Lincoln County, Oregon
04/08/2015 03:53:55 PM **2015-03200**
DOC-QCD DOC-RL/E Cnt=2 Pgs=3 Stn=29
$15.00 $5.00 $11.00 $20.00 $10.00 $7.00 - Total =$68.00

00102614201500032000030032

I, Dana W. Jenkins, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.

Dana W. Jenkins, Lincoln County Clerk

GRANTOR:
City of Newport
169 SW Coast Highway
Newport, OR 97365

GRANTEE:
South Beach Inn-vestments, LLC
Attn: Hospitality Association, Inc.
45 SE 32nd Street
Newport, Oregon 97365

AFTER RECORDING RETURN TO:
City Recorder
City of Newport
169 SW Coast Highway
Newport, OR 97365

NO CHANGE IN TAX STATEMENTS

STATUTORY QUITCLAIM DEED AND RELEASE OF TEMPORARY CONSTRUCTION EASEMENT

RECITALS:

A. The purpose of this conveyance is to release and relinquish all of the right, title, and interest of the City of Newport, a municipal corporation of the State of Oregon (City), in a Temporary Construction Easement, which arose from a grant from South Beach Inn-vestments, LLC, dated June 6, 2006, and recorded on September 25, 2006, in Document #200614543 of the Lincoln County Records (Temporary Construction Easement).

B. The Temporary Construction Easement crosses real property owned by South Beach Inn-vestments, LLC (Subject Parcel), described as:

Beginning at the intersection of the easterly right-of-way line of U.S. Highway 101 an the North line of Lot 3, Block H, HARBORTON, a subdivision of record in the Northwest quarter of the Southeast quarter of Section 17, Township 11 South, Range 11 West of the Willamette Meridian, in Lincoln County, Oregon; thence South 87°12'00" East along said North line of said Lot 3, a distance of 346.47 feet; thence South 00°20'01" East, a distance of 185.70 feet, to the Northwest corner of a tract of land conveyed to Arlo Development Co., an Oregon Corporation, by deed, recorded March 11, 1996, in Book 314, page 1194, Microfilm Records for Lincoln County, Oregon; thence continuing South 00°20'01" East along the

westerly boundary of said Arlo Development Co. Tract, a distance of 108.81 feet, to the northeasterly corner of a 5 foot wide strip of land conveyed to the City of Newport, Oregon, by deed, recorded May 10, 1990, in Book 216, page 1941, Microfilm Records for Lincoln County, Oregon; thence North 87°16'19" West along the northerly line of said City of Newport, Oregon Tract, a distance of 274.77 feet to the Southeast corner of that tract of land conveyed to J.C. Minor and Mary C. Minor, husband and wife, by deed, recorded July 3, 1980, in book 114, page 1072, Microfilm Records for Lincoln County, Oregon; thence North along the East line of said Minor Tract a distance of 15.00 feet, to the Northeast corner of said Minor Tract; thence West along the North line of said Minor Tract, a distance of 32.04 feet, to said easterly right-of-way line of U.S. Highway 101; thence along said easterly right-of-way line of U.S. Highway 101, along the arc of a 2735.74 foot radius curve to the left (the long chord of which bears North 08°17'06" West, a distance of 286.34 feet), a distance of 286.47 feet, to the point of beginning.

C. The Temporary Construction Easement granted City an easement and right-of-way to construct, inspect, repair, service, and maintain a public sidewalk.

D. City has determined that the Temporary Construction Easement is no longer needed for public use and therefore can be terminated and is specifically described as:

The southerly 5.00 feet of the easterly 5.00 feet of the Subject Parcel.

E. City has determined that termination to South Beach Inn-vestments, LLC of the Quitclaim Portion is not contrary to the public's interest.

QUITCLAIM AND RELEASE:

1. For the above reasons, City, Grantor, hereby releases and quitclaims to South Beach Inn-vestments, LLC, Grantee, all rights, title and interest in the Quitclaim Portion described above.

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 ACQURING 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 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.

The true and actual consideration for this easement is other than a monetary payment.

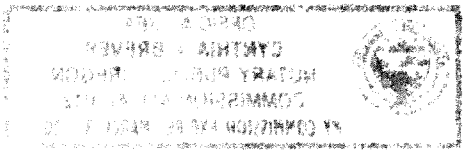
DATED this 7th day of April, 2015.

CITY OF NEWPORT

Spencer Nebel, City Manager

STATE OF OREGON)
) ss
County of Lincoln)

Personally appeared before me this 7TH day of April, 2015, by the above named Spencer Nebel, City Manager of the City of Newport.

OFFICIAL SEAL
CYNTHIA A BREVES
NOTARY PUBLIC - OREGON
COMMISSION NO. 477012
MY COMMISSION EXPIRES MARCH 31, 2017

Notary Public for Oregon