

REQUEST FOR TERMINATION OF IMPROVEMENT AGREEMENT

Redport, LLC, an Oregon limited liability company (“Redport”) hereby requests that the 1996 Improvement Agreement described in numbered paragraph 1 below be terminated and released of record with respect to the Redport Property defined below in numbered paragraph 5:

1. Windance Development, Inc., an Oregon corporation (“Windance”), as Developer, and Deschutes County, Oregon, a political subdivision of the State of Oregon, as County, entered into an Improvement Agreement dated December 19, 1996, recorded December 20, 1996, Instrument No. 96-46580, Deschutes County Official Records (“1996 Improvement Agreement”).

2. The stated purpose of the 1996 Improvement Agreement was to allow Windance to record the plat for certain real property known as Windhaven Park Subdivision Phase 1, comprised of what is currently County Assessor’s map and Tax Lot Nos. 151303CC00700, 00800, 00900, and 01000 (“Windhaven Phase 1”) before completing certain improvements to the property as required by the County’s conditions of approval for Windhaven Phase 1 in TP-96-864.

3. The improvements described on Exhibit A to the 1996 Improvement Agreement (“Required Improvements”) were required by Section 2 of the 1996 Improvement Agreement to be completed on or before December 19, 1997.

4. Pursuant to Sections 6, 9, and 10 of the 1996 Improvement Agreement, the Required Improvements on Windhaven Phase 1 were inspected and approved, Building permits were issued, and Windance’s improvement performance bond No. #4298125 was released.

5. Pursuant to Section 12 of the 1996 Improvement Agreement, the 1996 Improvement Agreement was recorded in the Official Records of Deschutes County as a condition and covenant running with the land. However, when the 1996 Improvement Agreement was recorded (prior to the recordation of the Windhaven plat), Windhaven Phase 1 was part of a larger tract of land that included the Windhaven Phase 1 tax lots identified in numbered paragraph 2 above, as well as property commonly known as County Assessors Map and Tax Lot No. 151303CC00200 now owned by Redport (“Redport Property”), so the 1996 Improvement Agreement remains as an encumbrance on the Redport Property. The legal description of the Redport Property is attached as Exhibit A and a copy of the County Assessor’s Map showing the Windance Phase 1 tax lots and the Redport Property tax lots is attached as Exhibit B.

6. In connection with the proposed sale of the Property, the prospective buyer (who will submit its own plans for development of the Redport Property) has objected to the encumbrance of the 1996 Improvement Agreement as a lien on the Redport Property (which, as pointed out above in numbered paragraph 1, is not part of Windance Phase 1); the currently undeveloped Redport Property will not be able to be sold and developed with the 1996 Improvement Agreement encumbering title to the Redport Property.

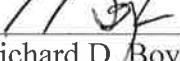
[signature on next page]

Dated: June ___, 2022

REDPORT, LLC, an Oregon limited liability company

By: ARACHNA, LLC, an Oregon limited liability company, Manager

By: SYCAN B CORP, an Oregon corporation, Manager

By: 
Richard D. Boyles, President

ATTACHMENTS:

- Exhibit A: Legal Description of Redport Property
- Exhibit B: County Assessor's Map showing Windance Phase 1 and Redport tax lots

EXHIBIT A

Legal Description of Redport Property (Assessor's Map & Tax Lot No. 151303CC0200)

That portion of the Southwest quarter of the Southwest quarter of Section 3, Township 15 South, Range 13 East of the Willamette Meridian, Deschutes County, Oregon, lying West of the Westerly line of the Oregon Trunk Railway.

EXCEPTING THEREFROM a tract of land in the Southwest corner of said described premises bounded as follows:

Beginning at the Southwest corner of said Southwest quarter of the Southwest quarter; thence running North along the Section line, a distance of 44 rods; thence Southeasterly in a straight line to a point on the South line of said Southwest quarter of the Southwest quarter, which point is 11 rods East of the Point of Beginning; thence West to the Point of Beginning.

ALSO EXCEPTING the South five feet deeded to Deschutes County, March 23, 1979, in Book 295, Page 600, Deed Records of Deschutes County, Oregon.

ALSO EXCEPTING the North Canal Blvd.

ALSO EXCEPTING WINDHAVEN PARK, PHASE 1, Deschutes County, Oregon.

ALSO EXCEPTING THEREFROM that portion of the above described property appropriated for public purposes by Stipulated General Judgment in Circuit Court Case 05CV0008MA, and described as follows.

PARCEL 1 - Fee

A parcel of land lying in the Southwest quarter of the Southwest quarter of Section 3, Township 15 South, Range 13 East, Willamette Meridian, Deschutes County, Oregon and being a portion of that property described in that Bargain and Sale Deed to James R. Schmit, Lawrence J. Hix, and Marsha L. Hix, recorded August 28, 2001, in Volume 2001, Page 42250, Deschutes County Records; the said parcel being that portion of said property included in a strip of land 9.144 meters in width, lying on the Northerly and Easterly side of the "2nd" center line which center line is described as follows:

Beginning at Engineer's center line Station "2nd" 1+000.00, said station being 278.319 meters North and 3.266 meters West of the Southwest corner of Section 3, Township 15 South, Range 13 East, Willamette Meridian; thence North 80°07'42" East, 117.001 meters; thence on a 7.620 meter radius curve right (the long chord of which bears South 51°18'22" East, 11.426 meters) 12.918 meters; thence South 02°44'26" East, 230.081 meters to Engineer's center line Station "2nd" 1+360.000.

ALSO, that portion of said property lying on the Southerly and Westerly said of the "2nd" center line and Northerly and Easterly of the following described line:

Beginning at a point opposite and 9.144 meters Southerly of Engineer's Station "2nd" 1+000.000 on the "2nd" center line; thence Easterly in a straight line to a point opposite and 9.144 meters Southerly of Engineer's Station "2nd" 1+115.275 on said center line; thence Southerly parallel with and 9.144 meters Westerly of said center line to the Northeast corner of Lot 5, WINDHAVEN PARK, PHASE I, Deschutes County, Oregon.

EXCEPT therefrom Lot 5, WINDHAVEN PARK, PHASE I, Deschutes County, Oregon. Bearings are based upon the Oregon Coordinate System of 1983 (1991 adjustment), South Zone. ALSO EXCEPT therefrom that property described in that Warranty Deed to the State of Oregon by and through its Department of Transportation recorded August 22, 2003 in Volume 2003, Page 57606, Deschutes County Records.

PARCEL 2 - Fee

A parcel of land lying in the Southwest quarter of the Southwest quarter of Section 3, Township 15 South, Range 13 East, Willamette Meridian, Deschutes County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to James R. Schmit, Lawrence J. Hix and Marsha L. Hix, recorded August 28, 2001, in Volume 2001, Page 42250, Deschutes County Records; the said parcel being that portion of said property lying Easterly of the following described line:

Beginning at a point opposite and 24.500 meters Westerly of Engineer's Station 5+509.000 on the center line of relocated The Dalles-California Highway; thence Southerly in the straight line to a point opposite and 29.100 meters Westerly of Engineer's Station 5+628.000 on said center line which center line is described as follows:

Beginning at Engineer's center line Station 5+440.000, said station being 469.757 meters North and 199.490 meters East of the Southwest corner of Section 3, Township 15 South, Range 13 East, Willamette Meridian; thence South 04°47'43" West, 360.000 meters to Engineer's center line Station 5+800.000. Bearings are based upon the Oregon Coordinate System of 1983 (1991 adjustment), South Zone.

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PARCEL 3 - Fee

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EXHIBIT A
 County Assessor's Map Showing Windance Phase 1 Tax Lots 700, 800, 900, and 01000
 and Redport Property Tax Lot 200

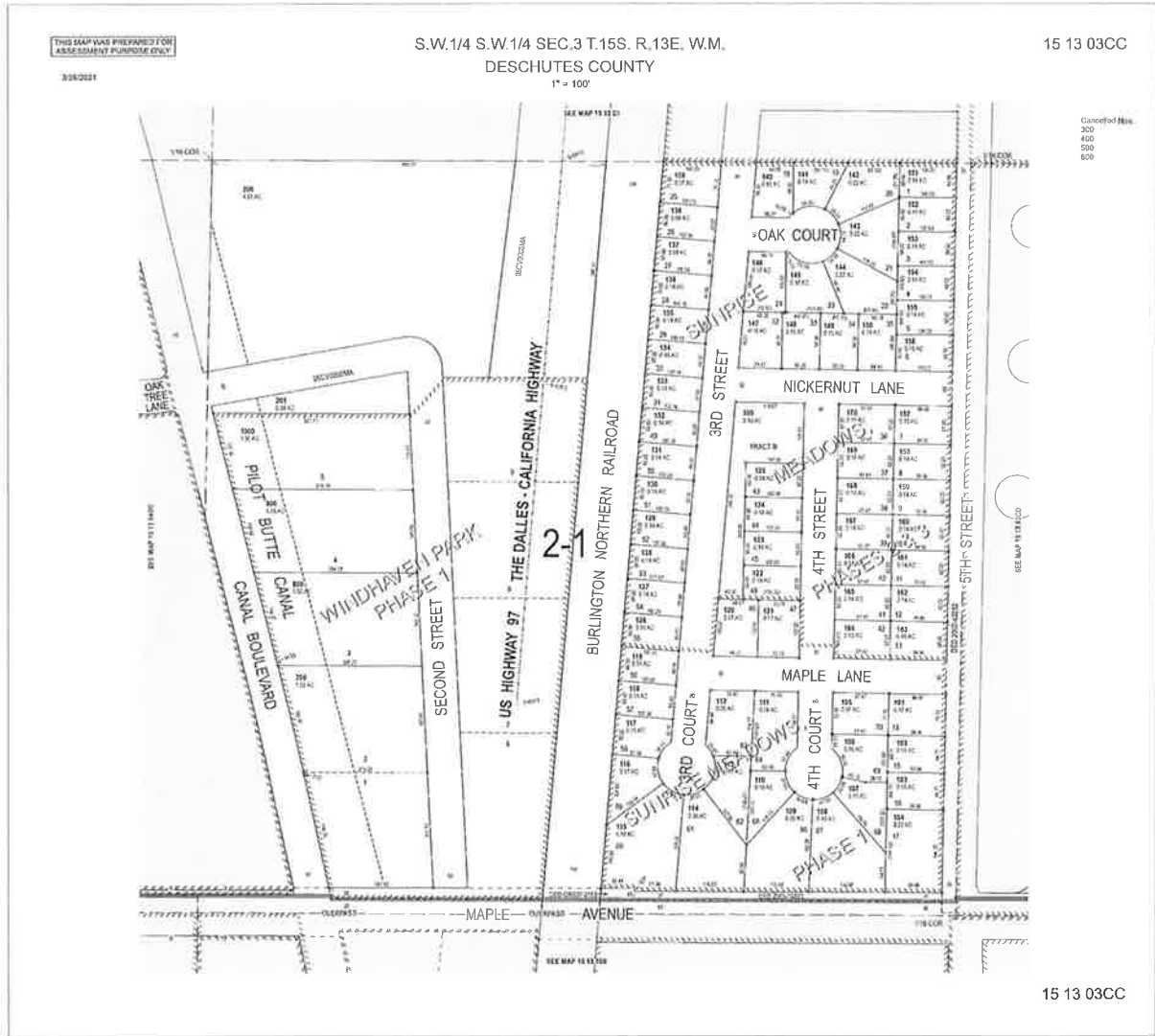



EXHIBIT B (Assessor's Map)

DEVELOPER:

REDPORT, LLC,
an Oregon limited liability company

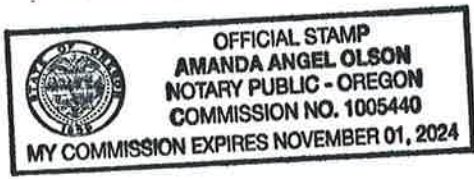
By: ARACHNA, LLC,
an Oregon limited liability company,
Manager

SYCAN B CORP, an Oregon corporation
BY: Richard D. Boyles President



STATE OF OREGON)
County of Lane) ss.

This instrument was acknowledged before me on June 27, 2022 by Richard D. Boyles, President of SYCAN B CORP., as Manager of ARACHNA, LLC, as managing member of REDPORT, LLC.




Notary Public for Oregon
My Commission Expires: 11-1-24

EXHIBIT "A"

Legal Description- -Assessor's Map & Tax Lot No. 151303CC0200

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PARCEL 1 - Fee

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PARCEL 3 - Fee

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