improved: 6.00%
Assessed Total: \$423,050.00 (2018)
Levy Code: 04500160
Tax: \$5,656.94 (2018)
Millage Rate: 13.3718
Exemption:
Exemption Type:

PROPERTY CHARACTERISTICS

Bedrooms:	Total SqFt:	Year Built: 1999
Baths, Total:	First Floor:	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 321.20 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 13,991,472 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls:
Building Style:	Garage:	Const Type:

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
JER-ANN LLC	5/24/2000	16930147		MI		

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

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DEED

JEROME J. SMITH, hereinafter called the Grantor, conveys to JER-ANN, LLC, an Oregon limited liability company, hereinafter called the Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

This deed is executed and delivered unto Grantee as a contribution to the capital of such company and no monetary consideration has been paid to Grantor.

The real property is situated in the county of Marion, and state of Oregon, and is described as follows, to wit:

Parcel 1. All of Lots 1, 2, 3, 4 and 5, and the Southwest quarter of the Northwest Quarter of Section 25, and all of Lots 7 and 11 of Section 26, and all that part of Lot 6 of said Section 26 lying North of the North line of the Michael Coyle Donation Land Claim No. 65 extended Westerly from the Northwest corner of said Coyle Donation Land Claim.

SAVE AND EXCEPT that portion lying Westerly of the mean high water mark of the East bank of the Willamette River.

ALSO SAVE AND EXCEPT beginning at a 5/8" iron rod which is 3300.00 feet North 89°15' West, 1137.30 feet North 11°30' East and North 89°23'30" West 240.04 feet from the Southeast corner of the Culbert Lambert and Wife Donation Land Claim No. 63 in Township 4 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said iron rod also being North 89°23'30" West 240.04 feet from the Southeast corner of that certain tract of land deeded to Carl Smith and wife recorded in Volume 231, page 82, Marion County Deed Records; thence North 89°23'30" West 240.04 feet to a 3/4" iron pipe; thence North 10°32' East 45.00 feet to a 5/8" iron rod; thence South 78°35'16" East 236.48 feet to the place of beginning.

SUBJECT TO an easement and right of way, including the terms and provisions thereof, granted to Horseshoe Lake District Improvement Company of Marion County, Oregon, a corporation, dated January 20, 1938, recorded January 21, 1938, in Volume 231, page 335, Deed Records for Marion County, Oregon.

ALSO SUBJECT TO an easement and right of way, including the terms and provisions thereof, granted to Horseshoe Lake District Improvement Company of Marion County, Oregon, a corporation, dated January 20, 1938, recorded January 21, 1938, in Volume 231, page 337, Deed Records for Marion County, Oregon.

ALSO SUBJECT TO an easement and right of way, including the terms and provisions thereof, granted to the United States of America, dated May 2, 1950, recorded March 9, 1951, in Volume 425, page 790, Deed Records for Marion County, Oregon.

MAIL TAX STATEMENTS TO:
JER-ANN, LLC
19101 River Road NE
St. Paul, OR 97137

✓ AFTER RECORDING RETURN TO:
Daniel A. Ritter, P.C.
530 Center Street NE, Suite 700
Salem, OR 97301-3740

Page 1 - Deed
Foreclosed LLC Deed

MAY 30 2009

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Parcel 2. Beginning at the Southwest corner of the Culbert Lambert Donation Land Claim in Township 4 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South 89°37' East along the South line of said Donation Land Claim 2535.30 feet to the Northeast corner of the Michael Coyle Donation Land Claim in said Township and Range; thence South 89°24' East along the South line of said Lambert Donation Land Claim 2887.50 feet to the middle of the County Road; thence North 11°30' East along the center line of said road 837.34 feet to the Southeast corner of a tract of land conveyed to Maurice J. Smith and Mae K. Smith, husband and wife, by deed recorded in Volume 468, page 26, Deed Records for Marion County, Oregon; thence North 89°15' West 480.0 feet to the Southwest corner of said tract, thence North 11°30' East 420 feet to the Northwest corner of the Carl J. Smith tract, said corner being on the North line of the 4th parcel of land described in Volume 137, page 50, of Deed records for Marion County, Oregon; thence West along said North line to the West line of the above mentioned Lambert Donation Land Claim; thence South 1237.50 feet, more or less, to the place of beginning.

SAVE AND EXCEPT that certain tract of land described in Volume 91, page 34, of Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT beginning in the middle of the County Road leading from Salem to St. Paul, Oregon, at a point which is 50 chains North 89°15' West and 12.687 chains North 11°30' East from the Southeast corner of the Donation Land Claim of Culbert Lambert and wife and being Claim No. 63 in Township 4 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, and from thence running North 11°30' East 140 feet to a railroad spike in the middle of said road; thence North 89°23'30" West a distance of 225 feet to a one-half inch iron pipe; thence North 10°32' East a distance of 160 feet to a one-half inch iron pipe; thence North 89°23'30" West a distance of 255 feet to a three-quarter inch iron pipe; thence South 10°32' West a distance of 300 feet; thence South 89°23'30" East a distance of 480 feet to the place of beginning.

ALSO SAVE AND EXCEPT beginning at a point in the Market Road No. 36 which is 3300.00 feet North 89°15' West and 1137.30 feet North 11°30' East from the Southeast corner of the Culbert Lambert and wife Donation Land Claim No. 63 in Township 4 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said point also being the Southeast corner of that certain tract of land deeded to Carl Smith and wife recorded in Volume 231, page 82, Marion County Deed Records; thence North 89°23'30" West 240.04 feet to a 5/8" iron rod; thence South 78°35'16" East 236.48 feet to the center of said road; thence North 10°32' East 45.00 feet to the place of beginning.

ALSO SAVE AND EXCEPT a 2.066 acre tract beginning at a point which is 3300.00 feet North 89°15' West and 1257.30 feet North 10°32' East and 780.00 feet North 89°23'30" West and 40.00 feet South 0°36'30" West from the Southeast corner of the Culbert Lambert Donation Land Claim in Township 4 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence South 0°36'30" West 300.00 feet; thence North 89°23'30" West 300.00 feet; thence North 0°36'30" East 300.00 feet; thence South 89°23'30" East 300.00 feet to the point of beginning.

SUBJECT TO rights of the public in streets, roads, and highways.

Page 2 - Deed
Forward-LLC Deed

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APR 15 2019

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ALSO SUBJECT TO right, title and interest of W.E. Dorsey due to the questionable location of the East bank of the Willamette River.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has the right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

The following is the notice as required by Oregon law: "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 foregoing language is included for the purpose of compliance with Oregon statutory requirements only and is not intended to affect the rights and obligations of the parties to this transaction.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS Grantor's hand this 24 day of May, 2000.

Jerome J. Smith
Jerome J. Smith

STATE OF OREGON)
County of Marion) ss.

On this 24 day of May, 2000, personally appeared before me the above named JEROME J. SMITH and acknowledged the foregoing instrument to be his voluntary act and deed.



Cindy Twigg
Notary Public for Oregon
My Commission Expires: 3-3-2003

Page 3 - Deed
Foreclosed LLC Deed

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APR 15 2019

OWRD

MAY 30 2000

REEL:1693

PAGE: 147

May 30, 2000, 03:09 pm.

CONTROL #: 10984

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 36.00

ALAN H DAVIDSON
COUNTY CLERK

THIS IS NOT AN INVOICE.

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APR 15 2019

OWRD

MAY 30 2000

Jerome J. Smith
19101 River Rd. NE
St. Paul, Or. 97137

Anthony J. Smith, Jamie Sewell H&W,
Jerome J. Smith
19101 River Rd. St. Paul Or. 97137

After recording, return to (Name, Address, Zip):
Same as above

Unit requested otherwise, send all fee statements to (Name, Address, Zip):
Anthony J. Smith
19101 River Rd. NE
St. Paul Or. 97137

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,) ss.
County of _____

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said County.

Witness my hand and seal of County affixed.

By _____, Deputy.

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that Jerome J. Smith

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by Anthony J. Smith, Jamie Sewell, Jerome J. Smith

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

2.066 Acre Tract ~~Re Recording Case Book 1364 Page 745 JD~~

Beginning at a point which is 3300.00 feet North 89°15' West and 1257.30 feet North 10°32' East and 780.00 feet North 89°23'30" West and 40.00 feet South 0°36'30" West from the Southeast corner of the Culbert Lambert Donation Land Claim in Township 4 South, Range 3 West of the Willamette Meridian, Marion County, Oregon; thence South 0°36'30" West 300.00 feet; thence North 89°23'30" West 300.00 feet; thence North 0°36'30" East 300.00 feet; thence South 89°23'30" East 300.00 feet to the point of beginning.

FOR MORTGAGE PARTITION PURPOSES ONLY

96275 JAW

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state):

No Exceptions

and that grantor will warrant and forever defend the 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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0. However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the (indicate which) consideration. (If 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 this 3rd day of Jan, 1997; 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 IN LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Jerome J. Smith

STATE OF OREGON, County of Marion) ss.
This instrument was acknowledged before me on January 6, 1997.

by Jerome J. Smith
This instrument was acknowledged before me on _____, 19____.



Haley G. Beech
Notary Public for Oregon
My commission expires Deputy Co. Clerk

RECEIVED
APR 15 2019
OWRD

Jan 06, 1997

REEL:1364

PAGE: 255

January 06, 1997 , 02:22P

CONTROL #: 1364255

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$35.00

ALAN H DAVIDSON
COUNTY CLERK

Jan 06, 1997

RECEIVED

APR 15 2019

OWRD



First American Title™

Customer Service Department
Phone: 503.219.TRIO (8746)
Fax: 503.790.7872
Email: cs.oregon@firstam.com
Date: 3/19/2019

OWNERSHIP INFORMATION

Owner: Smith, Jrt
CoOwner: Smith Jerome J Trustee
Site: 19101 River Rd NE St. Paul, OR 97137
Mail: 19101 River Rd NE St Paul, OR 97137

Parcel #: R12306
Ref Parcel #: 042W30 00800
TRS: 04S / 02W / 30
County: Marion

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 010100 Block: 2053
Neighborhood:
School Dist: 45 St Paul
Impr Type: A94 - AGRICULTURE - Class OF RESIDENCE 4
Subdiv/Plat:
Land Use: 551 - Specially assessed farm land, improved, zoned EFU, SA, FT or UTF
Std Land Use: VAGR - Vacant Agriculture/Rural
Zoning: EFU - Exclusive Farm Use
Lat/Lon: 45.195958 / -122.985620
Watershed: Chehalem Creek-Willamette River
Legal: ACRES 2.28

ASSESSMENT AND TAXATION

Market Land: \$51,790.00
Market Impr: \$328,900.00
Market Total: \$380,690.00 (2018)
% Improved: 86.00%
Assessed Total \$213,550.00 (2018)
Levy Code: 04500160
Tax: \$2,855.55 (2018)
Millage Rate: 13.3718
Exemption:
Exemption Type:

PROPERTY CHARACTERISTICS

Bedrooms: 4
Baths, Total: 2.50
Baths, Full:
Baths, Half:
Total Units: 1
Stories:
Fireplaces:
Cooling:
Heating:
Building Style:
Total SqFt: 2,376 SqFt
First Floor: 1,404 SqFt
Second Floor: 972 SqFt
Basement Fin:
Basement Unfin: 567 SqFt
Basement Total:
Attic Fin:
Attic Unfin:
Attic Total:
Garage: Attached 600 SqFt

Year Built: 1969
Eff Year Built:
Lot Size Ac: 2.28 Acres
Lot Size SF: 99,317 SqFt
Lot Width:
Lot Depth:
Roof Material:
Roof Shape:
Ext Walls:
Const Type:

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
SMITH JRT &	6/17/2004	23350016		BS		
SMITH, JEROME J & ANNETTE	4/12/2004	0002300372			\$98,500.00	ConviUnk

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

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APR 15 2019

OWRD

REEL:2335

PAGE: 16

June 21, 2004, 11:13 am.

CONTROL #: 116563

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$ 31.00

PHIL MILES
CHIEF DEPUTY CO. CLERK

THIS IS NOT AN INVOICE.

JUN 21 2004

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5-88768

Exhibit 'A'

Beginning in the middle of the County Road leading from Salem to St. Paul, Oregon, at a point which is 50 chains North 89°15' West and 12.687 chains North 11°30' East from the Southeast corner of the Donation Land Claim of Culbert Lambert and wife and being Claim No. 63 in Township 4 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, and from thence running North 11°30' East 140 feet to a railroad spike in the middle of said Road; thence North 89°23'30" West a distance of 225 feet to a one-half inch iron pipe; thence North 10°32' East a distance of 160 feet to a one-half inch iron pipe; thence North 89°23'30" West a distance of 255 feet to a three-quarter inch iron pipe; thence South 10°32' West a distance of 300 feet; thence South 89°23'30" East a distance of 480 feet to the place of beginning.

TOGETHER WITH: Beginning at a 5/8 inch iron rod which is 3300.00 feet North 89°15' West, 1137.30 feet North 11°30' East and North 89°23'30" West 240.04 feet from the Southeast corner of the Culbert Lambert and Wife Donation Land Claim No. 63 in Township 4 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said Iron Rod also being North 89°23'30" West 240.04 feet from the Southeast corner of that certain tract of land deeded to Carl Smith and Wife recorded in Volume 231, Page 82, Marion County Deed Records; thence North 89°23'30" West 240.04 feet to a 3/4 inch Iron Pipe; thence North 10°32' East 45.00 feet to a 5/8 inch Iron Rod; thence South 78°35'16" East 236.48 feet to the place of beginning.

SAVE AND EXCEPT: Beginning at a point in the Market Road No. 36 which is 3300.00 feet North 89°15' West and 1137.30 Feet North 11°30' East from the Southeast corner of the Culbert Lambert and Wife Donation Land Claim No. 63 in Township 4 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said point also being the Southeast corner of that certain tract of land deeded to Carl Smith and Wife recorded in Volume 231, Page 82, Marion County Deed Records; thence North 89°23'30" West 240.04 feet to a 5/8 inch Iron Rod; thence South 78°35'16" East 236.48 feet to the center of said road; thence North 10°32' East 45.00 feet to the place of beginning.

JUN 21 2004

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APR 15 2019

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THIS SPACE RESERVED FOR RECORDER'S USE

Jerome J. Smith

Reel Page
2335 16

Grantor's Name and Address
Jerome J. Smith
19101 River Road NE
St. Paul, OR 97137

Grantee's Name and Address

After recording return to:
Jerome J. Smith
19101 River Road NE
St. Paul, OR 97137

Until a change is requested all
tax statements shall be sent to
The following address:
Jerome J. Smith
19101 River Road NE
St. Paul, OR 97137

Escrow No. 91-114735

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That **Jerome J. Smith and Annette Smith**, as tenants by the entirety, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **Jerome J. Smith and Annette Smith, Trustees of the Jerome J. Smith and Annette Smith Joint Revocable Trust**, 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 anyway appertaining, situated in the County of

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

MARION, State of Oregon, described as follows, to wit:

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.

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 **\$0.00**.

However, the actual consideration consists of or includes other property or value given or promised which is the whole / part of the consideration.

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 this 17 day of June, 2004.
if a corporate grantor, 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.

Jerome J. Smith
Jerome J. Smith
Annette Smith
Annette Smith



State of Oregon
County of MARION

This instrument was acknowledged before me on June 17, 2004 by Jerome J. Smith and Annette Smith.

Sandee Bredhears
(Notary Public for Oregon)

My commission expires 4-28-05

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APR 15 2019

OWRD

JUN 21 2004

5-88768



First American Title™

Customer Service Department
Phone: 503.219.TRIO (8746)
Fax: 503.790.7872
Email: cs.oregon@firstam.com
Date: 3/21/2019

OWNERSHIP INFORMATION

Owner: Smith, Jerome J
CoOwner:
Site: , OR 97000
Mail: 19101 River Rd NE St Paul, OR 97137

Parcel #: R12305
Ref Parcel #: 042W30 01000
TRS: 04S / 02W / 30
County: Marion

PROPERTY DESCRIPTION

Map Grid:
Census Tract: 010100 Block: 2053
Neighborhood:
School Dist: 45 St Paul
Impr Type: A90 - AGRICULTURE - GENERAL - DIVERSIFIED
(MORE THAN ONE ACTIVITY), ALL FOREST
LANDS, WASTE OR WOODLOT in
Subdiv/Plat:
Land Use: 551 - Specially assessed farm land, improved, zoned
EFU, SA, FT or UTF
Std Land Use: VAGR - Vacant Agriculture/Rural
Zoning: EFU - Exclusive Farm Use
Lat/Lon: 45.194013 / -122.986051
Watershed: Chehalem Creek-Willamette River
Legal: ACRES 1.99

ASSESSMENT AND TAXATION

Market Land: \$2,820.00
Market Impr: \$0.00
Market Total: \$2,820.00 (2018)
% Improved: 0.00%
Assessed Total: \$2,820.00 (2018)
Levy Code: 04500160
Tax: \$37.72 (2018)
Millage Rate: 13.3718
Exemption:
Exemption Type:

PROPERTY CHARACTERISTICS

Bedrooms:	Total SqFt:	Year Built:
Baths, Total:	First Floor:	Eff Year Built:
Baths, Full:	Second Floor:	Lot Size Ac: 1.99 Acres
Baths, Half:	Basement Fin:	Lot Size SF: 86,684 SqFt
Total Units:	Basement Unfin:	Lot Width:
# Stories:	Basement Total:	Lot Depth:
# Fireplaces:	Attic Fin:	Roof Material:
Cooling:	Attic Unfin:	Roof Shape:
Heating:	Attic Total:	Ext Walls:
Building Style:	Garage:	Const Type:

SALES AND LOAN INFORMATION

Owner	Date	Doc #	Sale Price	Deed Type	Loan Amt	Loan Type
SMITH, JEROME J	7/23/1997	13270273		MI		

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

RECEIVED

APR 15 2019

OWRD

5-88768

DEED

JEROME J. SMITH and ANNETTE SMITH, husband and wife, hereinafter called the Grantor, conveys to JEROME J. SMITH, hereinafter called the Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

The consideration paid for this transfer stated in terms of dollars is NONE.

The real property is situated in the county of Marion, and state of Oregon, and is described as follows, to wit:

Parcel 1. All of Lots 1, 2, 3, 4 and 5, and the Southwest quarter of the Northwest Quarter of Section 25, and all of Lots 7 and 11 of Section 26, and all that part of Lot 6 of said Section 26 lying North of the North line of the Michael Coyle Donation Land Claim No. 65 extended Westerly from the Northwest corner of said Coyle Donation Land Claim.

SAVE AND EXCEPT that portion lying Westerly of the mean high water mark of the East bank of the Willamette River.

ALSO SAVE AND EXCEPT beginning at a 5/8" iron rod which is 3300.00 feet North 89°15' West, 1137.30 feet North 11°30' East and North 89°23'30" West 240.04 feet from the Southeast corner of the Culbert Lambert and Wife Donation Land Claim No. 63 in Township 4 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said iron rod also being North 89°23'30" West 240.04 feet from the Southeast corner of that certain tract of land deeded to Carl Smith and wife recorded in Volume 231, page 82, Marion County Deed Records; thence North 89°23'30" West 240.04 feet to a 3/4" iron pipe; thence North 10°32' East 45.00 feet to a 5/8" iron rod; thence South 78°35'16" East 236.48 feet to the place of beginning.

SUBJECT TO an easement and right of way, including the terms and provisions thereof, granted to Horseshoe Lake District Improvement Company of Marion County, Oregon, a corporation, dated January 20, 1938, recorded January 21, 1938, in Volume 231, page 335, Deed Records for Marion County, Oregon.

ALSO SUBJECT TO an easement and right of way, including the terms and provisions thereof, granted to Horseshoe Lake District Improvement Company of Marion County, Oregon, a corporation, dated January 20, 1938, recorded January 21, 1938, in Volume 231, page 337, Deed Records for Marion County, Oregon.

ALSO SUBJECT TO an easement and right of way, including the terms and provisions thereof, granted to the United States of America, dated May 2, 1950, recorded March 9, 1951, in Volume 425, page 790, Deed Records for Marion County, Oregon.

MAIL TAX STATEMENTS TO:
No change.

AFTER RECORDING RETURN TO:
Daniel A. Ritter, P.C.
530 Center Street NE, Suite 700
Salem, OR 97301-3740

Page 1 - Deed
DP42261.DED

Jul 23, 1996

RECEIVED

APR 15 2019

OWRD

5-88748

Parcel 2. Beginning at the Southwest corner of the Culbert Lambert Donation Land Claim in Township 4 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South 89°37' East along the South line of said Donation Land Claim 2535.30 feet to the Northeast corner of the Michael Coyle Donation Land Claim in said Township and Range; thence South 89°24' East along the South line of said Lambert Donation Land Claim 2887.50 feet to the middle of the County Road; thence North 11°30' East along the center line of said road 837.34 feet to the Southeast corner of a tract of land conveyed to Maurice J. Smith and Mae K. Smith, husband and wife, by deed recorded in Volume 468, page 26, Deed Records for Marion County, Oregon; thence North 89°15' West 480.0 feet to the Southwest corner of said tract, thence North 11°30' East 420 feet to the Northwest corner of the Carl J. Smith tract, said corner being on the North line of the 4th parcel of land described in Volume 137, page 50, of Deed records for Marion County, Oregon; thence West along said North line to the West line of the above mentioned Lambert Donation Land Claim; thence South 1237.50 feet, more or less, to the place of beginning.

SAVE AND EXCEPT that certain tract of land described in Volume 91, page 34, of Deed Records for Marion County, Oregon.

ALSO SAVE AND EXCEPT beginning in the middle of the County Road leading from Salem to St. Paul, Oregon, at a point which is 50 chains North 89°15' West and 12.687 chains North 11°30' East from the Southeast corner of the Donation Land Claim of Culbert Lambert and wife and being Claim No. 63 in Township 4 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, and from thence running North 11°30' East 140 feet to a railroad spike in the middle of said road; thence North 89°23'30" West a distance of 225 feet to a one-half inch iron pipe; thence North 10°32' East a distance of 160 feet to a one-half inch iron pipe; thence North 89°23'30" West a distance of 255 feet to a three-quarter inch iron pipe; thence South 10°32' West a distance of 300 feet; thence South 89°23'30" East a distance of 480 feet to the place of beginning.

ALSO SAVE AND EXCEPT beginning at a point in the Market Road No. 36 which is 3300.00 feet North 89°15' West and 1137.30 feet North 11°30' East from the Southeast corner of the Culbert Lambert and wife Donation Land Claim No. 63 in Township 4 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, said point also being the Southeast corner of that certain tract of land deeded to Carl Smith and wife recorded in Volume 231, page 82, Marion County Deed Records; thence North 89°23'30" West 240.04 feet to a 5/8" iron rod; thence South 78°35'16" East 236.48 feet to the center of said road; thence North 10°32' East 45.00 feet to the place of beginning.

SUBJECT TO rights of the public in streets, roads, and highways.

ALSO SUBJECT TO right, title and interest of W.E. Dorsey due to the questionable location of the East bank of the Willamette River.

Grantor covenants that Grantor is seized of an indefeasible estate in the real property described above in fee simple, that Grantor has the right to convey the property, that the property is free from encumbrances except as specifically set forth herein, and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same by, through, or under Grantor, provided that the foregoing covenants are limited to the extent of coverage available to Grantor under any applicable standard or extended policies of

Page 2 - Deed
174223-1.273

JUL 23, 1996

RECEIVED
APR 15 2019
OWRD

title insurance, it being the intention of the Grantor to preserve any existing title insurance coverage.

The following is the notice as required by Oregon law: "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 foregoing language is included for the purpose of compliance with Oregon statutory requirements only and is not intended to affect the rights and obligations of the parties to this transaction.

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS Grantor's hand this 23 day of July, 1996.

Jerome J. Smith
Jerome J. Smith

Annette Smith
Annette Smith

STATE OF OREGON

County of Marion

} ss.

On this 23 day of July, 1996, personally appeared before me the above named JEROME J. SMITH and ANNETTE SMITH and acknowledged the foregoing instrument to be their voluntary act and deed.



Diana L. Jones
Notary Public for Oregon
My Commission Expires: 6/16/98

JUL 23, 1996

Page 3 - Deed
20-42231-1 DEED

RECEIVED
APR 15 2019
OWRD

REEL:1327

PAGE: 273

July 23, 1996 , 04:16P

CONTROL #: 1327273

State of Oregon
County of Marion

I hereby certify that the attached
instrument was received and duly
recorded by me in Marion County
records:

FEE: \$45.00

ALAN H DAVIDSON
COUNTY CLERK

Jul 23, 1996

RECEIVED

APR 15 2019

OWRD