



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:

Central Lincoln People's Utility District
2129 N Coast Highway
Newport, OR 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 CONSERVATION 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 Conservation Easement described in Section 2 of the Declaration of Covenants, which arose from a grant from Gary and Vicki Gallagher, dated September 21, 1998, initially recorded on September 25, 1998 and re-recorded on June 18, 1999, in Book 383, Page 1867, Deed Records for Lincoln County, Oregon (Conservation Easement).
- B. The Conservation Easement crosses real property owned by Central Lincoln People's Utility District, an Oregon Domestic Nonprofit Corporation (Subject Parcel), described as:

Lots 1 through 11, Northgate Industrial Park and that part of Lot 3 in Section 20, Township 10 South, Range 11 West, Willamette Meridian, in Lincoln County, Oregon, lying South of the South line of the Siletz Indian Reservation, described as follows:

Beginning at a point at the intersection of the South line of Government Lot 3 (being South of the South line of the Siletz Indian Reservation) in Section 20, Township 10 South, Range 11 West, Willamette Meridian, in Lincoln County, Oregon, and the East right-of-way line of the relocated Oregon Coast Highway No. 101; thence North 7°57' East 22.9 feet along

said highway East line to the true point of beginning; thence North 7°57' East 100 feet along said right-of-way; thence South 81°48' East 100 feet; thence South 7°57' West 100 feet; and thence North 81°48' West 100 feet to the true point of beginning.

- C. The Conservation Easement granted City requires the property subject to the easement be maintained in a natural, undisturbed condition.
- D. City has determined that the Conservation Easement is no longer needed for public use and therefore can be terminated because it is being rededicated by separate instrument in a configuration that better meets the needs of the property owner and clarifies the terms of the easement in a manner that benefits both parties. Said easement is specifically described as:

An easement 50-feet in even width along the east side of the west line of Lots 1 through 11, Northgate Industrial Park, wherever said west line abuts US Highway 101 and an easement 25 feet in width extending onto Lots 5 and 7, Northgate Industrial Park along the northeast, east, and southeast sides of the following real property:

Beginning at a point at the intersection of the South line of Government Lot 3 (being South of the South line of the Siletz Indian Reservation) in Section 20, Township 10 South, Range 11 West, Willamette Meridian, in Lincoln County, Oregon, and the East right-of-way line of the relocated Oregon Coast Highway No. 101; thence North 7°57' East 22.9 feet along said highway East line to the true point of beginning; thence North 7°57' East 100 feet along said right-of-way; thence South 81°48' East 100 feet; thence South 7°57' West 100 feet; and thence North 81°48' West 100 feet to the true point of beginning.

- E. City has determined that termination to Central Lincoln People's Utility District 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 Central Lincoln People's Utility District, 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 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 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 10 day of June, 2016.

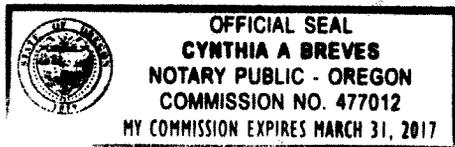
CITY OF NEWPORT

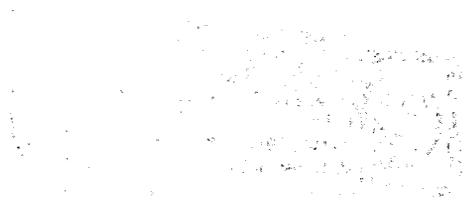
Spencer Nebel
Spencer Nebel, City Manager

STATE OF OREGON)
) ss
County of Lincoln)

Personally appeared before me this 10 day of June, 2016, by the above named Spencer Nebel, City Manager of the City of Newport.

Cynthia A Breves
Notary Public for Oregon





NOTARY PUBLIC
CYNTHIA A. BROWN
STATE OF CALIFORNIA
COMMISSION EXPIRES 01/01/2011

**ACCEPTANCE OF QUITCLAIM AND RELEASE
OF CONSERVATION EASEMENT**

_____ does hereby accept the above described Quitclaim Deed and Release of Conservation Easement this ____ day of _____, 2016.

CENTRAL LINCOLN PEOPLE'S
UTILITY DISTRICT

Debra J. Smith

Printed Name: Debra J. Smith

Title: General Manager

STATE OF OREGON)
) ss
County of Lincoln)

This instrument was acknowledged before me on the 10th day of June, 2016 by Deborah Smith as General Manager for the Central Lincoln People's Utility District.

Amanda Marie Downey
Notary Public for Oregon

