



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

Applicant(s): Terry Waddell  
First Last  
 Mailing Address: 2531 SE Vineyard Way  
 Milwaukie OR 97267  
City State Zip  
 Phone: \_\_\_\_\_  
Home Work Other

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### PROPERTY BUYER INFORMATION

Applicant(s): Cynthia Smith  
First Last  
 Mailing Address: 2531 SE Vineyard Way  
 Milwaukie OR 97267  
City State Zip  
 Phone: (510) 525-0137  
Home Work Other

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### PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Clackamas Township: 2 South Range: 1 East Section: B  
 Tax Lot Number(s): 1900/200

Street address of water right property: 2531 SE Vineyard Way

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

Application #: 20835 Permit #: 1632 116302 Certificate or Page #: 15792

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

Name of individual completing this form: CYNTHIA ANNE SMITH Phone: (510) 525-0137  
 Signature: Cynthia Anne Smith Date: 7/20/16

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





RECORDING REQUESTED BY:  
**Fidelity National Title**  
Company of Oregon

12809 SE 93rd Avenue  
Clackamas, OR 97015

Clackamas County Official Records  
Sherry Hall, County Clerk

2016-042345

06/28/2016 09:45:27 AM

D-D Cnt=1 Stn=6 KARLYN  
\$15.00 \$16.00 \$10.00 \$22.00

\$63.00

**GRANTOR'S NAME:**  
Terry L. Waddell Revocable Living Trust dated 2/18/2003

**GRANTEE'S NAME:**  
Cynthia A. Smith and Tormod K. Lunde

**AFTER RECORDING RETURN TO:**  
Cynthia A. Smith and Tormod K. Lunde  
c/o Backroads, Inc.  
801 Cedar St.  
Berkeley, CA 94701

**SEND TAX STATEMENTS TO:**  
Cynthia A. Smith and Tormod K. Lunde  
2531 SE Vineyard Way  
Milwaukie, OR 97267

2531 SE Vineyard Way, Milwaukie, OR 97267

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

Terry L. Waddell, Trustee of the Terry L. Waddell Revocable Living Trust dated 2/18/2003, Grantor, conveys and warrants to Cynthia A. Smith and Tormod K. Lunde, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Clackamas, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to: Easements of record

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS EIGHT HUNDRED FORTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$847,000.00). (See ORS 93.030).

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: June 23, 2016

Terry L. Waddell Revocable Living Trust dated 2/18/2003

BY: Terry L. Waddell, Trustee  
Terry L. Waddell, Trustee

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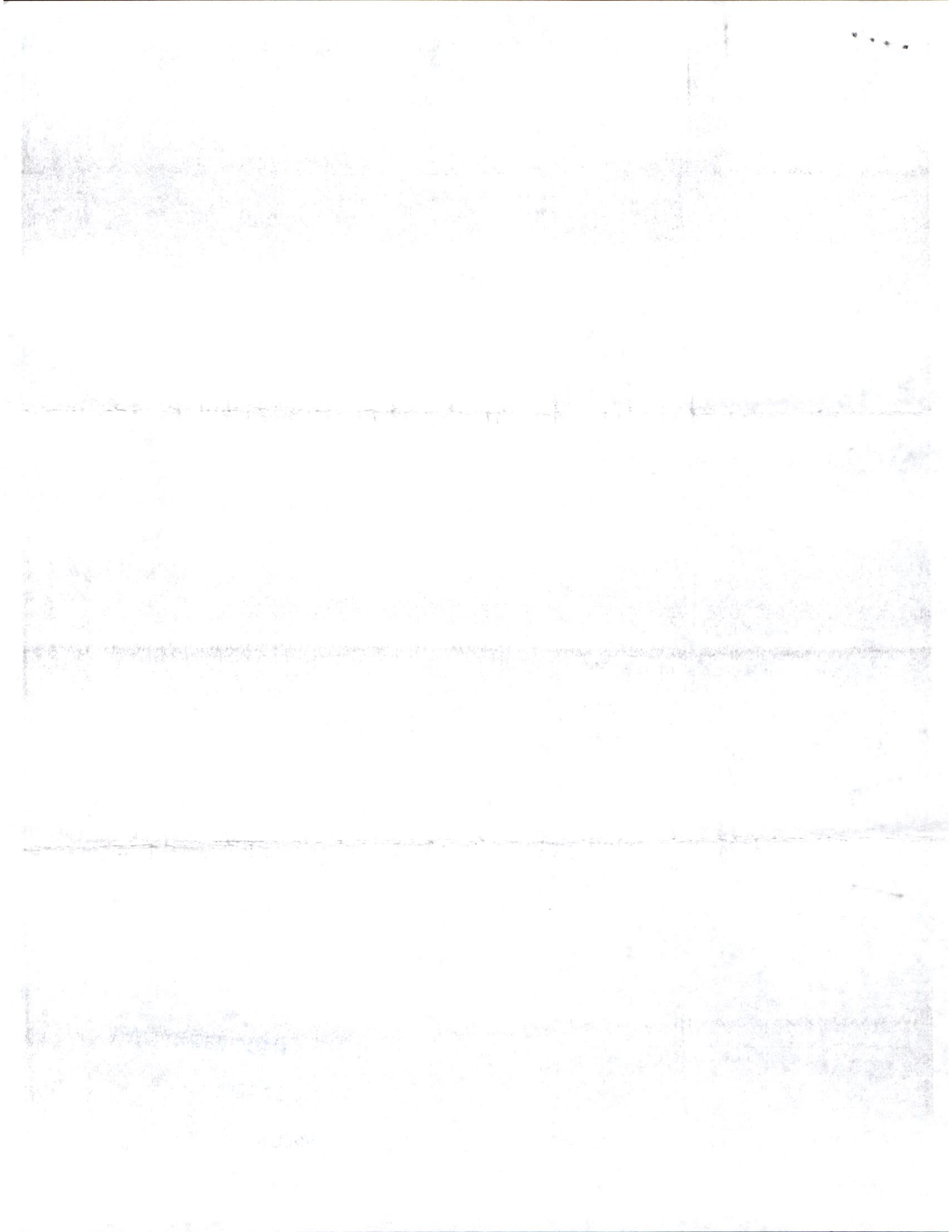
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451416 15382-07

Fidelity National Title of Oregon







STATUTORY WARRANTY DEED

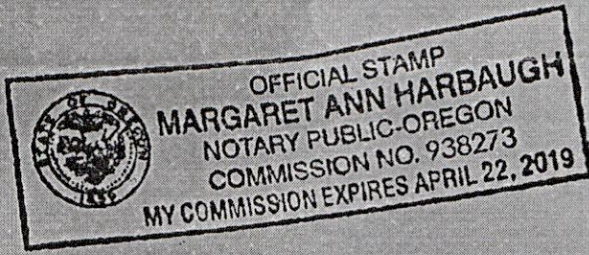
(continued)

County of Oregon  
Clatsamas

Instrument was acknowledged before me on 4/27/16 by Terry L. Waddell as Trustee of the  
T. Waddell Revocable Living Trust dated 2/18/2003.

M Harbaugh  
Notary Public - State of Oregon

Commission Expires: 4/28/19



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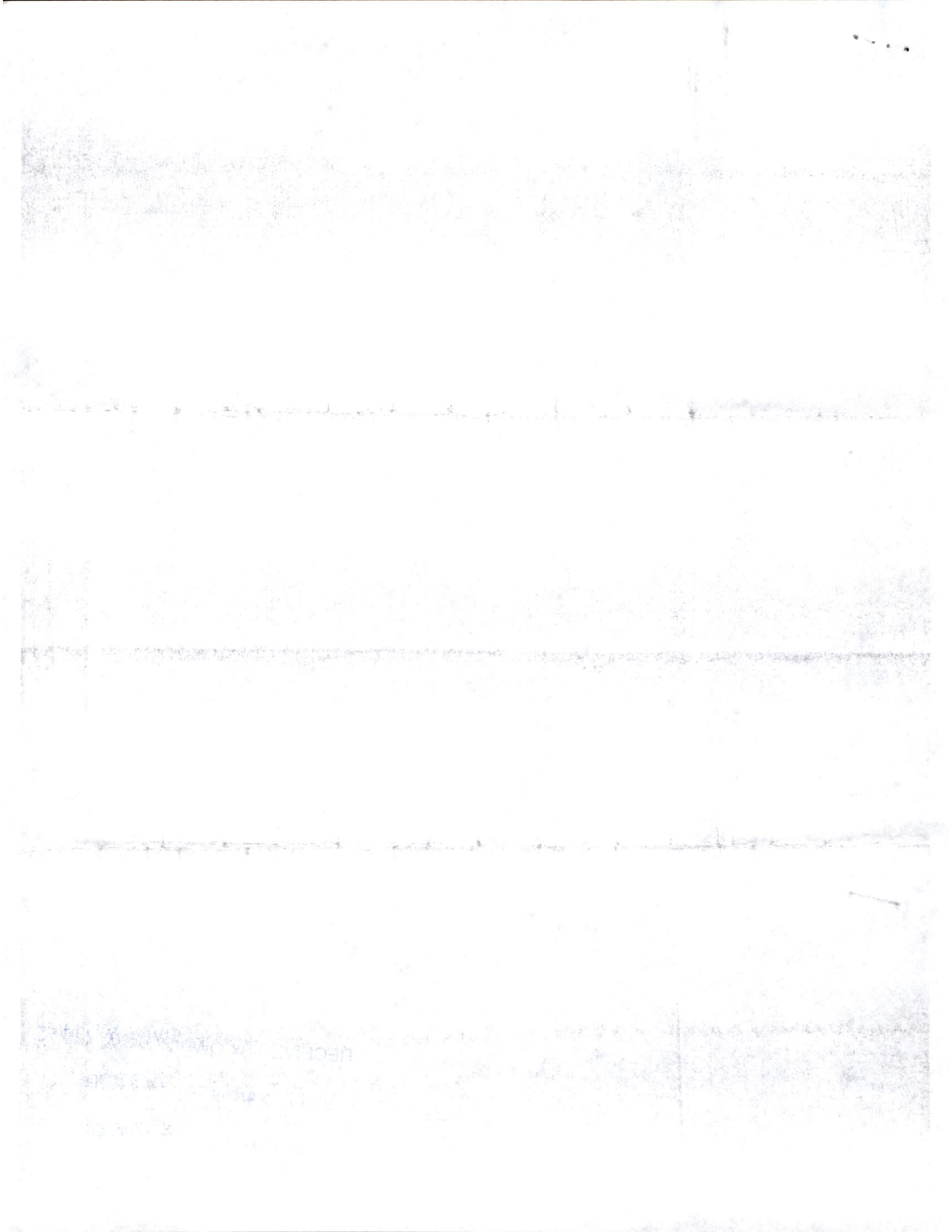




EXHIBIT "A"  
Legal Description

PARCEL I:

Part of the S.W. Walker Donation Land Claim No. 52 in Township 2 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at an iron pipe driven at a point which is North 23°25' West 35.20 feet distant from a point which is South 66°52' West 1810.98 feet distant from a point which is 751.10 feet South and 201.30 feet East of the one-quarter section corner between Sections 12 and 13, Township 2 South, Range 1 East, of the Willamette Meridian; running thence North 23°25' West 30.68 feet to an iron pipe; thence North 52°41' West 56.54 feet to an iron pipe; thence South 66°35' West 313.41 feet to a brass screw leaded in a large rock on the meander line of the right bank of the Willamette River at mean low water stage; thence following the meanders of the right bank of said river upstream at mean low water stage South 29°03' East 66.43 feet to a brass screw leaded in a large rock thence following the meander line of the right bank of said river South 34°51' East 9.10 feet; thence North 66°35' East 108.59 feet to an iron pipe; thence South 72°03' East 28.78 feet to an iron pipe; thence North 81°18' East 23.20 feet to an iron pipe; thence North 66°35' East 160.20 feet to an iron pipe; thence on a curve to the left having a radius of 20.00 feet; through a central angle of 90°00' a distance of 31.42 feet to the place of beginning.

PARCEL II:

An undivided 1/2 interest in the following parcel:

Part of the Stephen H. Walker Donation Land Claim No. 52, in Section 13, Township 2 South, Range 1 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the intersection of the West line of a tract of land conveyed to Clackamas County of road purpose by Deed recorded March 15, 1941 in Book 278, page 269, Deed Records, with the North line of a tract of land conveyed to Rex T. Childs, et ux, by Deed recorded April 9, 1943 in Book 305, page 332, Deed Records; thence Westerly on the North line of the said Childs Tract to the most Northerly Northwest corner thereof; thence South 23°08' East 10 feet to an iron pipe; thence South 66°52' West 45 feet to an iron pipe; thence South 23°08' East 10 feet to an X on a rock; thence South 66°52' West to an iron pipe at the right bank of the Willamette River at mean low water stage; thence North 34°51' East 59.57 feet tracing the meanders of the said Willamette River at mean low water stage to an iron pipe and the most Westerly Southwest corner of a tract of land conveyed to Carl Appelgren, et ux, by Deed recorded March 23, 1939 in Book 256, page 427, Deed Records; thence North 34°51' East 108.59 feet along the South line of said Appelgren Tract to an iron pipe; thence continuing along the South line through the following courses and distances: South 72°03' East 28.78 feet, North 81°18' East 23.20 feet; North 66°35' East 160.20 feet to an iron pipe; thence on a curve to the left having a radius of 20 feet and a central angle of 90°00' a distance of 31.42 feet to an iron pipe and the intersection of the West line of the aforesaid Clackamas County Tract with the East line of said Appelgren Tract; thence South along the West line of the said Clackamas County Tract to the place of beginning.

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Hella -

7/29/16

would appreciate  
a copy of the report that  
this has been used.  
and transferred.

Thank you!

Cynthia A. Smith

2531 ~~North~~ SE Vineyard Way  
Milwaukie, OR 97267

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linberkster@gmail.com