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AFTER RECORDING RETURN TO:  
ASCADÉ TITLE COMPANY  
11 WILLAMETTE ST., EUGENE, OR 97401

CT0309670  
EU18-2258 DM

Lane County Clerk  
Lane County Deeds and Records

2018-046036



\$92.00

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RPR-AMEN Cnt=1 Stn=41 CASHIER 04

\$10.00 \$10.00 \$11.00 \$61.00

After recording return to:

Lookout Point LLC  
40160 East First Street  
Lowell, OR 97452

## AMENDMENT OF EASEMENT

**PROPERTY:** Lots 43, 44, 45 & 46 of Sunridge Second Addition

**DECLARANT:** Lookout Point LLC, an Oregon corporation

### RECITALS:

1. On July 26, 2005, Shade Tree, Inc., the original Declarant of Sunridge Second Addition, recorded an easement as Reception Number 2005-057004, to create a shared driveway across Lots 44 and 46 within Sunridge Second Addition to provide ingress and egress, to provide for maintenance of the shared driveway, and to allow placement of underground utilities within the easement area.
2. The easement did not provide for use of the shared driveway by the adjacent Lots 43 and 45.
3. On December 4, 2014, Shade Tree, Inc. transferred ownership of Lots 43, 44, 45 and 46 to Lookout Point LLC, via deed recorded as reception number 2014-047900, and simultaneously assigned its rights as the Declarant via an assignment recorded as reception number 2014-047899.
4. Lookout Point LLC now wishes to amend the driveway easement to permit Lots 43 and 45 to utilize the shared driveway for ingress and egress, and to require the owners of Lots 43 and Lot 45 to share in maintenance and repair costs of any portions of shared driveway that are used for regular vehicular access to Lot 43 and Lot 45.

### AMENDMENT OF EASEMENT:

1. The above recitals are incorporated herein by reference, and that the easement recorded on July 26, 2005, Reception Number 2005-057004, is amended as follows:
2. A new Section 2.5 is added as follows: "Lot 43" means Lot 43 of Sunridge Second Addition, as recorded in the Lane County Oregon Official Records, Document No. 2005-57003.
3. A new Section 2.6 is added as follows: "Lot 45" means Lot 45 of Sunridge Second Addition, as recorded in the Lane County Oregon Official Records, Document No. 2005-57003.
4. Section 4, is amended to add the following underlined language to the end of the first sentence: ...for the purpose of access to and egress from Lot 44 and Lot 46, Lot 43 and Lot 45.

5. The second and third sentences of Section 6 are amended to read as follows: The owners of Lot 44 and Lot 46 shall share equally in the costs of repair and maintenance of the entire roadway surface. In addition, the owners of Lot 43 and Lot 45 shall also share in the costs of repair and maintenance, but only for that particular portion of the roadway surface that is used for regular vehicular access to Lot 43 and Lot 45, respectively. Regular use shall be defined as an average of at least once weekly. The owners of Lots 43, Lot 44, Lot 45 and Lot 46 shall work together to coordinate and pay for construction, maintenance and repair of the roadway surface.
6. Section 5, Section 9 and Section 10 are amended to replace every instance of "Lot 44 and Lot 46" with the following: Lot 43, Lot 44, Lot 45 and Lot 46.

DATED this 25<sup>th</sup> day of September, 2018.

**LOOKOUT POINT LLC**



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Mia Nelson, Manager

STATE OF OREGON, County of Lane, ss.

On September 25, 2018, personally appeared the above-named Mia Nelson, and did say that she is the Manager of Lookout Point LLC, and that this instrument was signed on behalf of the company and by the authority of its board of management, and acknowledged the foregoing instrument to be her voluntary act and deed. Before me:



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Notary Public for Oregon

My Commission Expires: 8.6.2022

