

Verified Correct Copy of Original 5/10/2021.

**FILED**  
RECEIVED  
MAY 10 2021  
Curry Co. 28 A 8:55  
Circuit Court  
CURRY COUNTY SHERIFF  
GOLD BEACH, OR

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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CURRY**

BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A. AS TRUSTEE FOR  
MORTGAGE ASSETS MANAGEMENT  
SERIES I TRUST,

Case No. 20CV00679

**WRIT OF EXECUTION**

Plaintiff,

v.

THE ESTATE OF NANCY C. SCHNIDER;  
UNKNOWN HEIRS, ASSIGNS AND  
DEWISEES OF NANCY C. SCHNIDER;  
CRISTINA M. SCHNIDER aka CRISTINA  
M. PATTON; MARK SCHNIDER; ANN  
CECILIA STILL aka ANN SCHNIDER  
LAYCOCK; SECRETARY OF HOUSING  
AND URBAN DEVELOPMENT; and ALL  
OTHER PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT,  
TITLE, LIEN, OR INTEREST IN THE REAL  
PROPERTY COMMONLY KNOWN AS  
94667 HARDTACK ROAD, GOLD BEACH,  
OREGON 97444,

Defendant.

TO THE CURRY COUNTY SHERIFF:

On May 5, 2021, a General Judgment of Foreclosure and Declaration of Amount Due by Default was entered by the CURRY County Circuit Court, foreclosing Plaintiff's Deed of Trust and directing that the property subject to the Deed of Trust be sold to satisfy the unpaid debt due to Plaintiff.

The mailing address for the judgment creditor is: BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE FOR MORTGAGE ASSETS MANAGEMENT

1 SERIES I TRUST c/o Aldridge Pite, LLP, 111 SW Columbia St., Ste. 950, Portland, OR 97201.

2 The real property to be sold at public auction is commonly known as 94667  
3 HARDTACK ROAD, GOLD BEACH, OREGON 97444 ("Subject Property"), and legally  
4 described as:

5 A PARCEL OF LAND LYING WITHIN THE NORTHEAST QUARTER OF THE  
6 NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 35 SOUTH, RANGE 14 WEST,  
7 WILLAMETTE MERIDIAN, CURRY COUNTY, OREGON AS SHOWN ON A MAP FOR  
8 SHERMAN BY H. J. NEWHOUSE DATED JANUARY 1991 AND BEING THE SURVEYED  
9 PARCEL OF LAND DEEDED AND RECORDED IN MISCELLANEOUS DEEDS VOLUME  
10 7, PAGE 704, DESCRIBED AS FOLLOWS: COMMENCING AT A 1 1/2 INCH IRON ROD  
11 MARKING THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN VOLUME  
12 23, PAGE 540, CURRY COUNTY BOOK OF RECORDS (SAID POINT ALSO BEING THE  
13 SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST  
14 QUARTER OF SAID SECTION 31; THENCE FOLLOWING THE SOUTH BOUNDARY OF  
15 THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, NORTH 85° 13' 39"  
16 WEST 593.91 FEET TO A 5/8 INCH IRON ROD SET AT ITS INTERSECTION WITH THE  
17 EASTERLY RIGHT-OF-WAY LINE OF THE RELOCATED OREGON COAST HIGHWAY  
18 101 AS SURVEYED TO BY S.O. NEWHOUSE 1955; THENCE LEAVING SAID SOUTH  
19 BOUNDARY AND FOLLOWING SAID RIGHT-OF-WAY LINE NORTH 09° 57' 58" WEST  
20 91.92 FEET; THENCE NORTH 04° 40' 27" WEST 135.85 FEET TO A 5/8 INCH IRON ROD  
21 SET AT ITS INTERSECTION WITH THE NORTH BOUNDARY OF A 50 FOOT WIDE  
22 ROADWAY EASEMENT DESCRIBED IN VOLUME 38, PAGE 631, CURRY COUNTY  
23 BOOK OF RECORDS AND THE TRUE POINT OF BEGINNING OF THE FOLLOWING  
24 DESCRIBED PARCEL; THENCE LEAVING THE HIGHWAY RIGHT-OF-WAY LINE AND  
25 FOLLOWING SAID EASEMENT BOUNDARY LINE NORTH 83° 56' 19" EAST 211.04  
26 FEET TO A 5/8 INCH IRON ROD; THENCE LEAVING SAID EASEMENT LINE NORTH  
03° 12' 29" EAST 91.32 FEET TO A 5/8 INCH IRON ROD; THENCE NORTH 55° 28' 00"  
WEST 287.02 FEET TO A 5/8 INCH IRON ROD SET ON THE AFOREMENTIONED  
SURVEYED RIGHT-OF-WAY OF THE RELOCATED OREGON COAST HIGHWAY 101;  
THENCE FOLLOWING SAID RIGHT-OF-WAY LINE SOUTH 04° 26' 39" WEST 277.0  
FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THAT  
PORTION OF A 50.0 FOOT WIDE ROADWAY DESCRIBED IN VOLUME 38, PAGE 631,  
CURRY COUNTY BOOK OF RECORDS, AS DISCLOSED BY INSTRUMENT RECORDED  
FEBRUARY 28, 1994 AS INSTRUMENT NO. 94-1291, OFFICIAL RECORDS, CURRY  
COUNTY, OREGON

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The total amount due and owing on the Judgment as of May 6, 2021;

Judgment:	Principal	\$291,854.68
Pre-Judgment:	Interest(3.3180%,\$21.78day)	\$4,878.72 (9/23/2020 through 5/5/2021)
	Attorney Fees	\$4,865.00
	Costs	\$3,315.15
	Prevailing Party Fee	\$325.00
Post-Judgment:	Interest(9%,\$75.33/day)	\$75.33 (5/5/2021 through 5/6/2021)
	Attorney Fees	\$260.00
	Costs	\$0.00

**TOTAL: \$305,573.88**

In the name of the State of Oregon, you are hereby directed to proceed to notice for sale and sell the Subject Property. After the sale, you are directed to issue a certificate of sale to the purchaser and file a return on the writ of execution, depositing the sale proceeds with the Court. Further, you are directed to execute, after the time for redemption has elapsed, a deed to the holder of the certificate of sale.

By the signature of the attorney for the judgment creditor, the person that requested issuance of the Writ hereby authorizes the sheriff to continue execution under the Writ and delay making a return on the writ to a date up to 150 days after receipt.

May 10, 2021

Cheryl Kerr JSSB

Presented by:

ALDRIDGE PITE, LLP

By:           /s/ Christina M. Andreoni            
Christina M. Andreoni, OSB #160875  
(858) 750-7600

1 (503) 222-2260 (facsimile)  
2 candreoni@aldridgepite.com  
3 111 SW Columbia Street, Suite 950  
4 Portland, OR 97201  
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Created: 02/11/2020 2:34 PM  
 02/25/2020 **Affidavit/Declaration - Mailing**  
*by Kody Norris. USPS is unable to locate any delivery information*  
 Created: 02/26/2020 8:27 AM  
 02/25/2020 **Affidavit/Declaration - Mailing**  
*by Kody Norris. USPS is unable to locate any delivery information.*  
 Created: 02/26/2020 8:27 AM  
 02/25/2020 **Affidavit/Declaration - Mailing**  
*by Kody Norris. Certified and First Class Mail.*  
 Created: 02/26/2020 8:27 AM  
 02/25/2020 **Summons**  
 Created: 02/26/2020 8:27 AM  
 02/25/2020 **Proof of Service - Substitute**  
*by Robin Robbins to John Laycock*  
 Created: 02/26/2020 8:27 AM  
 02/25/2020 **Affidavit/Declaration - Mailing**  
*by Kody Norris*  
 Created: 02/26/2020 8:27 AM  
 02/25/2020 **Summons**  
 Created: 02/26/2020 8:27 AM  
 03/04/2020 **Notice - Rule 7 - 63 Day**  
 Created: 03/04/2020 11:06 AM  
 03/13/2020 **Return - Service (Not Served)**  
 Created: 03/13/2020 1:35 PM  
 03/13/2020 **Return - Service (Not Served)**  
 Created: 03/13/2020 1:35 PM  
 03/13/2020 **Return - Service (Not Served)**  
 Created: 03/13/2020 1:35 PM  
 03/13/2020 **Summons**  
 Created: 03/13/2020 1:35 PM  
 03/25/2020 **Motion - Continue as Pending Case**  
 Created: 03/25/2020 1:36 PM  
 03/25/2020 **Declaration**  
*in support of motion and order to continue*  
 Created: 03/25/2020 1:36 PM  
 03/25/2020 **Affidavit/Declaration - Mailing**  
 Created: 03/25/2020 1:36 PM  
 03/27/2020 **Order - Rule 7 Service Postponement Granted** (Judicial Officer: Beaman, Cynthia L.)  
 Signed Date: 03/26/2020  
 Created: 03/27/2020 11:44 AM  
 05/19/2020 **Motion - Continue as Pending Case**  
 Created: 05/19/2020 12:13 PM  
 05/19/2020 **Declaration**  
*in Support of Motion and Order for Continuance*  
 Created: 05/19/2020 12:13 PM  
 05/19/2020 **Affidavit/Declaration - Mailing**  
 Created: 05/19/2020 12:13 PM  
 05/20/2020 **Order - Rule 7 Service Postponement Granted** (Judicial Officer: Beaman, Cynthia L.)  
 Signed Date: 05/20/2020  
 Created: 05/20/2020 9:38 AM  
 07/14/2020 **Affidavit/Declaration - Publication**  
*March 4, 11, 18, 25 2020*  
 Created: 07/14/2020 11:20 AM  
 07/14/2020 **Summons**  
 Created: 07/14/2020 11:20 AM  
 07/17/2020 **Motion - Service by Posting**  
*and Mailing as to Defendant Cristina M Schnider*  
 Created: 07/20/2020 2:20 PM  
 07/17/2020 **Declaration**  
*/s/ Michael J Page in Support of Motion for Service by Posting and Mailing*  
 Created: 07/20/2020 2:20 PM  
 07/22/2020 **Order** (Judicial Officer: Beaman, Cynthia L.)  
*Granting Motion for Service by Posting and Mailing*  
 Signed: 07/22/2020  
 Created: 07/22/2020 4:30 PM  
 08/13/2020 **Motion - Continue as Pending Case**  
 Created: 08/14/2020 8:21 AM  
 08/13/2020 **Declaration**  
*In Support of Motion and Order for continuance.*  
 Created: 08/14/2020 8:21 AM  
 08/13/2020 **Affidavit/Declaration - Mailing**  
*Declaration of Service. By: Kia Franco*  
 Created: 08/14/2020 8:22 AM  
 08/14/2020 **Order - Rule 7 Service Postponement Granted** (Judicial Officer: Beaman, Cynthia L.)  
 Signed Date: 08/14/2020  
 Created: 08/14/2020 4:07 PM  
 08/27/2020 **Summons**  
 Created: 08/27/2020 3:19 PM  
 08/27/2020 **Proof - Posting Public Notice**  
 Created: 08/27/2020 3:20 PM  
 09/03/2020 **Affidavit/Declaration - Mailing**  
*By: Kody Norris*  
 Created: 09/03/2020 9:47 AM  
 09/03/2020 **Affidavit/Declaration - Mailing**

- By: Kody Norris  
Created: 09/03/2020 9:47 AM
- 09/03/2020 **Affidavit/Declaration - Mailing**  
By: Kody Norris  
Created: 09/03/2020 9:47 AM
- 09/03/2020 **Affidavit/Declaration - Mailing**  
By: Kody Norris  
Created: 09/03/2020 9:47 AM
- 09/29/2020 **Motion**  
for Abatement  
Created: 09/30/2020 8:44 AM
- 09/29/2020 **Declaration**  
in Support of Motion for Abatement  
Created: 09/30/2020 8:44 AM
- 09/29/2020 **Affidavit/Declaration - Mailing**  
by Breanna Becker  
Created: 09/30/2020 8:44 AM
- 10/01/2020 **Order** (Judicial Officer: Beaman, Cynthia L )  
for Abatement  
Signed: 09/30/2020  
Created: 10/01/2020 11:41 AM
- 10/01/2020 **Stay Proceedings**  
Created: 10/01/2020 4:42 PM
- 12/11/2020 **Motion - Continuance**  
Created: 12/11/2020 2:38 PM
- 12/11/2020 **Declaration**  
Created: 12/11/2020 2:38 PM
- 12/11/2020 **Affidavit/Declaration - Mailing**  
Created: 12/11/2020 2:38 PM
- 12/15/2020 **Order - Continue** (Judicial Officer: Beaman, Cynthia L )  
Signed: 12/14/2020  
Created: 12/15/2020 8:30 AM
- 03/09/2021 **Motion - Continuance**  
Created: 03/09/2021 11:55 AM
- 03/09/2021 **Affidavit/Declaration - Mailing**  
Created: 03/09/2021 11:55 AM
- 03/09/2021 **Declaration**  
In Support of Motion and Order for Continuance  
Created: 03/09/2021 11:55 AM
- 03/09/2021 **Order - Continue** (Judicial Officer: Beaman, Cynthia L )  
Signed: 03/09/2021  
Created: 03/09/2021 3:03 PM
- 04/30/2021 **Motion - Default Order**  
Created: 04/30/2021 11:50 AM
- 04/30/2021 **Affidavit/Declaration - Mailing**  
Declaration Of Service. By: Breanna Becker  
Created: 04/30/2021 11:50 AM
- 04/30/2021 **Declaration**  
In support of motion for order of default against all defendants  
Created: 04/30/2021 11:50 AM
- 04/30/2021 **Motion - Judgment**  
And Declaration of Amount Due by Default. ORCP Rule 69 Ex Parte  
Created: 04/30/2021 12:02 PM
- 04/30/2021 **Declaration**  
In support of Judgment. By: Caryn Edwards  
Created: 04/30/2021 12:02 PM
- 04/30/2021 **Statement - Attorney Fees**  
Cost, and Disbursements  
Created: 04/30/2021 12:02 PM
- 04/30/2021 **Affidavit/Declaration - Mailing**  
Declaration of Service. By: Breanna Becker  
Created: 04/30/2021 12:02 PM
- 04/30/2021 **Affidavit/Declaration Non-Military**  
Created: 04/30/2021 12:02 PM
- 05/05/2021 **Order - Default** (Judicial Officer: Beaman, Cynthia L )  
Signed: 05/05/2021  
Created: 05/05/2021 2:38 PM
- 05/05/2021 **Digitized Judgment Document** (Judicial Officer: Beaman, Cynthia L )  
General Judgment of Foreclosure and Declaration of Amount Due by Default  
Signed Date: 05/05/2021  
Created: 05/05/2021 2:45 PM
- 05/05/2021 **Notice - Judgment Entry**  
Created: 05/05/2021 2:46 PM
- 05/05/2021 **Closed**  
Created: 05/05/2021 2:47 PM

FINANCIAL INFORMATION

Plaintiff Bank Of New York Mellon Trust Company, N.A.  
 Total Financial Assessment  
 Total Payments and Credits

594.00  
594.00

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**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CURRY**

BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A. AS TRUSTEE FOR  
MORTGAGE ASSETS MANAGEMENT  
SERIES I TRUST,

Plaintiff,

v.

THE ESTATE OF NANCY C. SCHNIDER;  
UNKNOWN HEIRS, ASSIGNS AND  
DEVISEES OF NANCY C. SCHNIDER;  
CRISTINA M. SCHNIDER aka CRISTINA  
M. PATTON; MARK SCHNIDER; ANN  
CECILIA STILL aka ANN SCHNIDER  
LAYCOCK; SECRETARY OF HOUSING  
AND URBAN DEVELOPMENT; and ALL  
OTHER PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT,  
TITLE, LIEN, OR INTEREST IN THE REAL  
PROPERTY COMMONLY KNOWN AS  
94667 HARDTACK ROAD, GOLD BEACH,  
OREGON 97444,

Defendants.

Case No. 20CV00679

**GENERAL JUDGMENT OF  
FORECLOSURE AND DECLARATION OF  
AMOUNT DUE BY DEFAULT**

ORCP Rule 69

THIS IS A JUDGMENT OF FORECLOSURE  
AND DOES NOT CONSTITUTE A MONEY  
AWARD AGAINST ANY DEFENDANT

Based upon the Court's Order of Default against defendants The Estate of Nancy C. Schnider; Unknown Heirs, Assigns and Devisees of Nancy C. Schnider, Cristina M. Schnider aka Cristina M. Patton, Mark Schnider; Ann Cecilia Still aka Ann Schnider Laycock, Secretary of Housing and Urban Development, and All Other Persons or Parties Unknown claiming any right, title, lien, or interest in The Real Property commonly known as 94667 Hardtack Road, Gold Beach, Oregon 97444, the records on file herein, and pursuant to the Motion for General Judgment and Declaration of Amount Due by Default by Plaintiff Bank Of New York Mellon



1 Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust ("Plaintiff"),

2 **IT IS HEREBY ADJUDGED:**

3 1. Plaintiff's security interest in the real property located at 94667 Hardtack Road,  
4 Gold Beach, Oregon 97444 ("Subject Property"), as evidenced by the Deed of Trust recorded  
5 June 24, 2009 in the official records of CURRY County as instrument number 2009-2833  
6 ("Deed of Trust"), is a viable first priority lien, superior to the interests of all the Defendants. All  
7 rights, claims, ownerships, liens, titles and demands of all Defendants are subsequent to  
8 Plaintiff's lien as created by the Note and Deed of Trust. The Subject Property is legally  
9 described as follows:

10 SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

11 2. That any manufactured or other structures be deemed affixed to the property and  
12 be foreclosed; and that the purchaser at sale be entitled to de-title said personal property without  
13 consent of or aid and assistance of the former owner of said personal property;

14 3. The Deed of Trust is foreclosed and upon entry of this Judgment the court  
15 administrator shall upon request of Plaintiff issue a writ of execution for the sale, by the Sheriff,  
16 in the manner provided by law. On information and belief, the home sited on the subject property  
17 is a manufactured home, the registration status of which is unknown. This manufactured home  
18 was intended to be included as security in the Deed of Trust, is affixed to the land, and a part  
19 thereof and is subject to this action;

20 4. Plaintiff has submitted a Declaration of Amount Due and is owed the total amount  
21 due under the Note and Deed of Trust and any future advances and/or fees that may be made or  
22 incurred pursuant to the terms of the Note and Deed of Trust up to the date of the execution sale.  
23 This amount is to be satisfied by sale of the Subject Property as directed under this Judgment;

24 5. Plaintiff is owed reasonable attorney fees plus the remaining flat rate fees for an  
25 uncontested execution on the Judgment, pursuant to the Note and Deed of Trust and ORCP Rule  
26 68(C), which amount may be added to the outstanding obligation due and owing under the Note

Page 2 – GENERAL JUDGMENT AND DECLARATION OF AMOUNT DUE BY DEFAULT

1 and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant to the Deed of  
2 Trust, these fees continue to accrue to the date of the execution sale. This amount to be satisfied  
3 by sale of the Subject Property as directed under this Judgment;

4 6. Plaintiff is owed costs of suit pursuant to the Note and Deed of Trust, ORCP Rule  
5 68(A)(2) and ORS 20.115(4), which may be added to the outstanding obligation due and owing  
6 under the Note and Deed of Trust and recovered from the proceeds of the sheriff's sale. Pursuant  
7 to the Deed of Trust, these costs continue to accrue to the date of the execution sale. This  
8 amount to be satisfied by sale of the Subject Property as directed under this Judgment;

9 7. Plaintiff is owed the prevailing party fee of \$325.00, this amount to be satisfied by  
10 sale of the Subject Property as directed under this Judgment.

11 8. The Sheriff shall make a return on the writ of execution to the court administrator  
12 along with the proceeds of the sale, if any. The proceeds of the sale, if any, shall be applied first  
13 toward the costs of the sale; then toward the satisfaction of Plaintiff's Judgment of Foreclosure  
14 awarded herein; and the surplus, if any, to the clerk of the court to be distributed to such party or  
15 parties as may establish their right thereto. The Defendants and all persons claiming through or  
16 under Defendants, whether lien claimants, judgment creditors, claimants arising under junior  
17 mortgages or deeds of trust, purchasers, encumbrances or otherwise, shall be barred and  
18 foreclosed from all rights, claims, interest or equity of redemption in the Subject Property and  
19 every part of the Subject Property when the time for redemption has elapsed;

20 9. Plaintiff or any other party to this action may become a purchaser at the  
21 foreclosure sale, and such purchaser shall be immediately let into possession of the subject  
22 property, until redemption of the property, if any. The purchaser at the foreclosure sale or any  
23 successor in interest may apply to this Court for a writ of assistance to gain possession of the  
24 subject property if Defendants or any other party or person refuses to surrender possession;



1 confirmation of approval sent to me.

2 3. X I have served a copy of this order or judgment on all parties entitled to service and:

3 a. X No objection has been served on me;

4 b.  I received objections that I could not resolve with a party despite reasonable  
5 efforts to do so. I have filed a copy of the objections I received and indicated  
6 which objections remain unresolved.

7 c.  After conferring about objections, [ **role and name of objecting party**]  
8 agreed to independently file any remaining objection.

9 4.  Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or  
10 otherwise.

11 5.  This is a proposed judgment that includes an award of punitive damages and notice  
12 has been served on the Director of the Crime Victims' Assistance Section as required by  
13 subsection (5) of this rule.

14 6.  Other: \_\_\_\_\_

15 Presented By:  
16 ALDRIDGE PITE, LLP

17 /s/ Christina M. Andreoni  
18 Christina M. Andreoni (OSB # 160875)  
19 *Of Attorneys for Plaintiff*  
20 (858) 750-7600  
21 (503) 222-2260 (Facsimile)  
22 orecourtnotices@aldridgepite.com

23 Date: 4/29/21

## Exhibit A

A parcel of land lying within the Northeast Quarter of the Northwest Quarter of Section 31, Township 35 South, Range 14 West, Willamette Meridian, Curry County, Oregon as shown on a map for Sherman by H. J. Newhouse dated January 1991 and being the surveyed parcel of land deeded and recorded in Miscellaneous Deeds Volume 7, Page 704, described as follows: Commencing at a 1 1/2 inch iron rod marking the Southeast corner of that parcel described in Volume 23, Page 540, Curry County Book of Records (said point also being the Southeast corner of the Northeast Quarter of the Northwest Quarter of said Section 31; thence following the South boundary of the Northeast Quarter of the Northwest Quarter, North 85° 13' 39" West 593.91 feet to a 5/8 inch iron rod set at its intersection with the Easterly right-of-way line of the Relocated Oregon Coast Highway 101 as surveyed to by S.O. Newhouse 1955; thence leaving said South boundary and following said right-of-way line North 09° 57' 58" West 91.92 feet; thence North 04° 40' 27" West 135.85 feet to a 5/8 inch iron rod set at its intersection with the North boundary of a 50 foot wide roadway easement described in Volume 38, Page 631, Curry County Book of Records and the True Point of Beginning of the following described parcel; thence leaving the highway right-of-way line and following said easement boundary line North 83° 56' 19" East 211.04 feet to a 5/8 inch iron rod; thence leaving said easement line North 03° 12' 29" East 91.32 feet to a 5/8 inch iron rod; thence North 55° 28' 00" West 287.02 feet to a 5/8 inch iron rod set on the aforementioned surveyed right-of-way of the Relocated Oregon Coast Highway 101; thence following said right-of-way line South 04° 26' 39" West 277.0 feet to the True Point of Beginning.

Together with an easement for ingress and egress over that portion of a 50.0 foot wide roadway described in Volume 38, Page 631, Curry County Book of Records, as disclosed by instrument recorded February 28, 1994 as Instrument No. 94-1291, Official Records, Curry County, Oregon.