

EXHIBIT 14

MULTNOMAH COUNTY DEPT OF COMMUNITY SERVICE
LAND USE PLANNING DIVISION

APPLICATION FOR LOT OF RECORD
VERIFICATION (CASE #T2-2020-13067)

**DECLARATION OF SHERYL I.
ANDERSON AND JAMES L. SMITH**

I/we, Sheryl I. Anderson and James L. Smith, under penalty of perjury under the laws of the State of Oregon and the United States of America, declare as follows:

1. We are the children of Mrs. Reonne Smith, and our family lived on the property commonly known as Tax Lots 15 and 16, on Sauvie Island. We acquired fee title to the land from our mother in 1965. That deed of conveyance did *not* except out the land containing a small one-acre cemetery (“Graveyard Parcel”). The Graveyard Parcel and the surrounding Tax Lots 15 and 16, were always a single parcel of land that we owned and maintained.
2. Commencing in the late 1980’s, Maxine Daly, a purported heir of Alexander and Rebecca McQuinn, the original owner under a land grant, began contacting our mother, who lived there and worked the land. Ms. Daly began writing mean-spirited letters to her claiming she (Ms. Daly) and other McQuinn heirs owned the Graveyard Parcel.
3. There was no Tax Lot 17 until after 1986 when she had the Graveyard Parcel illegally surveyed (by trespassing upon our land) and created a false deed from herself to her corporation, called the “McQuinn Family Pioneer Association, Inc.” Then she got the tax assessor to separately create Tax Lot 17, carved out of the middle of our Tax Lot 16, so the corporation could make a claim that the McQuinn heirs were the owners because they paid the taxes. This was without our knowledge or consent. Our mother was in her 80’s at the time, and the harassment upset her very much.

- 1 4. As a result of Ms. Daly's tampering with the public record, and getting Tax Lot 17
2 assigned to the Graveyard Parcel, the chain of title was changed to make it appear
3 that it was a separate piece of land in the middle of Tax Lot 16 that was under
4 different ownership than Tax Lots 15 and 16 which surrounded it.
- 5 5. In 2010, when I had my attorney, Brandon Bittner, prepare the deed for me to transfer
6 my undivided interest in Tax Lots 15 and 16 to my trust for estate planning purposes,
7 I signed it not realizing the legal description he inserted excluded the Graveyard
8 Parcel from my conveyance. (See, Exhibit 1, attached.) I would not have signed the
9 deed to my trust had I known it excluded the Graveyard Parcel from Tax Lot 16. I
10 do not know where my attorney obtained the legal description he put in my deed, but
11 after the recording of the Daly Quitclaim Deed in 1996, it appears the public record
12 was permanently altered excluding it from Tax lot 16. Even title companies now
13 recognize this exception, since they do not know the backstory of the Graveyard
14 Parcel , and that it was illegally created.
- 15 6. As it turned out, I learned that Maxine Daly had been the Commissioner of
16 Employment Security under Governor Dan Evans, and apparently was well-versed
17 in legal matters.
- 18 7. As a result of her professional experience, Ms. Daly had the ability to cultivate a good
19 rapport with the Multnomah county commissioners, even though she was not
20 forthright in what she had done by conveying the deed to her corporation.
- 21 8. The McQuinn family was very large, and from time-to-time, with her leadership, they
22 would assemble at the Graveyard Parcel for gatherings and picnics, even though they
23 knew they were trespassing in doing so.
- 24 9. Before Maxine Daly became involved, none of the McQuinn heirs had ever contacted
25 us claiming ownership to the Graveyard Parcel. It had become very overgrown, and
26 no McQuinn heirs had ever sought to visit it.

1 10. At some point, Ms. Daly went to The Oregonian with an imaginative story of finding
2 the cemetery and creating her corporation to “gain possession” of it. (See, Oregonian
3 article attached as Exhibit 2.) She knew at the time neither she nor the corporation
4 owned the land. Her recording the illegal deed was not disclosed in the article. She
5 falsely claimed that Alexander and Rebecca McQuinn (the original owners under a
6 land grant) and two of their children were buried there.

7 11. As I, Sheryl Anderson, testified at page 2 of my 1992 Affidavit (Exhibit 9 to our
8 letter to Lisa Estrin), there are only two clear gravesites there, an unmarked grave,
9 and the grave of George Anderson, who was buried there in 1891. That grave is
10 surrounded by a fence and corner posts.

11 12. We filed two lawsuits to stop what we believed was Ms. Daly’s “land-grab”, but the
12 cost and publicity proved too much, so we settled. We do not recall the specifics of
13 the settlement, except that we ceded access to the Graveyard Parcel to Ms. Daly and
14 her relatives by a recorded easement.

15 13. But we did not deed title to the Graveyard Parcel to the corporation or anyone else.
16 Instead, we made sure that the Easement providing access would automatically end
17 if the corporation tried to transfer its rights to others, or it became administratively
18 dissolved. (See, Section 1.3 of the Easement, attached as Exhibit 3.)

19 14. It was never our intent to convey fee title to the Graveyard Parcel to the corporation
20 or any McQuinn heirs; to the contrary, it was our intent to make sure it remained a
21 part of Tax Lot 16.

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1 I/we hereby declare that the above statement is true to the best of my/our knowledge and belief
2 and that I/we understand it is made for the use as evidence in this proceeding and is subject to
3 a penalty for perjury.

4 DATED this 25th day of August 2020.

5
6 By Sheryl I. Anderson
Sheryl I. Anderson

7
8 By James L. Smith
James L. Smith