

AFTER RECORDING RETURN TO:
CASCADE TITLE COMPANY
811 WILLAMETTE ST., EUGENE, OR 97401
CTS423-0268 JJ

AFTER RECORDING RETURN TO:

Sahhali South Homeowners Association
840 BELTLINE ROAD, SUITE 202
SPRINGFIELD, OR 97477

Tillamook County, Oregon

07/10/2023 03:54:00 PM

2023-02974

DEED-ESMAT

\$45.00 \$11.00 \$10.00 \$61.00 - Total = \$127.00

I hereby certify that the within instrument was received
for record and recorded in the County of Tillamook,
State of Oregon.

Tassi O'Neil, Tillamook County Clerk

TRAIL EASEMENT

Grantor: Sahhali South, LLC

An Oregon Limited Liability Company

840 Beltline Rd. Ste 202

Springfield, OR 97477

Grantee: Sahhali South Homeowners Association, LLC

An Oregon Limited Liability Company

840 Beltline Rd. Ste 202

Springfield, OR 97477

Return: Sahhali South, LLC

An Oregon Limited Liability Company

840 Beltline Rd. Ste 202

Springfield, OR 97477

Consideration: Ten Dollars and Other valuable consideration

For valuable consideration, receipt of which is hereby acknowledged, Sahhali South, LLC, an Oregon limited liability company, hereinafter referred to as "Grantor" conveys to Sahhali South Homeowners Association, LLC, an Oregon limited liability company, hereinafter referred to as "Grantee", a perpetual nonexclusive easement to use a strip of land which is described in Exhibit A, attached (the "Easement Strip"). The Easement Strip is located on the property described in Exhibit B, (the "Property".)

The terms of this Trail Easement Agreement are as follows:

1. Grantee, its agents, independent contractors, lessees, licensees and invitees shall have the right to nonexclusive use of the Easement Strip and the improvements thereon for pedestrian ingress and egress from and to

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1. Grantee, its agents, independent contractors, lessees, licensees and invitees shall have the right to nonexclusive use of the Easement Strip and the improvements thereon for pedestrian ingress and egress from and to

Pelican Point Drive and the common areas and trail system of Sahhali South as such may exist from time to time.

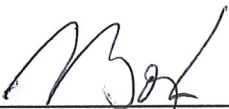
2. Grantee, its agents, independent contractors, lessees, licensees and invitees shall maintain, at Grantee's expense, the improvements located on the Easement Strip, including but not limited to mowing, maintaining and removing vegetation, placing gravel and such work as is reasonably necessary to maintain the Easement Strip as a pedestrian trail, provided that Grantee shall have no obligation to maintain improvements placed on the Easement Strip by an owner of the Property. No herbicide shall be used to maintain the Easement Strip without the prior written consent of the owner of the Property.
3. Grantee, its agents, independent contractors, lessees, licensees and invitees shall have the right to operate equipment on the Easement Strip for the express and limited purpose of efficiently maintaining the Easement Strip.
4. This is a nonexclusive easement. Grantor reserves the right for itself and its successors in interest to utilize the Easement Strip for uses not inconsistent with the rights granted to Grantee. Nothing contained herein shall operate to limit the owner of the Property from installing, operating and maintaining improvements in the Easement Strip, including but not limited to a driveway, provided such improvements shall be made in a way that access through, over and across the Easement Strip is not unreasonably impeded. Property owner and its successors in interest to the Property shall be responsible for the cost of maintaining all improvements constructed by a Property owner on the Easement Strip.
5. Grantee shall defend and indemnify the owner of the Property from any loss, claim or liability to the owner of the Property arising in any manner from or out of Grantee's use of the Easement Strip. Grantee assumes all risk arising out of Grantee's use of the Easement Strip and Grantor shall have no liability to Grantee or those using the Easement Strip through Grantee for any conditions existing on the Easement Strip.
6. Property Owner and Grantee shall cooperate in placing and maintaining signage indicating that the Easement Strip is not intended for use by the general public and shall cooperate to exclude the public from use of the

7. If the parties are unable to agree on the manner in which the Easement Strip should be maintained or used, or are unable to agree on other matters under this Trail Easement, such issue shall be determined by in accordance with the Uniform Arbitration Act as adopted by the State of Oregon, or in such other manner as the parties may agree.
8. The individuals signing below each represent they have the requisite authority to enter into this Trail easement.

IN WITNESS WHEREOF, the parties have entered into this Trail Easement as of the date set forth below.

GRANTOR:

Sahhali South, LLC



By Sycan B Corp.,
Its Manager,

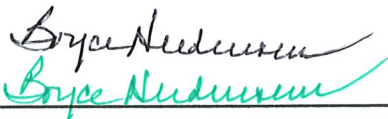
By Richard D. Boyles
President Sycan B Corp.

GRANTEE:

Sahhali South Homeowners Association, LLC



Richard D Boyles
PRESIDENT
~~Board Member~~



Boyce Heidenreich
Board Member

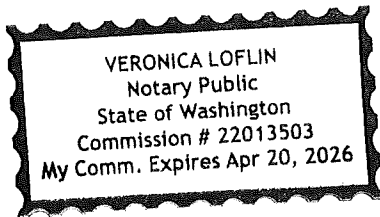


Patti Lundeen
Secretary

STATE OF Washington)
COUNTY OF King) SS

On June 26, 2023, before me, Veronica Loflin, a Notary Public in and for said County and State, personally appeared Boyce Heidenreich, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity/ies, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Veronica Loflin

Notary Public

Acknowledgment in a Representative Capacity

State of OREGON

County of _____ Lane _____

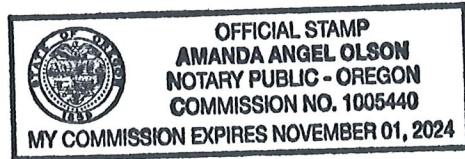
This record was acknowledged before me on June 29, 20 23

by Richard D. Boyles as President of

*SAHHALI

Sahalli South Homeowners Association

Notary Public - State of Oregon



State of OREGON

County of _____ Lane _____

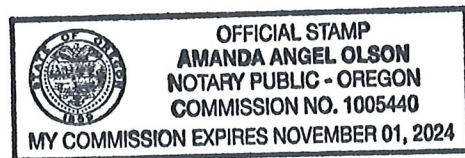
This record was acknowledged before me on June 29, 20 23

by Patti Lundeen as Secretary of

*SAHHALI

Sahalli South Homeowners Association

Notary Public - State of Oregon



This certificate is attached to page 3 of a Trail Easement (title or type of document),

dated June 29, 20 23, consisting of 8 pages, which includes the 2 Certificates. *AA*

Acknowledgment in a Representative Capacity

State of OREGON

County of _____ Lane _____

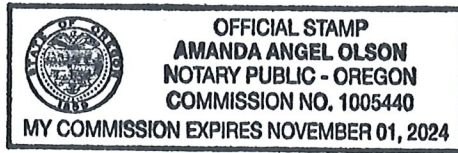
This record was acknowledged before me on June 29, 20 23

by Richard D. Boyles as _____ President _____ of

Sycan B Corp., Grantor . AS MANAGER OF SAHHALI SOUTH, LLC



Notary Public - State of Oregon

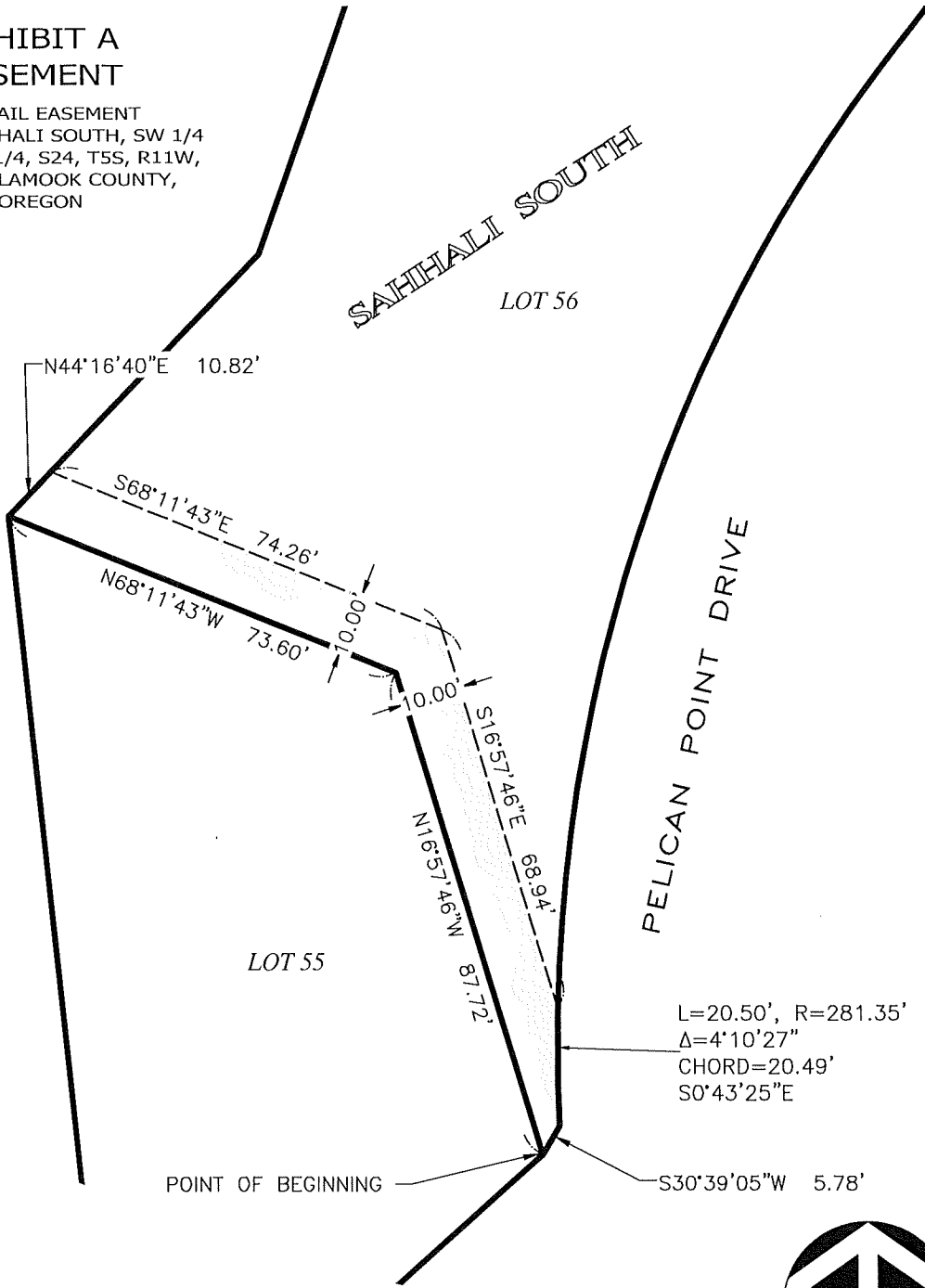


This certificate is attached to page 3 of a Trail Easement (title or type of document),

dated June 29, 20 23, consisting of 8 pages, which includes the 2 certificates. ^{HO}

**EXHIBIT A
EASEMENT**

10' TRAIL EASEMENT
 LOT 56, SAHHALI SOUTH, SW 1/4
 OF THE NE 1/4, S24, T5S, R11W,
 W.M., TILLAMOOK COUNTY,
 OREGON



PELICAN POINT DRIVE

L=20.50', R=281.35'
 $\Delta=4^{\circ}10'27''$
 CHORD=20.49'
 S0°43'25"E

POINT OF BEGINNING S30°39'05"W 5.78'

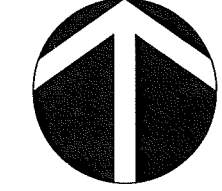
LEGEND:



10' PROPOSED TRAIL EASEMENT
 1548 SF +/-



LOT/PARCEL LINE



1 INCH = 30 FEET



Date: 04/19/2023 4858 SW SCHOLLS FERRY RD. www.sflands.com
 Proj No: 22G43502 STE A, PORTLAND, OR 97225 info@sflands.com
 (503) 345-0328

LEGAL DESCRIPTION**EXHIBIT A
EASEMENT****EASEMENT DESCRIPTION**

A TEN FOOT WIDE STRIP FOR AN EXISTING TRAIL ON THE SOUTH BOUNDARY OF LOT 56, SAHHALI SOUTH, SW 1/4 OF THE NE 1/4, S24, T5S, R11W, W.M., TILLAMOOK COUNTY, OREGON.

BEGINNING AT THE SOUTH CORNER OF LOT 56 WHICH IS A 5/8" REBAR WITH A YELLOW PLASTIC CAP STAMPED "HLB & ASSOC. INC." WHICH IS LOCATED ON THE NORTH RIGHT OF WAY (ROW) OF PELICAN POINT DRIVE, THENCE, NORTH 16°57'46" WEST ALONG THE SOUTH BOUNDARY OF LOT 56 FOR A DISTANCE OF 87.72 FEET TO AN ANGLE POINT OF SAID LOT 56.

THENCE, NORTH 68°11'43" WEST FOR A DISTANCE OF 73.60 FEET ALONG THE SOUTH BOUNDARY OF LOT 56 TO THE SOUTH WEST CORNER OF LOT 56.

THENCE, NORTH 44° 16' 40" EAST FOR A DISTANCE OF 10.82 FEET ALONG THE WEST BOUNDARY OF LOT 56.

THENCE, SOUTH 68° 11' 43" EAST FOR A DISTANCE OF 74.26 FEET.

THENCE, SOUTH 16°57'46" EAST A DISTANCE OF 68.94 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE WHICH IS ON THE WESTERLY ROW OF PELICAN POINT DRIVE,

SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 04°10'27", HAVING A RADIUS OF 281.35 FEET, WITH AN ARC LENGTH OF 20.50 FEET, AND WHOSE LONG CHORD BEARS SOUTH 00°43'25" EAST FOR A DISTANCE OF 20.49 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE.

THENCE SOUTH 30°39'05" WEST A DISTANCE OF 5.78 FEET TO THE POINT OF BEGINNING

CONTAINING 1548 SF +/-

THE BEARINGS CONTAINED IN THIS DESCRIPTION ARE BASED ON THE PLAT OF "SAHHALI SOUTH", TILLAMOOK COUNTY PLAT RECORDS.

EXHIBIT B

PROPERTY

Lot 56 as platted and recorded in the plat of Sahhali South recorded in the Tillamook County, Oregon, Deed records on February 16, 2007, as Document No. 2007-001312.