

Sept 14 1967
FILE

BOOK 1251 PAGE 615

AMBERT B. GREEN, Director
DEPUTY

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ENTERED IN JOURNAL FOR THE COUNTY OF MULTNOMAH
PROBATE DEPARTMENT

SEP 14 1967

ORDER DISTRIBUTION

In the Matter of the Estate) No. 101,069 closed 11-3-67
of) MOTION AND ORDER
ROSE HOWELL, Deceased.)

Comes now Paul M. Reeder, the duly appointed and acting executor of the estate of Rose Howell, deceased, and moves the Court for an order permitting him to distribute the assets of the above named estate to the beneficiaries of said estate as set forth on the Agreement attached hereto and hereby made a part hereof.

Paul M Reeder
Executor

It is so ORDERED.
Dated this 14th day of September, 1967.

William D. Brown
Judge

Paul M. Reeder, Executor
Suite 4, 233 E Baseline
Hillsboro, Oregon 97123
Phone: 648-7197

AGREEMENT

BOOK 1251 PAGE 616

THIS AGREEMENT made and entered into by and between GENE SHAFER and JO ANN SHAFER, ELIZABETH HOLM and MATT A. HOLM, MARJORIE L. TABER and LEON D. TABER, MABEL DUDLEY and LEO E. DUDLEY,

WHEREAS, Gene Shafer, Elizabeth Holm, Marjorie L. Taber and Mabel Dudley are the heirs under the Will of ROSE HOWELL, deceased, which said estate has been probated in the Probate Department of the Multnomah County Circuit Court for the State of Oregon; and

WHEREAS, the other parties hereto are the spouses of the said beneficiaries; and

WHEREAS, by the third clause of the Will of Rose Howell, deceased, the beneficiaries under the said Will are requested to make a division of the assets among themselves, if possible to do so; and

WHEREAS, the beneficiaries have been able to agree among themselves how the assets to be received by them under the Will of Rose Howell, deceased, should be distributed.

NOW THEREFORE, in consideration of the premises and the covenants hereinafter set forth, it is AGREED between the parties hereto that the assets to be distributed to the beneficiaries under the Will of Rose Howell, deceased, shall be divided and distributed as follows:

1. To GENE SHAFER, the sum of Four Thousand Seven Hundred Ten and 86/100ths Dollars (\$4,710.86).

2. To ELIZABETH HOLM the sum of Fifteen Thousand Nine Hundred Ninety and 44/100ths Dollars (\$15,990.44), and the center one-third of the following described property:

A tract of land located in Section 21, Township 2 North, Range 1 West, W.M., in the County of Multnomah, State of Oregon, more particularly described as follows:

Beginning at a point at which the easterly boundary of Gillihan Road, Multnomah County Road No. 1438, intersects the northerly line of the James F. Bybee DLC; thence southerly along the easterly boundary of said county road to Howell Park County Road No. _____; thence south 69° 24' west to the easterly boundary of Multnomah Channel (also known as Willamette Slough); thence northerly along the easterly boundary of Multnomah Channel (also known as Willamette Slough) to a point where said easterly boundary of said Multnomah Channel (also known as Willamette Slough) intersects an extension of the northerly line of the James F. Bybee DLC; thence easterly to the point of beginning.

CENTER 1/3
OF (2)
WEST OF ROAD
0.81 AC
(16)

3. To MARJORIE TABER the sum of Five Thousand Thirty Dollars

and 44 cents (\$5,030.44) and the following described real property:

Parcel 1. The southerly one-third of the following described real property: A tract of land located in Section 21, Township 2 North, Range 1 West, W.M., in the County of Multnomah, State of Oregon, more particularly described as follows:

*S & Y 1/3
OF (2)
WEST OF ROAD
ALSO 67M
(1) 14.10
1810
(17)*

Beginning at a point at which the easterly boundary of Gillihan Road, Multnomah County Road No. 1438, intersects the northerly line of the James F. Bybee DLC; thence southerly along the easterly boundary of said county road to Howell Park County Road No. _____; thence south 69° 24' west to the easterly boundary of Multnomah Channel (also known as Willamette Slough); thence northerly along the easterly boundary of Multnomah Channel (also known as Willamette Slough) to a point where said easterly boundary of said Multnomah Channel (also known as Willamette Slough) intersects an extension of the northerly line of the James F. Bybee DLC; thence easterly to the point of beginning.

Parcel 2. A tract of land located in Section 21, Township 2 North, Range 1 West of the Willamette Meridian in the County of Multnomah and State of Oregon more particularly described as follows:

Commencing at the most northerly northeast corner of the James Menzie Donation Land Claim, being Claim No. 45 Notification No. 4492; thence N 30°46' E 1728.6 feet; thence N 36°34' W 2156.0 feet to a 1 inch iron pipe located on the west bank of the Gilbert River; thence S 72°28'10" W (the deed bearing for the same line is S 72°39' W) 1874.51 feet; thence N 17°21' W 495.81 feet to a 1 inch iron pipe and the true point of beginning, said point being the northeast corner of the tract conveyed to Multnomah County by deed recorded April 12, 1962, in Book 2111 page 175, Deed Records; thence N 72°28'10" E 1575.76 feet to a 5/8" iron rod on the west bank of the Gilbert River; thence along said west bank N 28°12'30" W 286.05 feet to a 5/8" iron rod; thence continuing along said bank N 13°48'40" W 431.93 feet to a 1 inch galvanized iron pipe, said pipe being the most easterly corner of the tract conveyed to Multnomah County by deed recorded May 25, 1967 in Book 563 page 664 Deed Records; thence S 63°20'40" W along the boundary line of said tract 1569.19 feet to a 1 inch galvanized iron pipe; thence S 17°21' E continuing along said boundary line 463.26 feet to the point of beginning.

*SE PART
OF (2)
20.76 M
(13)*

4. To MABEL DUDLEY the sum of Five Thousand Thirty Dollars and 44 cents (\$5,030.44) and the following described real property:

Parcel 1. The northerly one-third of the following described real property: A tract of land located in Section 21, Township 2 North, Range 1 West, W.M., in the County of Multnomah, State of Oregon, more particularly described as follows:

Beginning at a point at which the easterly boundary of Gillihan Road, Multnomah County Road No. 1438, intersects the northerly line of the James F. Bybee DLC; thence southerly along the easterly boundary of said county road to Howell Park County Road No. _____; thence south 69°

*(15)
0.81 M OUT (2)
W. OF ROAD*

24' west to the easterly boundary of Multnomah Channel (also known as Willamette Slough); thence northerly along the easterly boundary of Multnomah Channel (also known as Willamette Slough) to a point where said easterly boundary of said Multnomah Channel (Also known as Willamette Slough) intersects an extension of the northerly line of the James F. Bybee DLC; thence easterly to the point of beginning.

Parcel 2. A tract of land located in Section 21, Township 2 North, Range 1 West of the Willamette Meridian in the County of Multnomah and State of Oregon more particularly described as follows:

Beginning at a concrete monument on the north line of the James Bybee Donation Land Claim No. 46 Notification No. 4491 S 75°15'20" W 5176.73 feet from the NE corner of said claim; thence N 75°15'20" E along the north line of said claim 832.41 feet to a 1 inch galvanized iron pipe at the northerly northwest corner of the tract conveyed to Multnomah County by deed recorded May 25, 1967 in Book 563 page 664 Deed Records; thence S 18°14'40" E along the boundary line of said tract 990.14 feet to a 1 inch galvanized iron pipe; thence S 69°53'30" W continuing along said boundary line 858.85 feet to a 1 1/4" galvanized iron pipe on the easterly right-of-way line of Gillihan Road (County Road No. 1438); thence N 14°03'10" W along said right-of-way line 125.20 feet; thence continuing along said right-of-way line on the arc of a 1452.5 foot radius curve left 106.26 feet (chord of which bears N 16°08'55" W 125.20 feet); thence continuing along said right-of-way line N 18°14'40" W 516.97 feet; thence continuing along said right-of-way line on the arc of a 2885.0 foot radius curve left 322.86 feet (chord of which bears N 21°27'01" W 322.85 feet) to a point on the north line of the James Bybee Donation Land Claim; thence N 75°15'20" E along the north line of said claim 32.61 feet to the point of beginning.

20.05 A
OUT(2)
N.W. PART
(14)

5. It is also agreed that the following described real property be distributed to the parties hereto:

A tract of land located in Section 21, Township 2 North, Range 1 West of the Willamette Meridian, in the County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the most northerly northeast corner of the James Menzie Donation Land Claim, being Claim No. 45, Notification No. 4492; thence north 30°46' east 1728.6 feet; thence north 36°34' west 2156 feet to a 1 inch iron pipe located on the west bank of the Gilbert River; thence south 72°28'10" west (the deed bearing for the same line is south 72°39' west) 1874.51 feet; thence north 17°21' west 495.81 feet to a 1 inch iron pipe and the true point of beginning; said point being the northeast corner of tract conveyed to Multnomah County by deed recorded April 12, 1962 in Book 2111, page 175, Deed Records; thence south 72°39' west 684.90 feet to a 1-1/4 inch galvanized iron pipe; thence south 69°24' west 432.88 feet to a point on the east right of way of Gillihan Road (County Road No. 1438) on the arc of a 1930 foot radius curve left; thence along the arc of said curve

COUNTY
(12)
21-2N-1W
divided by
deed 5/25/67
563/664

19.03 feet to the B.C. (Station 52+02.56); thence continuing along said right of way north 14°03'10" west 758.00 feet; thence north 69°53'30" east 858.85 feet; thence north 18°14'40" west 990.14 feet to the north line of the James F. Bybee Donation Land Claim (the northeast corner of the donation land claim bears north 75°15'20" east a distance of 4,344.32 feet); thence along said north line north 75°15'20" east 1922.47 feet to a 1 inch galvanized iron pipe on the west bank of the Gilbert River; thence along said west bank south 4°54'50" east 538.85 feet; thence continuing along said bank south 14°03'40" east 452.76 feet to a 1 inch iron rod; thence south 63°20'40" west 1569.19 feet to a 1 inch galvanized iron pipe; thence south 17°21' east 463.26 feet to the point of beginning.

This being the property which has previously been sold by the parties hereto to Multnomah County, Oregon.

IN WITNESS WHEREOF the parties hereto have set their hands and seals this _____ day of September, 1967.

Gene Shafer
Gene Shafer

JoAnn Shafer
JoAnn Shafer

Elizabeth Holm
Elizabeth Holm

Matt A. Holm
Matt A. Holm

Majorie L. Taber
Majorie L. Taber

Leon D. Taber
Leon D. Taber

Mabel Dudley
Mabel Dudley

Leo E. Dudley
Leo E. Dudley