

After recording return to:
Schneider Homes, Inc.
6510 Southcenter Blvd. #1
Tukwila, WA 98188

LINN COUNTY, OREGON 2007-10070
E-SD
Cnt=1 Stn=1 COUNTER 04/25/2007 09:50:25 AM
\$20.00 \$11.00 \$10.00 \$41.00



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



APR 30 2007

DECLARATION FOR STORM DRAINAGE EASEMENT

This Declaration for Storm Drainage Easement is made by Schneider Homes, Inc., hereinafter referred to as "Declarant."

RECITALS:

WHEREAS, Schneider Homes, Inc. is the owner of Lot 167 through and including Lot 171, Meadows at Oak Creek Phase IV, Subdivision CS24101, Linn County, Oregon; and

WHEREAS, Declarant desires to declare an easement for storm water drainage burdening and benefitting Lot 167 through and including Lot 171 of Meadows at Oak Creek Phase IV, Subdivision CS24101, Linn County, Oregon (the "property").

NOW, THEREFORE, the undersigned declares as follows:

1. Declarant does hereby grant a perpetual non-exclusive permanent easement in, on, over and through the property described in Exhibit A and depicted on Exhibit "A-1" attached hereto and incorporated hereby (the "storm water drainage easement area") for the location, maintenance and use of storm water drainage facilities (the "storm water drainage easement") which easement includes the right to connect to and use any existing storm water drainage facilities.
2. Use Restrictions. No owner of the property shall construct any permanent structure or place any obstacle in the storm water drainage easement area, but may use the same in a manner not inconsistent with the declaration herein made.
3. Maintenance. The owners of Lots 167 through and including Lots 171 shall share equally the cost of repairing and/or maintaining that portion of the storm water drainage easement area. The owners of Lots 167 through and including Lots 171 shall have the right of ingress and egress across, over, and through the storm water drainage easement area at any necessary time for maintenance of the storm water drainage easement. Notwithstanding any other provisions hereof, if an owner of a lot, or any successors or assigns or their respective agents, representatives, invitees, guests, tenants or licensees damage the storm water drainage easement area, or any portion thereof, that owner or owners shall be liable for the full cost and

expense for the repair and restoration of such damage which repair and restoration shall commence within fourteen (14) days of the date of such damage and be completed within thirty (30) days of said damage.

4. The owners of Lots 167 through and including Lots 171 shall continue to pay all taxes and assessments levied against those lots, including the portion thereof burdened by the easement granted herein.

5. The easement granted hereunder shall run with the land as to all property burdened and benefitted by such easement, including a division or partition of such property. The rights, covenants and obligations contained in this declaration shall bind, burden and benefit Lots 167 through and including Lots 171 of Meadows at Oak Creek Phase IV, Subdivision CS24101, Linn County, Oregon, the successors and assigns, lessees and mortgagees (or beneficiaries under a Deed of Trust) of those lots.

IN WITNESS WHEREOF, the undersigned has executed this declaration as of this 18th day of April, 2007.

Schneider Homes, Inc.

By: Harry J. Schneider

STATE OF WASHINGTON)
) ss
County of KING)

This instrument was acknowledged before me on April 18, 2007 by Harry J. Schneider President of Schneider Homes, Inc.



Johanna M. Colman
Notary Public for Washington
My commission expires:

EXHIBIT "A"

STORM DRAINAGE EASEMENT

AN AREA OF LAND SITUATED IN THE MEADOWS AT OAK CREEK PHASE 4, A SUBDIVISION OF RECORD IN LINN COUNTY AND RECORDED AS LINN COUNTY SURVEY 24101, AND IN THE ROBERT E. HARMAN DONATION LAND CLAIM NO. 77 LOCATED IN THE SW 1/4, SECTION 24, TOWNSHIP 11 SOUTH, RANGE 4 WEST, OF THE WILLAMETTE MERIDAN, CITY OF ALBANY, LINN COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, SAID POINT MARKING THE SOUTHWEST CORNER OF LOT 176 OF SAID SUBDIVISION, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF 53RD AVENUE SW; THENCE SOUTH 89°38'12" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, 251.19 FEET TO A POINT, SAID POINT MARKING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE NORTH 00°02'00" EAST, 239.37 FEET TO A POINT; THENCE NORTH 89°58'33" WEST, 107.50 FEET TO A POINT, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF ANTELOPE COURT SW; THENCE NORTH 00°02'00" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, 59.77 FEET TO A POINT; THENCE ALONG THE ARC OF A 10.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS NORTH 45°02'00" EAST, 14.14 FEET) A DISTANCE OF 15.71 FEET TO A POINT, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY OF ANTELOPE CIRCLE SW; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE SOUTH 00°02'00" WEST, 63.77 FEET TO A POINT, THENCE SOUTH 89°58'33" EAST, 102.50 FEET TO A POINT; THENCE SOUTH 00°02'00" WEST, 245.40 FEET TO A POINT, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF 53RD AVENUE SW; THENCE NORTH 89°38'12" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 5.00 FEET TO THE POINT OF BEGINNING.



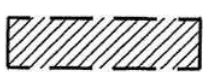
THE ABOVE-DESCRIBED AREA CONTAINS 2,488 SQUARE FEET, MORE OR LESS.

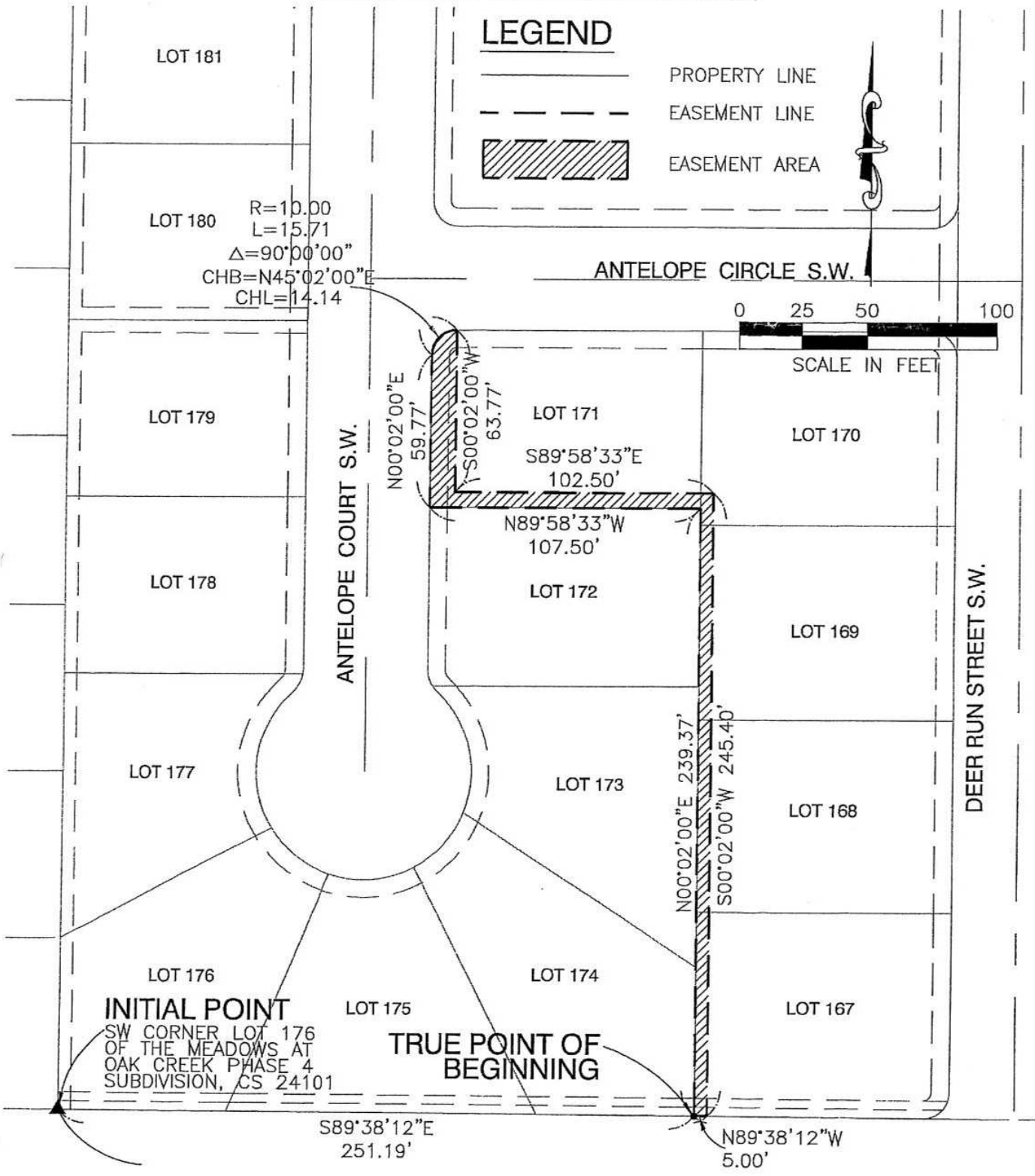
THE BASIS OF BEARING IS LINN COUNTY SURVEY RECORD 24101.

EXHIBIT "A-1"

SKETCH OF STORM DRAINAGE EASEMENT

LEGEND

-  PROPERTY LINE
-  EASEMENT LINE
-  EASEMENT AREA



INITIAL POINT
SW CORNER LOT 176
OF THE MEADOWS AT
OAK CREEK PHASE 4
SUBDIVISION, CS 24101

TRUE POINT OF BEGINNING

BASIS OF BEARINGS
 $S89^{\circ}38'12''E$ 504.05'
53RD AVENUE S.W. (60' ROW) COUNTY ROAD 135

AFTER RECORDING, RETURN TO,
Schneider Homes, Inc.
6510 Southcenter Blvd. #1
Tukwila, WA 98188

DEC 8 2006

LINN COUNTY, OREGON 2006-26192
E-SD
Cnt=1 Stn=1 COUNTER 10/26/2006 01:42:50 PM
\$10.00 \$11.00 \$10.00 \$31.00



I, Steve Druckenmiller, County Clerk for Linn
County, Oregon, certify that the instrument
identified herein was recorded in the Clerk
records.

Steve Druckenmiller - County Clerk



DECLARATION FOR STORM DRAINAGE EASEMENT

This Declaration for Storm Drainage Easement is made by Schneider Homes, Inc., hereinafter referred to as "Declarant."

RECITALS:

WHEREAS, Schneider Homes, Inc. is the owner of Lot 176 through and including Lot 185, Meadows at Oak Creek Phase IV, Subdivision CS24101, Linn County, Oregon; and

WHEREAS, Declarant desires to declare an easement for storm water drainage burdening and benefitting Lot 176 through and including Lot 185 of Meadows at Oak Creek Phase IV, Subdivision CS24101, Linn County, Oregon (the "property").

NOW, THEREFORE, the undersigned declares as follows:

1. Declarant does hereby grant a perpetual non-exclusive permanent easement in, on, over and through the property described in Exhibit A and depicted on Exhibit "A-1" attached hereto and incorporated hereby (the "storm water drainage easement area") for the location, maintenance and use of storm water drainage facilities (the "storm water drainage easement") which easement includes the right to connect to and use any existing storm water drainage facilities.
2. Use Restrictions. No owner of the property shall construct any permanent structure or place any obstacle in the storm water drainage easement area, but may use the same in a manner not inconsistent with the declaration herein made.
3. Maintenance. The owners of Lots 180 through and including Lots 185 shall share equally the cost of repairing and/or maintaining that portion of the storm water drainage easement area which benefits Lots 180 through and including Lots 185. Lots 176 through and including Lots 179 shall share equally the cost of repairing or maintaining the storm water drainage easement area which is adjacent to Lots 176 through and including Lots 179. All of Lots 176 through and including Lots 185 shall share equally the cost to repair and/or maintain that portion of the storm water drainage easement area which exists between Lots 179 and Lot 180 as depicted on Exhibit "A-1" to and including the connection of the storm water drainage easement to the public storm water drainage facilities located in Antelope Court Southwest depicted on Exhibit "A-1." The owners of the property shall have the right of ingress and egress

across, over, and through the property at any necessary time for maintenance of the storm water drainage easement. Notwithstanding any other provisions hereof, if an owner of the property, or any successors or assigns or their respective agents, representatives, invitees, guests, tenants or licensees damage the storm water drainage easement area, or any portion thereof, that owner or owners shall be liable for the full cost and expense for the repair and restoration of such damage which repair and restoration shall commence within fourteen (14) days of the date of such damage and be completed within thirty (30) days of said damage.

4. The owners of Lots 176 through and including Lots 185 shall continue to pay all taxes and assessments levied against those lots, including the portion thereof burdened by the easement granted herein.

5. The easement granted hereunder shall run with the land as to all property burdened and benefitted by such easement, including a division or partition of such property. The rights, covenants and obligations contained in this declaration shall bind, burden and benefit Lots 176 through and including Lots 185 of Meadows at Oak Creek Phase IV, Subdivision CS24101, Linn County, Oregon, the successors and assigns, lessees and mortgagees (or beneficiaries under a Deed of Trust) of those lots.

IN WITNESS WHEREOF, the undersigned has executed this declaration as of this 18th day of October, 2006.

Schneider Homes, Inc.

By: Harry J. Schneider
President

STATE OF WASHINGTON)
) ss
County of KING)

This instrument was acknowledged before me on October 18, 2006 by Harry J. Schneider as President of Schneider Homes, Inc.

Johanna M. Colman
Notary Public for Washington
My commission expires: 8/15/2009

