

410459

DEED

Share Address: MOLLER'S NURSERY, INC., an Oregon corporation, grantor, conveys to the CITY OF PORTLAND, a municipal corporation of the State of Oregon, grantee, the following described real property:

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Insured By Pioneer National Title Insurance Company

The Southwest one-quarter of the Southeast one-quarter; and the South one-half of the Northwest one-quarter of the Southeast one-quarter of Section 22, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Multnomah and State of Oregon; EXCEPTING therefrom that Parcel conveyed to The Mount Hood Railway and Power Company, in deed recorded January 12, 1911 in Book 525 page 113; ALSO EXCEPTING therefrom the parcel conveyed to Multnomah Central Railway Company in deed recorded September 30, 1912 in Book 594 page 377; and SUBJECT to the rights of the public in and to that portion of the above property lying within the limits of Dodge Park Boulevard and Carpenter Lane.

ALSO EXCEPTING therefrom a parcel described as follows:

A tract of land in the Southwest one-quarter of the Southeast one-quarter of Section 22, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows:

The South 100 feet of the West 100 feet of the tract of land conveyed by William B. Parker, Dora May Calef, and Shirley Ann Randles to Moller's Nursery, Inc., an Oregon corporation, by deed dated March 8, 1973, and recorded March 14, 1973, in Book 914, page 2010, Deed Records of Multnomah County, Oregon.

subject to and excepting an easement, from including the terms and provisions thereof, for utility, from William B. Parker, et al, to Portland General Electric Company, an Oregon corporation, recorded August 28, 1973, in Book 878, page 591, Deed Records, (affecting the west 10 feet of said premises).

Reserving to the grantor a perpetual non-exclusive easement over and upon the following described property, to wit:

A tract of land in the Southwest one-quarter of the Southeast one-quarter; and the South one-half of the Northwest one-quarter of the Southeast one-quarter of Section 22, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows:

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The West 25 feet, Excepting therefrom the South 100 feet of the West 25 feet of that tract of land conveyed by William B. Parker, Dora May Calef and Shirley Ann Randles to Moller's Nursery, Inc., an Oregon corporation, by deed dated March 8, 1973, and recorded March 14, 1973, in Book 914, page 2010, Deed Records, Multnomah County, Oregon.

TOGETHER WITH:

A tract of land in the Southwest one-quarter of the Southeast one-quarter of Section 22, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows:

The South 15 feet, Excepting therefrom the West 100 feet of the South 15 feet, of that tract of land conveyed by William B. Parker, Dora May Calef and Shirley Ann Randles to Moller's Nursery, Inc., an Oregon corporation, by deed dated March 8, 1973, and recorded March 14, 1973, in Book 914, page 2010, Deed Records, Multnomah County, Oregon, and further Excepting therefrom the East 801 feet of that tract of land conveyed by William B. Parker, Dora May Calef and Shirley Ann Randles to Moller's Nursery, Inc., an Oregon corporation, by deed dated March 8, 1973, and recorded March 14, 1973, in Book 914, page 2010, Deed Records, Multnomah County, Oregon.

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Pioneer National
Title Insurance Company

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The terms of this easement are as follows:

1. Said easement is non-exclusive and is subject to the provisions of a prior easement in favor of Portland General Electric Company recorded August 28, 1973, in Book 878, page 591, Deed Records, and is further subject to use by the grantee herein, its agents, independent contractors and invitees.

2. Said easement is for road and irrigation purposes only and shall be used exclusively in connection with the growing of nursery stock. Grantor may construct, reconstruct, maintain and repair a road thereon, and lay and maintain water lines for irrigation purposes.

3. Said easement is appurtenant to the following described property (dominant estate):

A. A tract of land in the Southwest one-quarter of the Southeast one-quarter of Section 22, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows:

The South 100 feet of the West 100 feet of the tract of land conveyed by William B. Parker, Dora May Calef, and Shirley Ann Randles to Moller's Nursery, Inc., an Oregon corporation, by deed dated March 8, 1973, and recorded March 14, 1973, in Book 914, page 2010, Deed Records, Multnomah County, Oregon:

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upon which property is located a well; and

B. A tract of land situated in the Northeast one-quarter of Section 27, Township 1 South, Range 4 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point in the north line of said Section 27, which bears North 89°41'15" East 483.13 feet from the northwest corner of said legal subdivision; thence South 0°10' East parallel with the west line of said legal subdivision, a distance of 1883.61 feet to a point in the northerly line of Market Road No. 15; thence South 71°34' East along said northerly line 875 feet, more or less, to the East line of the West one-half of the Northeast one-quarter of said Section 27; thence Northerly along said east line 2220 feet, more or less, to the northeast corner of the West one-half of the Northeast one-quarter of said Section 27; thence South 89°41'15" West along the north line of said Section 27, a distance of 831 feet, more or less, to the point of beginning.

Insured By
The Insurance Company

upon which grantor operates a portion of his business by growing nursery stock thereon.

4. Grantor agrees to indemnify and defend grantee from any loss, claim or liability to grantee arising in any manner out of grantor's use of the easement strip. Grantor assumes all risk arising out of its use and grantee shall have no liability to grantor or others for any condition existing thereon.

5. In the event of any subdivision or sale of any portion of the servient estate described in paragraph 3 above, this easement shall remain appurtenant only to the largest remaining parcel and only to such parcel being used for growing of nursery stock and owners of any lesser parcels into which the servient estate may be subdivided shall have no right to use of the easement strip.

6. This easement shall be perpetual. However, in the event that it is not used by grantor for a period of three years for the purposes herein stated or if otherwise abandoned by grantor the easement shall automatically expire and grantor upon request shall execute a recordable document evidencing such expiration.

7. The City may reserve the right to oil or pave the easements herein reserved at their option to eliminate dust problems if any exist.

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The true and actual consideration for this conveyance is the sum of \$250,000 plus other property or value given or promised.

Dated this 26 day of November, 1975.

MOLLER'S NURSERY, INC.,
an Oregon corporation

By William P. Moller
President



[Signature]
Secretary

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Recorded By
Pioneer National
Title Insurance Company

STATE OF OREGON)
COUNTY OF MULTNOMAH) SS.

Personally appeared William C. Moller and Gary M. Moller who being duly sworn, did say that they are the President and Secretary of Moller's Nursery, Inc., and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and acknowledged said instrument to be its voluntary act and deed.



WITNESS my hand and official seal the day and year last above written.

[Signature]
Notary Public for Oregon

My commission expires: 11/1/77

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500 10000 10000

PIERCE NATIONAL TITLE INSURANCE COMPANY
421 S. W. STARK
PORTLAND, OREGON 97204
A. C. Adams

DR

J. J. [Signature]
Deputy

RECORDS SECTION
APR 18 3 52 PM '75
DEC 18 3 52 PM '75
1078
1033

Director, Department of Agriculture
and for said County, or Receiver of Government
within Institution in the Record of
of said County at

STATE OF OREGON DEED
Multnomah County

61514

BOOK OF RECORDS 12 24

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That ERNEST L. MEYER and VIRGINIA S. MEYER, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by City of Portland, a municipal corporation of the State of Oregon, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereto belonging or appertaining, situated in the County of Multnomah and State of Oregon, described as follows, to-wit:

All that part of the East one-half of the Southeast quarter of Section 22, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, lying South of the South line of Dodge Park Boulevard, EXCEPT the West 100 feet of the North 100 feet of the South 350 feet thereof; and further EXCEPTING the property described as a tract of land situated in the East one-half of the Southeast one-quarter of Section 22, Township 1 South, Range 4 East of the Willamette Meridian in the County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at the southwest corner of said legal subdivision; thence North, along the west line of said legal subdivision, a distance of 250.00 feet to a point; thence East, parallel with the south line of said legal subdivision, a distance of 100.00 feet to a point; thence North, parallel with the west line of said legal subdivision, a distance of 100.00 feet to a point; thence East, parallel with the south line of said legal subdivision, a distance of 50.00 feet to a point; thence South, parallel with the west line of said legal subdivision, a distance of 350.00 feet to a point in the south line of said legal subdivision; thence West, along said south line, a distance of 150.00 feet to the point of beginning.

Witness My Hand and Seal of said Company

This deed is given in fulfillment of a contract dated 6/22/71, and the warranties hereof shall be construed as of date of said contract, provided however, that subsequent to said date the Grantor warrants the title to said premises against all lawful claims thereto arising by, through or under them.

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except Easement for water pipes and roadway recorded 1/19/38 in Book 433 page 319, Deed Records; & Easement for water pipes and roadway recorded 11/18/65 in Book 424 page 81, Deed Records; and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 60,000.00

In Witness Whereof, the grantor has executed this instrument this 17 day of December, 1975; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Ernest L. Meyer
Virginia S. Meyer

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Multnomah

BE IT REMEMBERED, That on this 17th day of December, 1975 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Ernest L. Meyer and Virginia S. Meyer, husband and wife

known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Jane J. White
Notary Public for Oregon.
My Commission expires 11-9-76

Ernest L. Meyer et al
City of Portland

County of
I certify that the within instrument was received for record on the

GRANTEE'S NAME AND ADDRESS

NAME, ADDRESS, ZIP
City of Portland 43126

NAME, ADDRESS, ZIP

62480
STATE OF OREGON
Multnomah County
CLERK OF COUNTY
RECORDING SECTION
MULTRICH CO., OREGON
DEC 24 12 51 PM '75
In Book 1079
Page 797
witness my hand and official seal
Director of Administration
Deputy
Rec-17

1967

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM H. SESTER and BEATRICE C. SESTER, husband and wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto JOHN WILLIAM SESTER, a married man, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Multnomah, State of Oregon, described as follows, to-wit:

West Half of the West Half of the Northeast Quarter (W 1/2 of W 1/2 of NE 1/4) of Section Twenty-one (21), Township One (1) South of Range Four (4) East of the Willamette Meridian, except the following:

Commencing at the NE corner of the W 1/2 of W 1/2 of NE 1/4 of Sec. 21 T 1 S R 4 E WM, Multnomah County, Oregon, running thence westerly 250 feet to a point; thence southerly parallel with the East line of the W 1/2 of W 1/2 of NE 1/4 of said section a distance of 436 feet to a point; thence westerly parallel with the south line of Lusted Road a distance of 200 feet to a point; thence northerly parallel with the westerly line of the W 1/2 of W 1/2 of NE 1/4 of said section 436 feet to the northerly line of said W 1/2 of W 1/2 of NE 1/4 of said section; thence easterly on said north line 200 feet more or less to the point of beginning.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from incumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ love and affection.

In construing this deed the singular includes the plural as the circumstances may require. Witness grantor's hand this 21 day of January, 1969.

William H. Sester
Beatrice C. Sester

STATE OF OREGON, County of Multnomah, ss. January 21, 1969. Personally appeared the above named William H. Sester and Beatrice C. Sester, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Notary Public for Oregon. My commission expires 6-28-70.

NOTE—The sentence between the symbols (), if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

Special WARRANTY DEED

WILLIAM H. SESTER and BEATRICE C. SESTER JOHN WILLIAM SESTER

No.

AFTER RECORDING RETURN TO DONALD G. GILBERTSON ATTORNEY AT LAW 9210 S. E. SWAN STREET PORTLAND, OREGON 97216 ALPINE 3-5656

STATE OF OREGON Multnomah County

J. JOHN D. HELSON, Director, Department of Records and Elections and Recorder of Commissions, in and for said county, do hereby certify that the within instrument was duly recorded and recorded in the record of DEED of said County at

FEB 4 11 10 22

RECORDED

In W.P. 1297 Witness by hand and seal of office affixed. JOHN D. HELSON, Director, Department of Records and Elections.

98886

ss. u. he ...

33886

FEB 4 1969

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