

COUNTY ROAD # 431
OLDSVILLE ROAD
~~40'~~ 60' WIDE

T5S, R5W, W. M.,

CRS # 34

A. S. Watt
12/19/1859

Alteration
Book 1, Page 62

State Highway map calls the right of way 60'

Fv. ~~W1.~~ 136- Pg. 1387-1393

Sumner

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Accepting a Deed)
for Additional Right-of-way along)
County Road #431 from Antler Ranches,)
Inc., etal.)

ORDER NO. 79-25

THE BOARD OF COMMISSIONERS of Yamhill County, Oregon, (the Board) on the 24th day of January, 1979, sat for the transaction of County business, in regular session, Commissioners Colin Armstrong and John P. Macaulay being present.

IT APPEARING TO THE BOARD that Antler Ranches, Inc., an Oregon corporation, Michael L. Buseman and Barbara E. Buseman, husband and wife, William G. Grau and Ada H. Grau, husband and wife, and Louis W. Grau have presented a deed granting right-of-way along County Road #431, and

IT FURTHER APPEARING TO THE BOARD that this matter has been submitted to and approved by the Yamhill County Legal Counsel, Engineer and Surveyor, and

IT FURTHER APPEARING TO THE BOARD AND THE BOARD SO FINDS that it would be in the best interest of the people of Yamhill County to accept the said portion of road described hereinafter as a County road and part of the County Road system, NOW THEREFORE,

IT IS HEREBY ORDERED BY THE BOARD that the said deed from Antler Ranches, Inc., an Oregon corporation, Michael L Buseman and Barbara E. Buseman, husband and wife, William G. Grau and Ada H. Grau, husband and wife, and Louis W. Grau dedicating additional right-of way recorded in Film Volume 36, Page ¹³⁸⁷ 393, Deed and Mortgage records of Yamhill County, Oregon, which by this reference is made a part hereof as if fully set forth herein, be and hereby is accepted by Yamhill County as a County road and made a part of the Yamhill County Road system to be maintained by Yamhill County and known hereafter as a part of County Road #431.

DONE this 24th day of January, 1979, at McMinnville, Oregon.

ATTEST:

WANDA CATT
County Clerk

Patricia A. Mullen
Patricia A. Mullen
Deputy

APPROVED AS TO FORM.

By: *Daryl S. Garretson*
Daryl S. Garretson, Assistant Legal Counsel

YAMHILL COUNTY BOARD OF COMMISSIONERS

Colin Armstrong
Chairman
Colin Armstrong

Commissioner
Ted Lopuszynski

John P. Macaulay
Commissioner
John P. Macaulay

Vol. 136-pg 1387- to 1393

Co. Rd # 431 -

township - 5 S.

R6-W-

1-31-79

Oldemill Rd.

ROADWAY DEED

KNOW ALL MEN BY THESE PRESENTS, that ANTLER RANCHES, INC., an Oregon corporation, MICHAEL L. BUSEMAN and BARBARA E. BUSEMAN, husband and wife, WILLIAM G. GRAU and ADA H. GRAU, husband and wife, and LOUIS W. GRAU (hereinafter called "Grantors"), hereby dedicate, grant, and convey unto Yamhill County, a political subdivision of the State of Oregon (hereinafter called "Grantee"), for public roadway purposes, that certain tract of real property situated in Yamhill County, State of Oregon, and more particularly described in Exhibit A attached hereto and by this reference made a part hereof.

SUBJECT to all prior encumbrances, mortgages, or other interests appearing herein and in Exhibit B attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the above-described, dedicated and granted premises, unto Yamhill County forever.

AND WHEREAS the Yamhill County Department of Planning and Development received an application for a minor partition (Docket No. P-804-78) submitted by Antler Ranches, Inc., and whereas the Grantors herein each hold an interest in the above-mentioned property, subject to certain prior encumbrances, to wit:

That Harry L. Bonome and Dolores M. Bonome, husband and wife, are seized in fee simple of the above-granted premises, subject to a mortgage to Ralph W. Macy and Ruby N. Macy, husband and wife, recorded June 13, 1972 in Yamhill County Mortgage and

Accepted by Yamhill County
Board of Commissioners on
1-24-79 by Board Order

79-25



Chairman

HITCHCOCK & PINKSTAFF
P. O. BOX 57
419 EAST 65TH STREET
McMINNVILLE, OREGON 97128
PHONE (503) 472-9318

Deed Records at Film Vol. 89, Page 1858, and that Mr. and Mrs. Bonome have sold by unrecorded contract dated July 31, 1974, to Arvine Porter, who has transferred his interest in said contract to Antler Ranches, Inc., grantor herein, by contract recorded September 2, 1976, in Film Vol. 114, Page 1054, and by instrument recorded November 4, 1977, in Film Vol. 124, Page 1098 of the Yamhill County Mortgage and Deed Records, and that Antler Ranches, Inc., Grantor herein, has conveyed its interest in said real property unto Michael L. Buseman and Barbara E. Buseman, husband and wife, Grantors herein, by contract, a memorandum of which was recorded February 1, 1978, in Film Vol. 126, Page 1062, and that Michael L. Buseman and Barbara E. Buseman have assigned a portion of their interest in said contract to William G. Grau and Ada H. Grau, husband and wife, and Louis W. Grau, Grantors herein, by instrument recorded June 6, 1978, at Film Vol. 129, Page 1735, and whereas Yamhill County, Grantee, has agreed to grant approval of the aforementioned minor partition in consideration for the execution of this Roadway Deed by Grantors, on the condition that Grantors agree to convey any after-acquired title in said property to Grantee herein.

NOW, THEREFORE, Grantors mutually agree that in consideration of the approval of said minor partition, in the event that this deed does not convey after-acquired title, Grantors hereby agree to promptly execute a new roadway dedication deed upon acquiring title.

The true and actual consideration paid for this transfer, stated in terms of dollars, is NONE.

IN WITNESS WHEREOF, the parties have hereunto caused this Roadway Deed to be executed the day and year indicated hereinbelow.

GRANTOR:

ANTLER RANCHES, INC.

By Douglas B. Porter (Pres)

STATE OF OREGON)
County of MULTNOMAH) ss.

The foregoing instrument was acknowledged before me this 28 day of December, 1978 by Douglas B. Porter, the President of ANTLER RANCHES, INC., an Oregon corporation, on behalf of the corporation.

[Signature]
Notary Public for Oregon
My commission expires: 6-1-80

GRANTORS:

[Signature]
Michael L. Buseman

[Signature]
Barbara E. Buseman

STATE OF OREGON)
County of Yamhill) ss.

On this 3rd day of January, 1979, personally appeared the above-named Michael I. Buseman and Barbara E. Buseman, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

[Signature]
Notary Public for Oregon
My commission expires: 5-11-82

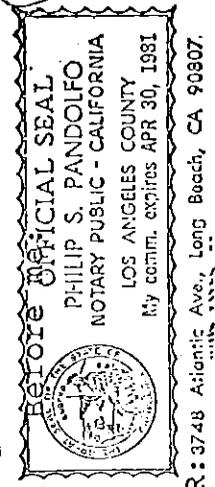
GRANTORS:

William G. Grau
William G. Grau

Ada H. Grau
Ada H. Grau

STATE OF Calif.)
County of San Diego) ss.

On this 10 day of January, 1979, personally appeared the above-named William G. Grau and Ada H. Grau, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.



Philip S. Pandolfo
Notary Public for
My commission expires:
Philip S. Pandolfo
Louis W. Grau
Louis W. Grau

GRANTOR: 3748 Atlantic Ave., Long Beach, CA 90807.

STATE OF OREGON)
County of Yamhill) ss.

On this 20 day of January, 1979, personally appeared the above-named Louis W. Grau and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:
John E. Delfino
Notary Public for Oregon
My commission expires: 5-14-82

GRANTEE:

Dave Bishop
Dave Bishop
Planning Director
Yamhill Department of
Planning and Development

STATE OF OREGON)
County of Yamhill) ss.

The foregoing instrument was acknowledged before me this 25th day of January, 1979, by Greg Wolf, Assistant Planning Director for Yamhill Department of Planning and Development, an agency of the County of Yamhill, on behalf of Yamhill County.

Before me:
Catherine Mullen
Notary Public for Oregon
My commission expires: 2-26-82

HITCHCOCK & PINKSTAFF
P.O. BOX 57
419 EAST 6th STREET
McMINNVILLE, OREGON 97128
PHONE (503) 472-9318

Description for County Road No. 431
Dedication Deed

A tract of land, 30 feet in width, lying adjacent to and adjoining the Westerly side of the centerline of County Road No. 431, said tract of land being a portion of the Ralph W. Macy tract as described in deed recorded October 5, 1951 in Book 163, Page 224 of the Yamhill County Deed Records, and being more particularly described as follows, to-wit:

Commencing at the Northwest corner of the Donation Land Claim of John Boyd and wife, Notification No. 2417, Claim No. 58, in Township 5 South, Range 5 West of the Willamette Meridian in Yamhill County, Oregon; thence South 0° 33' 30" West along the West line of said Macy tract 3253.76 feet, more or less, to the Southwest corner thereof; thence South 89° 52' East along the South line of said Macy tract 1891.30 feet, more or less, to the Southeast corner thereof, said Southeast corner also being in the center of County Road No. 431 and the TRUE POINT OF BEGINNING of the tract being described herein; thence North 21° 22' East along the East line of said Macy tract and the center of County Road No. 431, a distance of 2329.46 feet; thence continuing North 21° 22' East along the East line of said Macy tract, a distance of 78.38 feet; thence North 0° 02' West, a distance of 47.64 feet to an iron pipe; thence along the arc of a 602.96 foot radius curve (the long chord of which bears South 27° 14' 20" West 123.38 feet) a distance of 123.59 feet to an iron pipe; thence South 21° 22' West on a line which is parallel to and 30 feet from the centerline of County Road No. 431, a distance of 2341.11 feet to an iron pipe; thence South 89° 52' East, a distance of 32.18 feet to the Point of Beginning.

Subject to the rights of the public in and to that portion of the above described property currently lying within the limits of County Road No. 431.

EXHIBIT A

Part I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records; unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose.

PART II: Liens, encumbrances, defects and other matters affecting title to said land or to which said title is subject, as hereinafter set forth:

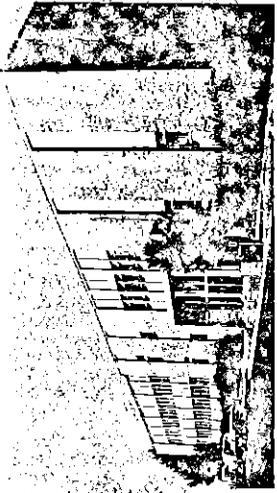
1. The rights of the public in and to that portion of the above property lying within the limits of all streets, roads and highways.
2. Mortgage, including the terms and provisions thereof, with interest thereon and such future advances as may be provided therein, given to secure the payment of \$89,000.00
Dated : June 9, 1972 Film Volume: 89 Page: 1858
Recorded : June 13, 1972
Mortgagor : Harry L. Bonome and Dolores M. Bonome, husband & wife
Mortgagee : Ralph W. Macy and Ruby N. Macy, husband & wife
3. Unrecorded Contract, including the terms and provisions thereof, and such other exceptions as may appear necessary upon the recording thereof,
Dated : July 31, 1974
Vendor : Harry L. Bonome and Dolores M. Bonome, husband & wife
Vendee : Arvine Porter
4. As disclosed by Contract recorded September 2, 1976 in Film Volume 114, Page 1054.
5. The vendee's interest in said contract was assigned by instrument
Dated : October 18, 1977
Recorded : November 4, 1977 Film Volume: 124 Page: 1098
To : Antler Ranches, Inc., an Oregon Corporation
6. Contract, including the terms and provisions thereof,
Dated : March 1975
Recorded : September 2, 1976 Film Volume: 114 Page: 1054
Vendor : Arvine Porter
Vendee : Antler Ranches, Inc. an Oregon Corporation
(Affects Additional Property)

EXHIBIT B

7. Agreement, including the terms and provision thereof, dated September 1, 1976, recorded September 2, 1976 in Volume 114, Page 1057, wherein Antler Ranches, Inc., an Oregon Corporation, agrees to assign a contract dated July 31, 1975, between Harry L. Bonome and Delores M. Bonome, husband & wife, as sellers and Arvine Porter, as buyer.
8. (Said Assignment is not of record in Yamhill County, but said agreement infers that the assignment is to Gordon R. Andrus and Agatha J. Andrus for security for the transfer to Andrus of property in Lincoln County, Oregon.)

EXHIBIT B

YAMHILL COUNTY Oregon



ACTING ROADMASTER
Lloyd May

May 31, 1978

Memo to File

re: County Road #431

Research as of this date indicates this County Road to be ⁶⁰~~40~~' in width. A check with the State Highway Department disclosed no reference to additional Right of Way acquisitions by either Yamhill County or their Department subsequent to the creation of this road as a ~~40~~' Right of Way. No encumbrances are apparent on deeds of adjoining property owners for additional Right of Way.


Dan Linscheid
Engineer Tech. II

DL/ew

2000000000

Courthouse

McMinnville, Oregon 97128

Telephone 472-9371