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ROAD EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that LA CASA MIA HOME OWNERS, INC., an Oregon corporation, Grantor, for valuable consideration, does hereby grant and convey unto MICHAEL C. SELLARD and SHARON L. SELLARD, husband and wife, Grantees, their successors and assigns, an irrevocable easement located in the subdivision known as La Casa Mia, the official plat thereof on file in the office of the Deschutes County Clerk, said easement being more particularly described as follows:

Commencing at the intersection of the Easterly Right of Way line of Helmholtz Way and the centerline of N.W. Xavier Avenue; thence North  $88^{\circ} 52' 30''$  East along the centerline of said N.W. Xavier Avenue - 69.50 feet to the P.C. of a curve Right; thence around the arc of a curve - 599.33 feet to the P.T. of said curve, said curve having a radius of 5173.49 feet, a delta angle of  $06^{\circ} 38' 15''$  and long chord of 599.00 feet; thence South  $89^{\circ} 29' 15''$  East along the centerline of said N.W. Xavier Avenue - 482.03 feet to its intersecting point with N.W. 38th Street; thence South  $00^{\circ} 30' 45''$  East along the centerline of said N.W. 38th Street - 644.23 feet to the P.C. of a curve Left; thence around the centerline arc of this curve - 124.15 feet to the P.T. of this curve, said curve having a radius of 150.00 feet and a delta angle of  $47^{\circ} 25' 18''$ ; thence South  $46^{\circ} 54' 28''$  East along the centerline of said N.W. 38th Street - 120.56 feet to the P.C. of a curve Right, thus ending the described centerline of a 60.00 foot wide Easement on N.W. 38th Street.

for the purpose of providing a roadway easement for ingress and egress on the real property owned by Grantees and this easement shall be appurtenant to that real property, more particularly described as follows:

A tract of land located in the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section Thirty-one (31) Township Fourteen (14) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the Southeast corner of the NE1/4SE1/4 of said Section 31; thence North  $89^{\circ} 52' 14''$  West along the South line of the NE1/4SE1/4 of said Section 31 a distance of 399.35 feet to the point of beginning for this description; thence North  $2^{\circ} 59' 03''$  West a distance of 379.76 feet; thence on the arc of a 250 foot radius curve to the left a distance of 165.00 feet through a central angle of  $37^{\circ} 48' 54''$  (the chord bears South  $87^{\circ} 31' 52''$  West, 162.02 feet); thence South  $68^{\circ} 37' 24''$  West a distance of 225.92 feet; thence on the arc of a 35 foot radius curve to the left a distance of 70.57 feet through a central angle of  $115^{\circ} 31' 52''$  (the chord bears South  $10^{\circ} 51' 16''$  West, 59.21 feet) to a point on the Easterly right of way line of N.W. 38th Street as shown on the plat map of "La Casa Mia" a duly recorded subdivision in Deschutes County; thence South  $16^{\circ} 54' 28''$  East along said right of way line a distance of 66.94 feet; thence continuing along said right of way line on the arc of a 130.14 foot radius curve to the right a distance of 106.84 feet, through a central angle of  $47^{\circ} 02' 14''$  (the chord bears South  $23^{\circ} 23' 18''$  West, 103.86 feet); thence continuing along said right of way line on the arc of a 110.00 foot radius curve to the right a distance of 103.38 feet through a central angle of  $54^{\circ} 53' 30''$  (the chord bears South  $27^{\circ} 34' 05''$  West, 101.40 feet to the South line of the NE1/4SE1/4 of said Section 31); thence South  $89^{\circ} 52' 14''$  East along said South line a distance of 360.00 feet to the point of beginning,

and all future owners thereof.

TO HAVE AND HOLD the above described premises for said easement unto said Grantees, their heirs and assigns, forever. Provided, however, that Grantees, or their successors, shall pay the same rate of assessments and charges for repair and maintenance of the roadway described in the easement as other property owners in La Casa Mia subdivision may be charged and assessed for such roadway. Such charges and assessments

shall be paid within 30 days of assessment and, if not so paid, this easement shall be null and void.

This road easement entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1978, under and by the authority of the Board of Directors of La Casa Mia Home Owners, Inc., an Oregon corporation.

LA CASA MIA HOME OWNERS, INC.

By: [Signature]  
President

By: [Signature]  
Secretary

STATE OF OREGON, County of Deschutes: ss.

Personally appeared Bob Lutes and Irene Zacher, who stated that they are the President and Secretary, respectively, of LA CASA MIA HOME OWNERS, INC., an Oregon corporation, and that this instrument was voluntarily signed and sealed in behalf of the corporation by authority of its Board of Directors.

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STATE OF OREGON

County of Deschutes:

I hereby certify that the within instrument of writing was received for Record the 7 day of July A.D. 1978 at 2:35 o'clock P.M. and recorded in Book 277 on Page 603 Records of Deeds

ROSEMARY PATTERSON  
County Clerk

By [Signature] Deputy

[Signature]  
Notary Public for Oregon  
My commission expires: 1-19-82

