

GRANTOR'S NAME AND ADDRESS

John W. Sester
33304 SE Lusted Road
Gresham, OR 97080

GRANTEE'S NAME AND ADDRESS

John W. and Kathleen R. Sester
33304 SE Lusted Road
Gresham, OR 97080

AFTER RECORDING, RETURN TO

Eric Young, Attorney
Post Office Box 594
Gresham, OR 97030

SEND TAX STATEMENTS TO:

John W. and Kathleen R. Sester
33304 SE Lusted Road
Gresham, OR 97080

Multnomah County Official Records
C Swick, Deputy Clerk

2009-175425



\$36.00

00603372200901754250010010

12/23/2009 09:18:33 AM

1R-B&S DEED
\$5.00 \$11.00 \$15.00 \$5.00

Cnt#1 Stn#29 ATMCS

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that **John W. Sester**, hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **John W. Sester** and **Kathleen R. Sester**, husband and wife, hereinafter called Grantees, as tenants by the entirety, and unto Grantees' heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Multnomah County, State of Oregon, described as follows:

West half of the West half of the Northeast Quarter (W½ of W½ of NE¼) 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 West 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 Grantees and Grantees' heirs, successors and assigns forever.

The true consideration paid for this transfer, stated in terms of dollars, is \$-0-. This conveyance is for estate planning purposes.

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF the Grantor has executed this instrument on the _____ day of December, 2009.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

John W. Sester

John W. Sester

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on the 22nd day of December, 2009, by **John W. Sester**.

Jeffalee A. Hansen

Notary Public for Oregon





After recording return to:
T&K Sester Family
33205 SE Oxbow Dr.
Gresham, OR 97080

Until a change is requested all tax
statements shall be sent to the
following address:
T&K Sester Family
33205 SE Oxbow Dr.
Gresham, OR 97080

File No.: 7012-2402931 (BB)
Date: March 03, 2015

Multnomah County Official Records
R Weldon, Deputy Clerk

2015-050111

05/01/2015 01:06:33 PM

1R-W DEED Pgs=3 Str=26 ATAAH
\$15.00 \$11.00 \$10.00 \$20.00

\$56.00

STATUTORY WARRANTY DEED

John W. Sester and Kathleen R. Sester, as tenants by the entirety, Grantor, conveys and warrants to **T&K Sester Family, LLC, an Oregon limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Multnomah, State of Oregon, described as follows:

See Attached Exhibit A

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$726,750.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN 2402931-8R

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Multnomah, State of Oregon, described as follows:

PARCEL I:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING NORTH OF DODGE PARK BOULEVARD:

WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 1 SOUTH OF RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, EXCEPT THE FOLLOWING:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST 1/2 OF WEST 1/2 OF NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, RUNNING THENCE WESTERLY 250 FEET TO A POINT; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF WEST 1/2 OF NORTHEAST 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 WEST 1/2 OF WEST 1/2 OF NORTHEAST 1/4 OF SAID SECTION 436 FEET TO THE NORTHERLY LINE OF SAID WEST 1/2 OF WEST 1/2 OF NORTHEAST 1/4 OF SAID SECTION; THENCE EASTERLY ON SAID NORTH LINE 200 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL II:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, RUNNING THENCE WESTERLY 250 FEET TO A POINT; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF NORTHEAST ONE-QUARTER 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 WEST ONE-HALF OF WEST ONE-HALF OF NORTHEAST ONE-QUARTER OF SAID SECTION 436 FEET TO THE NORTHERLY LINE OF SAID WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION; THENCE EASTERLY ON SAID NORTH LINE 200 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.



After recording return to:
Shelley L. Ekstrom, LLC
29722 SE Division Street
Troutdale, OR 97060

Until a change is requested all tax
statements shall be sent to the
following address:
Shelley L. Ekstrom, LLC
29722 SE Division Street
Troutdale, OR 97060

File No.: 7012-3037683 (PSD)
Date: April 04, 2018

THIS SPACE RESERVED FOR RECORDER'S USE

Multnomah County Official Records E Murray, Deputy Clerk	2018-058579
1R-W DEED Pgs=3 Str=25 ABELLER \$15.00 \$11.00 \$6.00 \$20.00	06/01/2018 12:06:08 PM \$52.00

Consideration: \$1,225,000.00
STATUTORY WARRANTY DEED

T&K Sester Family, LLC, an Oregon limited liability company, Grantor, conveys and warrants to **Shelley L. Ekstrom, LLC limited liability company**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Multnomah, State of Oregon, described as follows:

PARCEL I:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING NORTH OF DODGE PARK BOULEVARD:

WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 1 SOUTH OF RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, EXCEPT THE FOLLOWING:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST 1/2 OF WEST 1/2 OF NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, RUNNING THENCE WESTERLY 250 FEET TO A POINT; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF WEST 1/2 OF NORTHEAST 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 WEST 1/2 OF WEST 1/2 OF NORTHEAST 1/4 OF SAID SECTION 436 FEET TO THE NORTHERLY LINE OF SAID WEST 1/2 OF WEST 1/2 OF NORTHEAST 1/4 OF SAID SECTION; THENCE EASTERLY ON SAID NORTH LINE 200 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL II:

FIRST AMERICAN - 3037683-GR

COMMENCING AT THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 1 SOUTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, RUNNING THENCE WESTERLY 250 FEET TO A POINT; THENCE SOUTHERLY PARALLEL WITH THE EAST LINE OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF NORTHEAST ONE-QUARTER 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 WEST ONE-HALF OF WEST ONE-HALF OF NORTHEAST ONE-QUARTER OF SAID SECTION 436 FEET TO THE NORTHERLY LINE OF SAID WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF SAID SECTION; THENCE EASTERLY ON SAID NORTH LINE 200 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

NOTE: This Legal Description was created prior to January 01, 2008.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$1,225,000.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 31st day of May, 2018.

T & K Sester Family LLC, a limited liability company

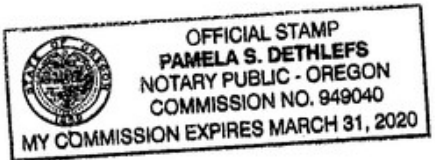
By: Ted Sester
Name: Ted Sester
Title: Member

By: Karen Sester
Name: Karen Sester
Title: Member

STATE OF Oregon)
County of Multnomah)ss.

This instrument was acknowledged before me on this 31st day of May, 2018 by Ted Sester and Karen Sester as Members of T & K Sester Family LLC, on behalf of the limited liability company.

Pamela Dethlefs



Notary Public for Oregon
My commission expires: 3/31/20

3.00 RESIDENTIAL DISTRICTS.

3.10 AGRICULTURAL DISTRICTS. F-2

3.11 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected or altered in this district except for the following uses:

3.111 Grazing, agriculture, horticulture, or the growing of timber.

3.112 Dwelling or dwellings for owner, operator and/or help required to carry out grazing, agriculture, horticulture or the growing of timber.

3.113 Accessory buildings.

3.114 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and other uses of a similar nature as provided in the Community Service Section (7.00), when approved by the Planning Commission.

3.115 Signs. The following signs shall be permitted in this district:

(a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.

(b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected to be at least ten (10) feet behind the front property line. Any such sign shall be approved by the Building Inspector as to location in regard to health, safety, view obstruction, or other such conditions, before erection.

(c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.

(d) A sign advertising the sale of agricultural products raised or grown on the premises.

3.12 RESTRICTIONS.

3.121 All other uses shall be subject to the other requirements of this Ordinance which apply.

3.15 SUBURBAN-RESIDENTIAL-DISTRICT - SR

3.151 PURPOSE. This section provides minimum standards designed to assure the orderly and beneficial development of the district as the area becomes more densely populated and assumes urban characteristics. No provision of this section shall regulate lands used for grazing, agriculture, horticulture or for the growing of timber.

3.152 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

3.1521 Single family dwellings

3.1522 Accessory buildings such as garages, car-ports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.

3.1523 On lots of forty-thousand (40,000) square feet or larger, dwelling or dwellings for owner, operator and/or help required to carry out grazing, agriculture, horticulture or the growing of timber.

3.1524 Grazing, agriculture, horticulture, or the growing of timber, provided that no retail or wholesale business sales office is maintained on a lot of less than two (2) acres and provided that no poultry or livestock, other than normal household pets, shall be housed within one hundred (100) feet of any residence other than a dwelling on the same lot.

3.1525 Special Uses:

(a) Parks, playground or community centers, golf courses and other uses of a similar nature as provided in the Community Service Section (7.00), when approved by the Planning Commission.

(b) Churches and schools, subject to the review of the Planning Commission and the restrictions provided in Section 7.20.

3.1526 Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.

3.1527 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted (residential) district.

- (a) Two-family dwellings.
- (b) Medical offices, dental offices, and clinics.
- (c) Parking, as required in Section 6.20.
- (d) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Ordinance which apply.

3.1528 Signs. The following signs, non-illuminated, shall be permitted in this district.

- (a) A sign advertising the sale or rental of a premises; of a temporary nature, with a maximum area on one side of eighty (8) square feet, when erected at least ten (10) feet behind the front property line.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development of a temporary nature, with a maximum area on one side of eight (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the Building Inspector as to location in regard to health, safety, view obstruction, or other such conditions, before erection.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) On lots of two (2) acres or larger, not more than two (2) signs, with a maximum total area of eighteen (18) square feet, advertising the sale of agricultural products raised or grown on the premises.

3.1529 Uses customarily incident to any of the above uses, including home occupations.

3.153 RESTRICTIONS.

3.1531 Lot Size. When topography, character and other considerations are favorable, and the following minimum standards are met, the minimum lot size in this district shall be:

<u>LOT AREA</u>	<u>MINIMUM STANDARDS</u>
Forty-thousand (40,000) square feet	<ol style="list-style-type: none"> 1. Approved water supply (public or private). 2. Approved individual sewage disposal system. 3. Approved public access. 4. Approved plan for future re-subdivision of total tract when urban conditions develop.
Twenty-thousand (20,000) square feet	<ol style="list-style-type: none"> 1. Approved public water supply. 2. Approved individual sewage disposal system. 3. Approved public access. 4. Approved plan for future re-subdivision of total tract when urban conditions develop.
Ten-thousand (10,000) square feet	<ol style="list-style-type: none"> 1. Approved public water supply. 2. Approved public sewer (or when conditions permit, State Code cesspool). 3. Approved public access. 4. Approved plan for the subdivision of the total tract. 5. Other established community facilities are available to serve the area and <u>similar lot sizes exist in the vicinity.</u>
	<p>(a) Approval of water supply and sewage disposal facilities shall be by the County Department of Public Health. Other approvals as above shall be by the Planning Commission. All such approvals shall be consistent with the purposes of this Ordinance.</p> <p>(b) Any further reduction in lot sizes shall require a change in district boundary. (Section 8.30). Such change may be considered on the basis of established character and community facilities in addition to the above.</p>

- (c) The minimum average lot width shall be seventy (70) feet, and the minimum lot width at the building line shall be seventy (70) feet. The minimum lot depth shall be one hundred (100) feet.

3.1532 Yard Requirements:

- (a) Front Yard. There shall be a front yard having a minimum depth of thirty (30) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the set-backs of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the set-back shall be the set-back of the occupied lot plus one-half the remaining distance to the required thirty (30) foot setback. If neither of the abutting side lots of tracts are occupied by a structure, the set-back shall be thirty (30) feet.
- (b) Side Yard. Side yards shall be a minimum of ten (10) feet.
- (c) Rear Yard. There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building.
- (d) Lot Coverage. The maximum area that may be covered by the dwelling unit and accessory buildings shall not exceed thirty percent (30%) of the total area of the lot.
- (e) A wholesale or retail sales office, limited to the sale of agricultural products raised or grown on the premises, may be maintained on a lot of two (2) acres or larger, with a minimum front yard depth of sixty (60) feet and a maximum ground floor area of four hundred (400) square feet. Such maximum floor area shall include lath houses over five (5) feet in height used for display or sales.

3.1533 Accessory Buildings. Accessory buildings may be allowed if they fulfill the following requirements:

- (a) If attached to the main building or separated by a breezeway they shall fulfill the front and side yard requirements of the main building
- (b) If detached and located behind the rear-most line of the main building, or a minimum of fifty-five (55) feet from the front lot line, whichever is greater, any one (1) story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code.

3.1534 Off-Street Parking. Two (2) automobile spaces on the lot shall be provided for each dwelling unit.

- 3.1535 Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, which ever is less.
- 3.1536 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.
- 3.1537 Half Streets. The minimum front or side yards or other set-backs as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.
- 3.1538 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot yard or setback requirements of this district.
- 3.1539 These requirements shall apply to lots that abut a future street as indicated on an approved and recorded subdivision plat.
- 3.154 EXCEPTIONS.
- 3.1541 Housing Project. When a developer of four (4) or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other conditions in harmony with the neighborhood, the Planning Commission may waive the front, side or rear yard requirements if it finds that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In such case the lot area, width and depth requirements shall remain the same as for this residential district.
- 3.1542 Where a lot less than the minimum size required, in this section was held under separate ownership, and was on public record at the time this Ordinance became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than three-thousand (3,000) square feet.
- 3.1543 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.

NEW DEFINITIONS

- 1.011 AGRICULTURE. The tilling of the soil, the raising of crops, dairying and/or animal husbandry, but not including the keeping or raising of fowl, pigs or fur bearing animals unless such is clearly incidental to the principal use of the property for the raising of crops.
- 1.231 GRAZING. The use of land for pasture of horses, cattle, sheep, goats, and/or other domestic herbivorous animals, along or in conjunction with agricultural pursuits.
- 1.241 HORTICULTURE. The cultivation of plants, garden crops, trees, and/or nursery stocks.
- 1.501 TIMBER GROWING. The growing of trees for the production of timber.

3.20 SINGLE FAMILY RESIDENTIAL DISTRICT R-40

3.21 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

3.211 Single family dwellings.

3.212 Accessory buildings such as garages, carports, studios, pergolas, private workshops, play-houses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.

3.213 Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within one-hundred (100) feet of any residence other than the dwelling on the same lot.

3.214 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature as provided in the Community Service Section (7.00), when approved by the Planning Commission.

3.215 Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.

3.216 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted (residential) district:

- (a) Two-family dwellings.
- (b) Medical offices, dental offices and clinics.
- (c) Parking, as required in Section 6.20.
- (d) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this ordinance which apply.

3.217 Signs. The following signs shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the Building Inspector before erection as to location in regard to health, safety, view obstruction, or other such conditions.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) In transitional areas a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district.

3.218 Uses customarily incident to any of the above uses, including home occupations.

3.22 RESTRICTIONS.

3.221 Lot size. The minimum lot size shall be forty thousand (40,000) square feet. The minimum average lot width shall be one hundred (100) feet. The minimum average lot depth shall be one hundred and forty (140) feet.

3.222 Yard Requirements.

- (a) Front Yard. There shall be a front yard with a minimum depth of thirty (30) feet.
- (b) Side Yard. Side yards shall be a minimum of ten (10) feet.
- (c) Rear Yard. There shall be a rear yard with a minimum depth of thirty (30) feet to any permanent structure.

- 3.223 Accessory Buildings. Accessory buildings may be allowed if they fulfill the front, side and rear yard requirements of the main building.
- * 3.224 Off-Street Parking. Two (2) automobile spaces on the lot shall be provided for each dwelling unit.
- 3.225 Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less.
- 3.226 Lot Coverage. The maximum area that may be covered by the dwelling unit and accessory buildings shall not exceed twenty percent (20%) of the total area of the lot.
- 3.227 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.
- 3.228 Half Streets. The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such case.
- 3.229 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

3.23 EXCEPTIONS

- 3.231 Housing Project. When a developer of four (4) or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Planning Commission may waive the front, side or rear yard requirements if it holds that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.
- 3.232 Where a lot has been a deed of record of less than one hundred (100) feet in width, or an area of less than forty thousand (40,000) square feet, and was held under separate ownership, or was on public record at the time this Ordinance became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than three-thousand (3,000) square feet.

this district. In no case, however, shall a dwelling unit have a lot area of less than three thousand (3,000) square feet.

- 3.233 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.

3.30 SINGLE FAMILY RESIDENTIAL DISTRICT R-30

3.31 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

3.311 Single family dwellings.

3.312 Accessory buildings such as garages, carports, studios, pergolas, private workshops, play-houses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.

3.313 Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within one hundred (100) feet of any residence other than the dwelling on the same lot.

3.314 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature as provided in the Community Service Section (7.00), when approved by the Planning Commission.

3.315 Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.

3.316 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted (residential) district:

(a) Two-family dwellings.

(b) Medical offices, dental offices and clinics.

(c) Parking, as required in section 6.20.

(d) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this ordinance which apply.

3.317 Signs. The following signs shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the building inspector before erection as to location in regard to health, safety, view obstruction, or other such conditions.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) In transitional areas a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district.

3.318 Uses customarily incident to any of the above uses, including home occupations.

3.32 RESTRICTIONS.

3.321 Lot Size. The minimum lot size shall be thirty thousand (30,000) square feet. The minimum average lot width shall be eighty (80) feet. The minimum average lot depth shall be one hundred and thirty (130) feet.

3.322 Yard Requirements.

- (a) Front Yard. There shall be a front yard with a minimum depth of thirty (30) feet.
- (b) Side Yard. Side yards shall be a minimum of ten (10) feet.
- (c) Rear Yard. There shall be a rear yard with a minimum depth of thirty (30) feet to any permanent structure.

- 3.323 Accessory Buildings. Accessory building may be allowed if they fulfill the front, side and rear yard requirements of the main building.
- *3.324 Off-street Parking. Two (2) automobile spaces on the lot shall be provided for each dwelling unit.
- 3.325 Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less.
- 3.326 Lot Coverage. The maximum area that may be covered by the dwelling unit and accessory buildings shall not exceed twenty-five percent (25%) of the total area of the lot.
- 3.327 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.
- 3.328 Half Streets. The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.
- 3.329 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

3.33 EXCEPTIONS.

- 3.331 Housing Project. When a developer of four (4) or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Planning Commission may waive the front, side or rear yard requirements if it holds that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.
- 3.332 Where a lot has been a deed of record of less than eighty (80) feet in width, or an area of less than thirty thousand (30,000) square feet, and was held under separate ownership, or was on public record at the time this ordinance became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot

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area of less than three thousand (3,000) square feet.

- 3.333 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.

340 SINGLE FAMILY RESIDENTIAL DISTRICT R-20

3.41 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

3.411 Single family dwellings.

3.412 Accessory buildings such as garages, carports, studios, pergolas, private workshops, play-houses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.

3.413 Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within one hundred (100) feet of any residence other than the dwelling on the same lot.

3.414 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature, as provided in the Community Service Section (7.00), when approved by the Planning Commission.

3.415 Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.

3.416 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted (residential) district:

(a) Two-family dwellings.

(b) Medical offices, dental offices and clinics.

(c) Parking, as required in section 6.20.

(d) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this ordinance which apply.

3.417 Signs. The following signs shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the building inspector before erection as to location in regard to health, safety, view obstruction, or other such conditions.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) In transitional areas a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district.

3.418 Uses customarily incident to any of the above uses, including home occupations.

3.42 RESTRICTIONS.

3.421 Lot Size. The minimum lot size shall be twenty-thousand (20,000) square feet. The minimum average lot width shall be eighty (80) feet. The minimum average lot depth shall be one hundred and twenty (120) feet.

3.422 Yard Requirements.

- (a) Front Yard. There shall be a front yard having a minimum depth of thirty (30) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the set-backs of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the set-back shall be the set-back of the occupied lot, plus one half of the remaining distance to

the required thirty (30) foot set-back. If neither of the abutting side lots or tracts are occupied by a structure, the set-back shall be thirty (30) feet.

(b) Side Yard. Side yards shall be a minimum of ten (10) feet.

(c) Rear Yard. There shall be a rear yard with a minimum depth of thirty (30) feet to any permanent structure.

- 3.423 Accessory Buildings. Accessory buildings may be allowed if they fulfill the front, side and rear yard requirements of the main building.
- * 3.424 Off-street Parking. Two (2) automobile spaces on the lot shall be provided for each dwelling unit.
- 3.425 Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less.
- 3.426 Lot Coverage. The maximum area that may be covered by the dwelling unit and accessory buildings shall not exceed thirty percent (30%) of the total area of the lot.
- 3.427 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.
- 3.428 Half Streets. The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.
- 3.429 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

3.43 EXCEPTIONS.

- 3.431 Housing Project. When a developer of four (4) or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Planning Commission may waive the front, side or rear yard requirements if it holds that the proposed de-

sign is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width and depth requirements shall remain the same as for this residential district.

- 3.432 Where a lot has been a deed of record of less than eighty (80) feet in width, or an area of less than twenty thousand (20,000) square feet, and was held under separate ownership, or was on public record at the time this ordinance became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than three thousand (3,000) square feet.
- 3.433 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.

3.50 SINGLE FAMILY RESIDENTIAL DISTRICT R-10

3.51 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered, or enlarged in this district except for the following uses:

3.511 Single family dwellings.

3.512 Accessory buildings such as garages, carports, studios, pergolas, private workshops, play-houses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.

3.513 Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within one hundred (100) feet of any residence other than the dwelling on the same lot.

3.514 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature as provided in the Community Service Section (7.00), when approved by the Planning Commission.

3.515 Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, ~~that~~ a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.

3.516 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted (residential) district:

- (a) Two-family dwellings.
- (b) Medical offices, dental offices and clinics.
- (c) Parking, as required in Section 6.20.
- (d) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this ordinance which apply.

3.517 Signs. The following signs shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the Building Inspector before erection as to location in regard to health, safety, view obstruction, or other such conditions.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) In transitional areas a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district.

3.518 Uses customarily incident to any of the above uses, including home occupations.

3.52 RESTRICTIONS.

3.521 Lot Size. The minimum lot size shall be ten thousand (10,000) square feet. The minimum average lot width shall be seventy (70) feet, and the minimum lot width at the building line shall be seventy (70) feet. The minimum average lot depth shall be one hundred (100) feet.

3.522 Yard Requirements.

- (a) Front Yard. There shall be a front yard having a minimum depth of thirty (30) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structure on abutting

lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the set-back shall be the set-back of the occupied lot, plus one-half the remaining distance to the required thirty (30) foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be thirty (30) feet.

- (b) Side Yards. Side yards shall be a minimum of ten (10) feet.
- (c) Rear Yards. There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building.

* (d) Corner lots may have a rear yard of not less than 10'0" if the front yard is not less than 30'0" and if the side yards are not less than 20'0".

3.523 Accessory Buildings. Accessory buildings may be allowed if they fulfill the following requirements:

- (a) If attached to the main building or separated by a breeze-way they shall fulfill the front and side yard requirements of the main building.
- (b) If detached and located behind the rear most line of the main building, or a minimum of fifty-five (55) feet from the front lot line, whichever is greater, any one (1) story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code.

3.524 Off-Street Parking. Two (2) automobile spaces on the lot shall be provided for each dwelling unit.

3.525 Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less.

3.526 Lot Coverage. The maximum area that may be covered by the dwelling unit and accessory building shall not exceed thirty percent (30%) of the total area of the lot.

3.527 All lots in this district shall abut a street or shall have such other access held suitable by the Planning Commission.

3.528 Half Streets. The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

3.529 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

3.53 EXCEPTIONS.

3.531 Housing Project. When a developer of four (4) or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions, in harmony with the neighborhood, the Planning Commission may waive the front, side or rear yard requirements if it is deemed that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.

3.532 Where a lot has been a deed of record of less than seventy (70) feet in width or an area of less than ten thousand (10,000) square feet, and was held under separate ownership, or was on public record at the time this ordinance became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than three thousand (3,000) square feet.

3.533 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.

3.60 SINGLE FAMILY RESIDENTIAL DISTRICT R-7.5

61 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

- 3.611 Single family dwellings.
- 3.612 Accessory buildings such as garages, carports, studios, pergolas, private workshops, play houses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.
- 3.613 Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within one hundred (100) feet of any residence other than the dwelling on the same lot.
- 3.614 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature, as provided in the Community Service Section (7.00), when approved by the Planning Commission.
- 3.615 Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.
- 3.616 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted (residential) district:
 - (a) Two-family dwellings.
 - (b) Medical offices, dental offices and clinics.
 - (c) Parking, as required in Section 6.20.
 - (d) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this ordinance which apply.

3.617 Signs. The following signs shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the building inspector before erection as to location in regard to health, safety, view obstruction, or other such conditions.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) In transitional areas a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district.

3.618 Uses customarily incident to any of the above uses, including home occupations.

3.62 RESTRICTIONS.

3.621 Lot Size. The minimum lot size shall be seven thousand five hundred (7,500) square feet. The minimum average lot width shall be seventy (70) feet, and the minimum lot width at the building line shall be seventy (70) feet. The minimum average lot depth shall be ninety (90) feet.

3.622 Yard Requirements.

- (a) Front Yard. There shall be a front yard having a minimum depth of thirty (30) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the set-backs of the main structures on abutting lots on either side if both lots are occupied;

if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half the remaining distance to the required thirty (30) foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be thirty (30) feet.

(b) Side Yards. Side yards shall be a minimum of ten (10) feet, on corner lots the side yard shall be a minimum of ten (10) feet on the side abutting the street.

(c) Rear Yards. There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building.

* (d) Corner lots may have a rear yard of not less than 10'0" if the front yard is not less than 30'0" and if the side yards are not less than 20'0".

3.623 Accessory Buildings. Accessory buildings may be allowed if they fulfill the following requirements:

(a) If attached to the main building or separated by a breeze-way they shall fulfill the front and side yard requirements of the main building.

(b) If detached and located behind the rear-most line of the main building, or a minimum of fifty-five (55) feet from the front lot line, whichever is greater, any one (1) story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street when in compliance with the Building Code.

3.624 Off-Street Parking. Two (2) automobile spaces on the lot shall be provided for each dwelling unit.

3.625 Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less.

3.626 Lot Coverage. The maximum area that may be covered by the dwelling unit and accessory buildings shall be thirty-five (35) percent of the total area of the lot.

3.627 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.

3.628 Half Streets. The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

3.629 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

3.63 EXCEPTIONS.

3.631 When a developer of four (4) or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Planning Commission may waive the front, side or rear yard requirements if it holds that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.

3.632 Where a lot has been a deed of record of less than seventy (70) feet in width, or an area of less than seven thousand five hundred (7,500) square feet, and was held under separate ownership, or was on public record at the time this ordinance became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than three thousand (3,000) square feet.

3.633 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.

3.70 SINGLE FAMILY RESIDENTIAL DISTRICT R-7

3.71 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

3.711 Single family dwellings.

3.712 Accessory buildings such as garages, carports, studios, pergolas, private workshops, play houses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.

3.713 Farming, truck gardening, orchards and nurseries, provided that no retail or wholesale business sales office is maintained on the premises, and provided that no poultry or livestock, other than normal household pets, shall be housed within one hundred (100) feet of any residence other than the dwelling on the same lot.

3.714 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature, as provided in the Community Service Section (7.00), when approved by the Planning Commission.

3.715 Temporary structures may be allowed in this district if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.

3.716 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted (residential) district:

(a) Two-family dwellings.

(b) Medical offices, dental offices and clinics.

(c) Parking, as required in Section 6.20.

(d) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this ordinance which apply.

3.717 Signs. The following signs shall be permitted in this district:

A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.

- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the building inspector before erection as to location in regard to health, safety, view obstruction, or other such conditions.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) In transitional areas a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district.

3.718 Uses customarily incident to any of the above uses, including home occupations.

3.72 RESTRICTIONS.

3.721 Lot Size. The minimum lot size shall be seven thousand (7,000) square feet. The minimum average lot width shall be sixty (60) feet, and the minimum lot width at the building line shall be sixty (60) feet. The minimum average lot depth shall be eighty (80) feet.

3.722 Yard Requirements.

- (a) Front Yard. There shall be a front yard having a minimum depth of twenty (20) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the set-backs of the main structures on abutting lots on either side if both lots are

occupied; if one lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half the remaining distance to the required twenty (20) foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be twenty (20) feet.

(b) Side Yards. Side yards shall be a minimum of five (5) feet, on corner lots the side yard shall be a minimum of ten (10) feet on the side abutting the street.

(c) Rear Yards. There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building.

*(d) Corner lots may have a rear yard of not less than 5'0" if the front and side yards are not less than 20'0".

3.723 Accessory Buildings. Accessory buildings may be allowed if they fulfill the following requirements:

(a) If attached to the main building or separated by a breeze-way they shall fulfill the front and side yard requirements of the main building.

(b) If detached and located behind the rear-most line of the main building, or a minimum of fifty (50) feet from the front lot line, whichever is greater, any one (1) story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code.

3.724 Off-Street Parking. Two (2) automobile spaces on the lot shall be provided for each dwelling unit.

3.725 Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less.

3.726 Lot Coverage. The maximum area that may be covered by the dwelling unit and accessory buildings shall be thirty-five (35) percent of the total area of the lot.

3.727 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.

3.728 Half Streets. The minimum front or side yards or other setbacks as stated herein shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such cases.

3.729 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

3.73 EXCEPTIONS

3.731 When a developer of four (4) or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Planning Commission may waive the front, side or rear yard requirements if it holds that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live. In this case the lot area, width, and depth requirements shall remain the same as for this residential district.

3.732 Where a lot has been a deed of record of less than sixty (60) feet in width, or an area of less than seven thousand (7,000) square feet, and was held under separate ownership, or was on public record at the time this ordinance became effective, such lot may be occupied by any use permitted in this district. In no case, however, shall a dwelling unit have a lot area of less than three thousand (3,000) square feet.

3.733 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.

3.80 TWO-FAMILY RESIDENTIAL DISTRICT R-4

3.81 USE. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

3.811 One-family dwellings.

3.812 Two-family dwellings.

*3.812.5 Dwelling groups when developed according to the provisions of Section 3.833 and the standards of this District which apply.

3.813 Accessory building such as garages, carports, studios, pergolas, private workshops, play houses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.

3.814 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses, and uses of similar nature, as provided in the Community Service Section (7.00) when approved by the Planning Commission.

3.815 Temporary structures may be allowed in this district, if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be reviewed by the Board of Adjustment at the end of that period.

3.816 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted(residential) district.

(a) Apartment dwellings.

(b) Medical offices, dental offices and clinics.

(c) Parking, as required in Section 6.20.

(d) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this ordinance which apply.

3.817 Signs. The following signs shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the Building Inspector before erection as to location in regard to health, safety, view obstruction, or other such conditions.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) In transitional areas a sign, illuminated or otherwise, but not of flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district.
- * (e) One identification sign for each dwelling group permitted under Section 3.8125, only indirectly illuminated, with a maximum area on one side of four (4) square feet, and located not less than fifteen (15) feet from any property line.

3.818 Uses customarily incident to any of the above uses, including home occupations.

82 RESTRICTIONS

*3.821 Lot Size. The minimum lot size shall be eight thousand (8,000) square feet for a two-family dwelling, seven thousand (7,000) square feet for a single family dwelling, and four thousand (4,000) square feet for each dwelling unit in dwelling groups permitted under Section 3.8125. The minimum average lot width shall be sixty (60) feet, the minimum width at the building line shall

be sixty (60) feet, and the minimum average lot depth shall be eighty (80) feet.

3.822 Yard Requirements

(a) Front Yard. There shall be a front yard having a minimum depth of twenty (20) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the set-backs of the main structures on abutting lots on either side if both lots are occupied; if one lot is occupied and the other vacant, the set-back shall be the set-back of the occupied lot, plus one-half the remaining distance to the required twenty (20) foot set-back. If neither of the abutting side lots or tracts are occupied by a structure, the set-back shall be twenty (20) feet.

(b) Side Yard. Side yards shall be a minimum of five (5) feet, on corner lots the side yard shall be a minimum of ten (10) feet on the side abutting the street.

(c) Rear Yard. There shall be a rear yard with a minimum depth of twenty-five (25) feet to the main building.

3.823 Accessory Buildings. Accessory buildings may be allowed if they fulfill the following requirements;

(a) If attached to the main building or separated by a breeze-way they shall fulfill the front and side yard requirements of the main building.

(b) If detached and located behind the rear-most line of the main building, or a minimum of fifty (50) feet from the front lot line whichever is greater, any one (1) story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code.

* 3.824 Off Street Parking. Two (2) automobile spaces on the lot shall be provided for each dwelling unit. Off-street parking for dwelling groups permitted under Section 3.8125 shall be provided according to the requirements of Section 6.20.

* 3.825 Height Restrictions. Maximum height of any structure shall be two and one-half (2 and 1/2) stories or thirty-five (35) feet, whichever is less. Maximum height of any structure in a dwelling group

permitted under Section 3.812.5 shall be one (1) story, unless the Planning Commission shall determine that a greater height is in harmony with the neighborhood.

- 3.826 Lot Coverage. The maximum area that may be covered by the dwelling (s) and accessory buildings shall not exceed forty (40) percent of the total area of the lot.
- 3.827 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.
- 3.828 Half Streets. The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or set-back abuts a street having insufficient right-of-way widths to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or set-back requirements in such cases.
- 3.829 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or set-back requirements of this district.

3.83 EXCEPTIONS

- 3.831 Where a lot has been a deed of record of less than sixty (60) feet in width, or an area of less than eight thousand (8,000) square feet, and was held under separate ownership, or was on public record at the time this ordinance became effective, such lot may be occupied only by a use permitted in an R-7 district. In no case, however, shall a dwelling unit have a lot area of less than three thousand (3,000) square feet.
- 3.832 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.
- *3.833 Dwelling groups may be located in this district when arranged according to a site development plan and program approved by the Planning Commission. In approving such site development plan and program, the Planning Commission shall consider the present and potential character of the area, the need for adequate access, circulation and parking, for privacy, useable open spaces, building relationships, landscaping and other factors which will

assure a desirable living environment. The Planning Commission may attach such conditions to the approval as are necessary to carry out these objectives.

3.90 APARTMENT RESIDENTIAL DISTRICT A-2

3.91 USE. No building, structure or land shall be used and no building or structure shall be hereinafter erected, altered or enlarged in this district except for the following uses:

- 3.9101 Single Family Dwellings.
- 3.9102 Two-Family Dwellings.
- 3.9103 Apartment Dwellings.
- 3.9104 Accessory buildings such as garages, carports, studios, pergolas, private workshops, playhouses, private greenhouses or other similar structures related to the dwelling in design, whether attached or detached.
- 3.9105 Special uses, such as parks, playgrounds or community centers, churches, schools, golf courses and uses of similar nature, as provided in Community Service Section (7.00); when approved by the Planning Commission.
- 3.9106 Temporary structures may be allowed in this district, if these structures relate to the building or sale of land or homes, provided, however, that a temporary permit shall be issued for these structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.
- 3.9107 Where any portion of a lot is within one hundred and fifty (150) feet of the boundary of a C-3 or C-2 district, apartment dwellings (3 units or more) with a minimum lot size of five thousand eight hundred (5,800) square feet plus one thousand two hundred (1,200) square feet for each unit may be permitted after a public hearing before the Planning Commission. In such cases the maximum area that may be covered by the dwelling unit and accessory buildings shall be fifty percent (50%) of the total area of the lot. All other requirements of the A-2 Section shall apply.
- 3.9108 Where the side of a lot abuts on a commercial or industrial district, the following transitional uses are permitted provided they do not extend more than one hundred (100) feet into the more restricted (residential) districts:
 - (a) Medical offices, dental office and clinics.
 - (b) Parking, as required in Section 6.20.
 - (c) Other uses of a transitional nature as determined by the Planning Commission. These transitional uses shall conform to all other requirements of this Ordinance which apply.

3.9109 SIGNS. The following signs shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one side of eight (8) square feet, when erected at least ten (10) feet behind the front property line.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one side of eighty (80) square feet, when erected at least ten (10) feet behind the front property line. Any such sign shall be approved by the Building Inspector as to location in regard to health, safety, view obstruction, or other such conditions, before erection.
- (c) A sign stating the name of the owner or occupant of the property; with a maximum area on one side of two (2) square feet.
- (d) In transitional areas a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of eighteen (18) square feet. Any external sign displayed shall pertain only to the use conducted within the building. Artificially illuminated signs shall not be permitted if they face an abutting residential district.
- (e) In trailer parks a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one side of twelve (12) square feet. Such sign shall pertain only to the use of the property, and shall be located not less than ten (10) feet from any property line. Artificially illuminated signs shall not be permitted if they face an abutting residential district.

*3.9110 Uses customarily incident to any of the above uses, including home occupations.

3.9111 The following uses may be permitted after a public hearing before the Planning Commission:

- (a) Trailer parks; (b) Hotels;
- (c) Boarding Houses (d) Motels;
- * (e) Professional Offices Amended January 10, 1957
- * (f) Medical and dental offices and clinics
Amended January 10, 1957

*Section 3.9110 Amended May 2, 1956

The Planning Commission may attach additional conditions as to setbacks, screening, off-street parking and loading, construction standards and maintenance, which may be deemed necessary to protect public health, safety and general welfare; to protect adjacent properties and the public interest.

3.92 RESTRICTIONS

3.921 Lot Size and Coverage.

<u>Number of Dwelling Units</u>	<u>Minimum Lot Size in Square Feet</u>	<u>Per Cent Lot Coverage</u>
1	7,000	35
2	8,000	40
3	11,000	40
4	14,000	45
5	16,500	45
6	19,000	45
7-10	21,500 + 2,250 for each unit over 7	45
11-20	30,500 + 2,000 for each unit over 11	45
21-37	50,750 + 1,750 for each unit over 21	50
38-63	79,500 + 1,500 for each unit over 38	55
64-up	118,500 + 1,000 for each unit over 64	55

The minimum average lot width shall be sixty (60) feet, and the minimum lot width at the building line shall be sixty (60) feet. The minimum average lot depth shall be eighty feet.

*Where the number of dwelling units erected on a lot is calculated in accordance with this Section, no greater number of units shall in any event be permitted at any time except in compliance with Section 3.9107 when approved by the Planning Commission.

3.922 Yard Requirements,

- (a) Front yard. There shall be a front yard having a minimum depth of twenty (20) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one (1) lot

is occupied and the other vacant, the set-back shall be the set-back of the occupied lot, plus one-half the remaining distance to the required twenty (20) foot set-back. If neither of the abutting side lots or tracts are occupied by a structure, the set-back shall be twenty (20) feet.

- (b) Side Yard. For buildings one (1) or two (2) stories in height, side yards shall be a minimum of five (5) feet; for buildings exceeding two (2) stories in height, the side yards shall be a minimum of one (1) foot horizontally for every three (3) feet of building height; on corner lots the side yard for all structures shall be a minimum of ten (10) feet on the side abutting the street.
- (c) Rear Yard. There shall be a rear yard with a minimum depth of fifteen (15) feet to the main building.

3.923 Accessory Buildings. Accessory buildings may be allowed if they fulfill the following requirements:

- (a) If attached to the main building or separated by a breeze-way they shall fulfill the front and side yard requirements of the main building.
- (b) If detached and located behind the rear-most line of the main building, or a minimum of forty-five (45) feet from the front lot line, whichever is greater, any one (1) story accessory building may be located adjacent to or on a rear and/or side lot line not fronting on a street, when in compliance with the Building Code.

3.924 Off-Street Parking. Off-street parking shall be provided as required in Section 6.20.

3.925 Height Restrictions. Maximum height of any structure shall be two and one-half ($2\frac{1}{2}$) stories or thirty-five (35) feet, whichever is less. All structures exceeding thirty-five (35) feet, or two and one-half ($2\frac{1}{2}$) stories, may be permitted if in harmony with the neighborhood after a public hearing before the Planning Commission.

3.926 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.

3.927 Half Street. The minimum front or side yards or other set-backs as stated herein, shall be increased where such yard or set-back abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or set-back requirements in such cases.

3.928 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or set-back requirements of this district.

3.929 All of the above restrictions shall apply to hotels, boarding houses, motels, and trailer parks, except that the minimum lot sizes for such uses shall be as hereinafter provided, and in addition they shall comply with the following requirements:

(a) Trailer Parks.

(1) Trailer parks shall be located on well-drained sites, and shall be so located that their drainage shall not endanger any water supply.

All such trailer parks shall be located in areas free from marshes, swamps, or other potential breeding places for insects or rodents.

(2) The area of the trailer park shall be large enough to accommodate:

(a) The designated number of trailer spaces.

(b) Necessary streets and drives.

(c) Off-street parking.

(d) Service areas, recreation areas, and set-backs.

(3) Each trailer space shall contain a minimum of one thousand two hundred (1,200) square feet, except that at the option of the owner the minimum size may be one thousand (1,000) square feet if, as provided in subsection (12) of this section, an area of one hundred (100) square feet for each trailer space is provided as recreation area. Each trailer space shall be a minimum of twenty-five (25) feet in width, and shall abut on a drive with unobstructed access to a street. Such spaces shall be clearly defined. Trailers shall be located in such spaces with a minimum of fifteen (15) feet between trailers, or between a trailer and any building.

(4) No trailer shall be located less than five (5) feet from a side or rear property line.

(5) No trailer shall be located less than twenty-five (25) feet from any street or highway, or so that any part of such trailer will obstruct any drive or walkway.

- (6) No trailer shall remain in a trailer park unless a trailer space is available.
- (7) Access drives shall be provided to each trailer space, shall be continuous, shall connect with a street, and shall have a minimum width of twenty (20) feet, with a minimum total width of thirty-six (36) feet for exterior connections.
- (8) Improved walkways, not less than two (2) feet in width, shall be provided from each trailer space to service buildings.
- (9) Access drives and walkways within the park shall be hard surfaced according to standards established by the County Roadmaster.
- (10) Each trailer space shall be improved with one patio of concrete or other suitable impervious material, having a minimum area of one hundred fifty (150) square feet and one crushed rock or better trailer pad having a minimum size of ten (10) feet by forty (40) feet.
- * (11) Off-street parking shall be provided as required in Section 6.20, with a minimum of one and one-half (1½) parking spaces for each trailer space. Minimum width access drives shall not be considered in fulfilling this requirement.
- (12) Recreation areas which may be provided under the conditions of subsection (3) of this section, shall be suitably equipped and restricted to such uses. Such areas shall be protected from streets, drives and parking areas. A minimum of one hundred (100) square feet of recreation area for each trailer space shall be provided in one or more locations within the trailer park. The minimum size of each such recreation area shall be two thousand five hundred (2,500) square feet.
- (13) No permanent additions of any kind shall be built onto, nor become a part of, any trailer. Skirting of trailers is permissible, but such skirting shall not attach the trailer to the ground.
- (14) Permanent structures located within any trailer space shall be used for storage purposes only, shall have a maximum area of twenty-five (25) square feet, shall be located not less than six (6) feet from any trailer, and shall be subject to all of the applicable provisions of the

Multnomah County Building Code. These structures shall be uniform and included in the plan submitted to and approved by the Planning Commission.

- (15) Wheels of trailers shall not be removed, except temporarily when necessary for repairs.
- (16) A sight-obscuring fence of not less than six (6) feet, nor more than seven (7) feet in height, with no openings other than the required entrances and exits to streets and public places, shall be provided along any lot line which abuts or faces a more restricted residential district.
- (17) Applications for use of land as a trailer park shall be accompanied by complete plans and specifications of the proposed park and all permanent buildings, indicating the proposed methods of compliance with these requirements. Such plans shall be to a scale of not less than one (1) inch - forty (40) feet. Such application shall also include a copy of the approval of plans by the County Health Department.

(b) Hotels, boarding houses and motels:

- (1) If cooking facilities are provided in individual units of a structure or structures, the requirements of the A-2 Apartment-Residential District for dwelling units shall apply for each unit containing the cooking facilities.

3.93 EXCEPTIONS.

3.931 Where a lot has been a deed of record of less than sixty (60) feet in width, or an area of less than eight thousand (8,000) square feet, and was held under separate ownership, or was on public record at the time this Ordinance became effective, such lot may be occupied only by a use in an R-7 district. In no case, however, shall a single family dwelling unit have a lot area of less than three thousand (3,000) square feet.

3.932 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.

DEFINITION

Section 1.521 Trailer. Any vehicle or similar portable structure having no foundation other than wheels, jacks or skirtings and so designed or constructed as to permit occupancy for living or sleeping purposes.

*3.010 APARTMENT-RESIDENTIAL-BUSINESS OFFICE DISTRICT A-1-B

3.011 PURPOSE. The purpose of this district is to provide suitable areas for apartment dwellings together with harmonious business and professional office uses, generally utilizing the frontage on major arterials, in a manner offering a high level of access and compatibility with the necessary traffic-carrying capacity and with a minimum of conflict with adjoining single family residential districts.

3.012 USES. No building, structure or land shall be used and no building or structure shall be hereafter erected, altered or enlarged in this district except for the following uses:

3.0121 Any use permitted in an R-7 or R-4 district and apartment dwellings according to the Standards of Section 3.92.

3.0122 Apartment Dwellings, High Density

Where any portion of a lot is within one hundred and fifty (150) feet of the boundary of a C-3 or C-2 district, apartment dwellings (3 units or more) with a minimum lot size of five-thousand, eight hundred (5,800) square feet plus one-thousand, two hundred (1,200) square feet for each unit may be permitted after a public hearing before the Planning Commission. In such cases the maximum area that may be covered by the dwelling unit and accessory buildings shall be fifty percent (50%) of the total area of the lot. All other requirements of the A-2 Section shall apply.

3.0123 Trailer Courts, Hotels, Motels and Boarding Houses may be permitted after public hearing before the Planning Commission, when in harmony with the Development Pattern and the character of the area, and developed in accordance with the standards of Section 3.929.

3.0124 The following uses when developed in accordance with the standards of this Section:

- (a) Offices, studios or clinics of the following professions or occupations:
 - (1) Accountants
 - (2) Architects
 - (3) Artists
 - (4) Attorneys
 - (5) Authors and Writers
 - (6) Dentists
 - (7) Designers
 - (8) Engineers
 - (9) Investment Counselors
 - (10) Landscape Architects
 - (11) Management Consultants
 - (12) Physicians and Surgeons
 - (13) Psychologists

- (b) Office of administrative, editorial, educational, executive, financial, governmental, philanthropic, insurance, real estate, religious, research, scientific or statistical organizations whose activities are such that few visitors other than employees have reason to come to the premises.

- (c) Any other office use held similar to the above uses, as approved by the Planning Commission as being in harmony with the Development Pattern and with the area and purposes set forth in Section 3.01 General Purposes Section of this Ordinance.

- (d) Accessory buildings or uses customarily incidental to such uses, when located on the same lot

3.0125 Limitations

- (a) Except for those items necessarily related to the business or profession, no goods, wares or merchandise shall be displayed, sold or serviced on any lot in this district.
- (b) All uses and operations shall be confined, contained and conducted wholly within completely enclosed buildings, except off-street parking and loading areas.

3.0126 Special uses, such as parks, playgrounds, or community centers, churches, schools, golf courses and uses of similar nature, as provided in the Community Service Section (7.00), when approved by the Planning Commission.

(3.0127 Temporary structures or uses may be allowed in this district, if these relate to the building or sale of land or permanent structures, provided, however, that a temporary permit shall be issued for these temporary structures by the Board of Adjustment. This permit shall expire at the end of one (1) year, but may be renewed by the Board of Adjustment at the end of that period.

3.0128 SIGNS. The following signs, located no closer than ten (10) feet from any property line, shall be permitted in this district:

- (a) A sign advertising the sale or rental of a premises; not artificially illuminated, of a temporary nature, with a maximum area on one (1) side of eight (8) square feet.
- (b) A sign advertising the sale of a tract of land or a legally approved subdivision or development; not artificially illuminated, of a temporary nature, with a maximum area on one (1) side of eighty (80) square feet. Any such sign shall be approved by the Building Inspector as to location in regard to health, safety, view obstruction, or other such conditions, before erection.
- (c) A sign for each dwelling, stating the name of the owner or occupant of the property; with a maximum area on one (1) side of two (2) square feet.

- (d) In trailer courts, a sign, illuminated or otherwise, but not of a flashing intermittent type, with a maximum area on one (1) side of twelve (12) square feet. Such sign shall pertain only to the use of the property. Artificially illuminated signs shall not be permitted if they face an abutting residential district.
- (e) For offices a sign or signs indirectly illuminated, but not of a flashing intermittent type, with the following limitations:
 - (1) Maximum sign area, one (1) side, shall be two (2) square feet for each use, and the total area, one (1) side, of all exterior sign display surfaces shall not exceed eighteen (18) square feet.
 - (2) Artificially illuminated signs shall not be permitted if they face an abutting residential district.
 - (3) Any external sign displayed shall pertain only to the use conducted within the building and shall not advertise incidental products.

3.0129 The Planning Commission may attach additional conditions as to set-backs, screening, off-street parking and loading, construction standards and maintenance, which may be deemed necessary to protect public health, safety and general welfare; to protect adjacent properties and the public interest.

3.013 RESTRICTIONS. Except as otherwise specified herein, all residential uses shall fulfil the applicable restrictions of the A-2 Section of this Ordinance. All other uses permitted by this Section shall meet the following requirements:

3.0131 Yard Requirements.

- (a) Front Yard. There shall be a front yard having a minimum depth of twenty (20) feet, unless a previous building line less than this has been established, in which case the minimum front yard for interior lots shall be the average of the setbacks of the main structures on abutting lots on either side if both lots are occupied; if one (1) lot is occupied and the other vacant, the setback shall be the setback of the occupied lot, plus one-half ($\frac{1}{2}$) the remaining distance to the required twenty (20) foot setback. If neither of the abutting side lots or tracts are occupied by a structure, the setback shall be twenty (20) feet.

- (b) Side Yard. For buildings one (1) or two (2) stories in height, side yard shall be a minimum of five (5) feet; for buildings exceeding two (2) stories in height, the side yards shall be a minimum of one (1) foot horizontally for every three (3) feet of building height; on corner lots the side yard for all structures shall be a minimum of ten (10) feet on the side abutting the street.
- (c) Rear Yard. There shall be a rear yard with a minimum depth of fifteen (15) feet to the main building.

3.0132 Accessory Uses. Uses or buildings, accessory to primary office use, may be allowed and shall fulfill the yard requirements of this district.

*3.0133 Off-Street Parking and Loading. Off-street parking and loading shall be provided as required in Section 6.20 of this Ordinance.

3.0134 Height Restrictions. Maximum height of any structure shall be two and one-half (2½) stories or thirty-five (35) feet, whichever is less. All structures exceeding thirty-five (35) feet, or two and one-half (2½) stories, may be permitted if in harmony with the neighborhood after a public hearing before the Planning Commission.

3.0135 All lots in this district shall abut a street, or shall have such other access held suitable by the Planning Commission.

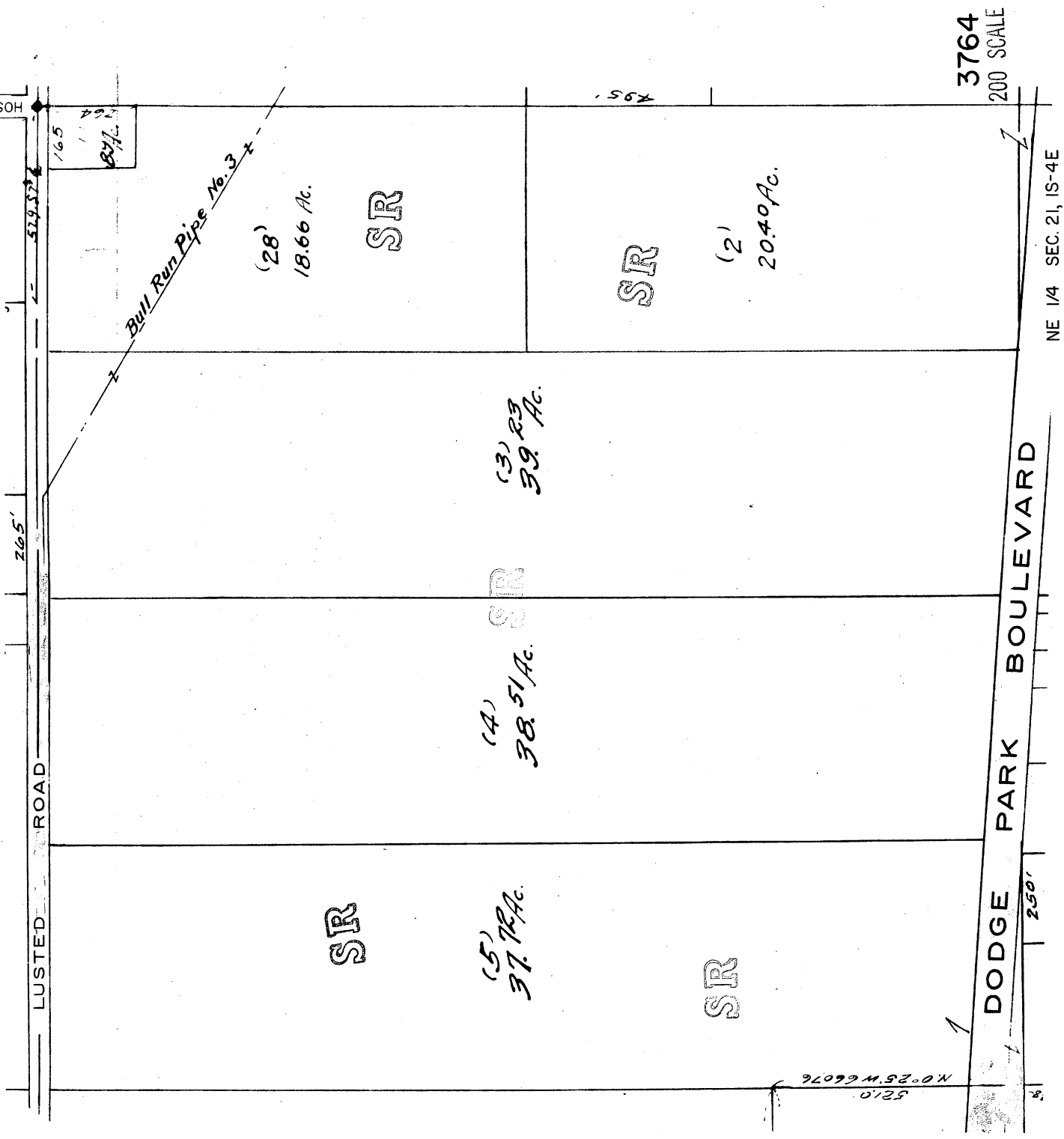
3.0136 Half-Street. The minimum front or side yards or other setbacks as stated herein, shall be increased where such yard or setback abuts a street having insufficient right-of-way width to serve the area. The Planning Commission shall determine the necessary right-of-way widths and the additional yard or setback requirements in such case.

3.0137 No sale or conveyance of any portion of a lot, for other than a public purpose, shall leave a structure on the remainder of the lot with less than the minimum lot, yard or setback requirements of this district.

3.014 EXCEPTIONS

3.0141 When a developer of four (4) or more acres of land submits plans for an entire development program, with the objective of providing suitable view, ample yard area and other aesthetic conditions in harmony with the neighborhood, the Planning Commission may waive the front, side or rear yard requirements if it holds that the proposed design is in the best interest of the public and adequate to provide desirable places in which to live and work.

3.0142 If topographical or other conditions exist which make these requirements unreasonable, the Board of Adjustment may waive the front, side or rear yard requirements.



3764
200 SCALE

NE 1/4 SEC. 21, 1S-4E

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N 0° 25' W 66076

BOOK OF RECORDS 516 1972

PAID-312122

FORM No. 633 - WARRANTY DEED. 1967/50

BOOK 657 PAGE 88 STEVENS-NEES LAW PUB. CO., PORTLAND, ORE.

KNOW ALL MEN BY THESE PRESENTS, That JAMES ARDEN MEYER and CHARLENE MEYER, Husband and Wife

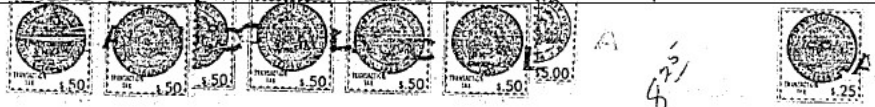
hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by RUTH TOWNS and JOHN MILTON TOWNS, Husband and Wife

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 thereunto belonging or appertaining, situated in the County of Multnomah and State of Oregon, described as follows, to-wit:

A tract of land situated in 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, more particularly described as follows:

Commencing at the northwest corner of said legal subdivision, which point is marked by a monument; thence S.0°11'30"W. along the west line of said legal subdivision a distance of 307.81 feet to a point in the south line of Dodge Park Blvd. and the point of beginning of the tract herein to be described; thence continuing S.0°11'30"W. a distance of 332.66 feet to a point in the north line of Carpenter Lane, County Road No. 414; thence S.88°57'30"E. along said north line a distance of 267.73 feet; thence N.0°11'30"E., parallel with the west line of said Northwest one-quarter of the Southeast one-quarter, a distance of 318.23 feet to a point in the south line of Dodge Park Blvd.; thence N.85°52'30"W. along said south line a distance of 268.33 feet 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 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, conditions restrictions of record.



and that grantor will warrant and forever defend the above granted 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 \$ 7,500.00. However, the actual consideration consists of or includes other property or value given or promised which is consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural. WITNESS grantor's hand this 15th day of May, 1972.

James Arden Meyer CHARLENE MEYER

STATE OF OREGON, County of MULTNOMAH) ss. Personally appeared the above named JAMES ARDEN MEYER AND CHARLENE MEYER and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Douglas E. Lupton Notary Public for Oregon My commission expires Commission Expires Aug 28, 1975

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

WARRANTY DEED

James Arden Meyer and Charlene Meyer TO Ruth Towns and John Milton Towns AFTER RECORDING RETURN TO

STATE OF OREGON.

55902

No. 51242

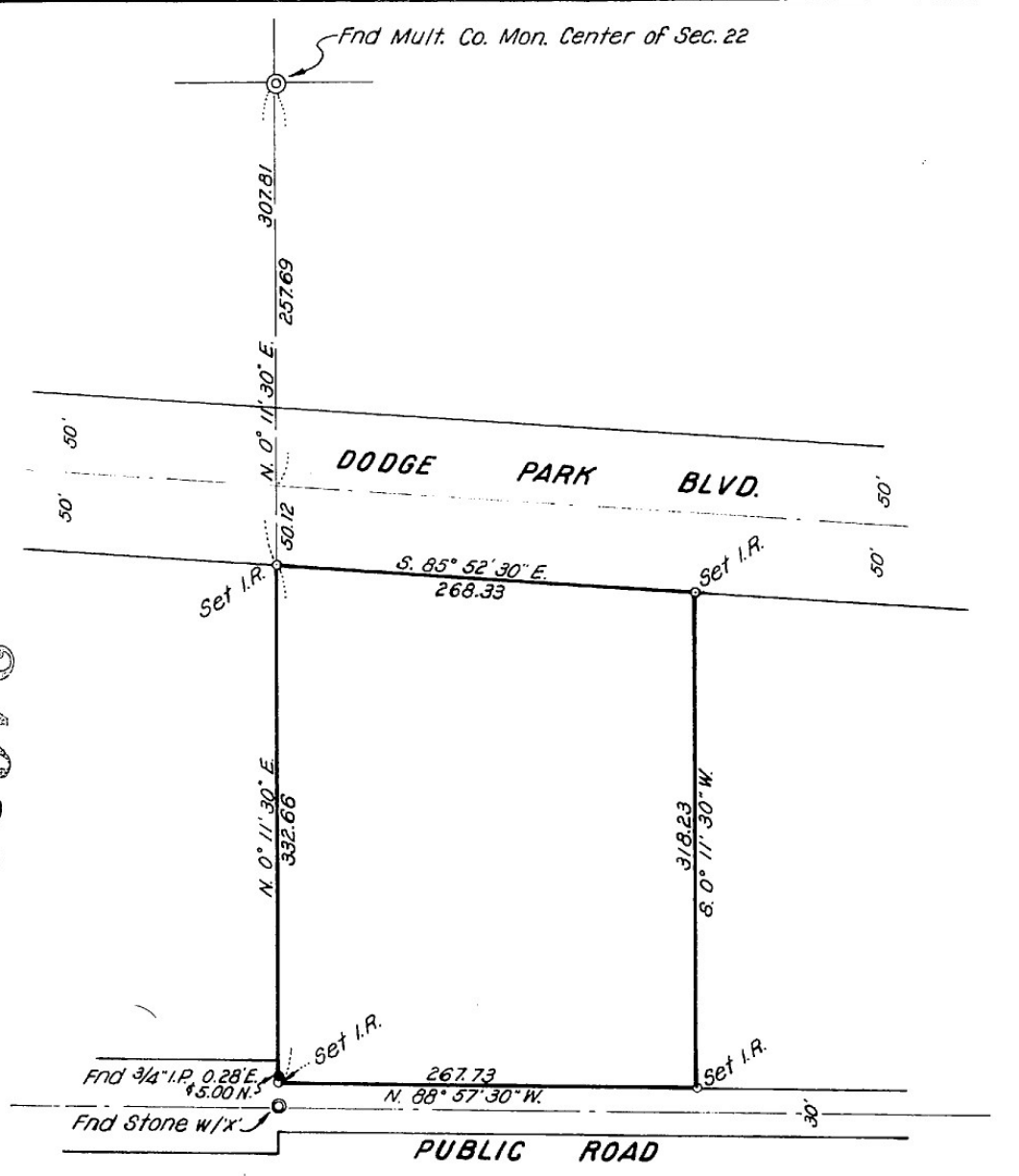
DEED INDEXED 1972 JUN 9 AM 11:17-9:40 AM MULTNOMAH COUNTY, OREGON

68

IN BOOK 657 METERS BY HAND SET SEAL OF OFFICE ATTACHED. JAMES D. NEES, DIRECTOR OF RECORDS AND SURVEYING DEPT.

34639

34639



DEPT. PUBLIC WORKS - SURVEY DEPT.

REGISTER NO. **34639**

Scale: 1"=100'

FILED MAY 24, 72

SE 1/4 SEC. 22 T 15 R 4E

SHEET NO. — V

I hereby certify that this sketch is based upon an actual survey and that the property corners shown hereon are staked or referenced correctly on the ground as indicated by the following symbols:

- Set 5/8"x30" Iron Rod.....o I.R.
- Found iron pipe.....e Brass screw.....s B.S.
- Set " ".....e I.P. Tack in lead.....x
- Wood hub.....□ Conc. monument.....●

Basis of Bearings: *Mult. Co. Rd. Dept.*



PROPERTY SURVEY

A PORTION of TAX LOT 28

situated in the S.E. 1/4 Section 22, T. 15, R. 4E, W.M.

Multnomah County, Oregon

Date: *April 25, 1972*

MARX & CHASE SURVEYORS INC.

Gresham, Ore.

Tel. 665-2116

Ronald E. Lambert

JOB NO. 72-203

BARGAIN AND SALE DEED

RUTH TOWNS and JOHN MILTON TOWNS, Husband and Wife, hereinafter called GRANTOR, for the consideration hereafter stated, does hereby grant, bargain, sell and convey unto JOHN M. TOWNS, TRUSTEE, JOHN M. TOWNS TRUST, 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:

A tract of land situated in 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, more particularly described as follows:

Commencing at the northwest corner of said legal subdivision, which point is marked by a monument; thence S. 0 degrees 11' 30" W. along the west line of said legal subdivision a distance of 307.81 feet to a point in the south line of Dodge Park Blvd. and the point of beginning of the tract herein to be described; thence continuing S. 0 degrees 11' 30" W. a distance of 332.66 feet to a point in the north line of Carpenter Lane, County Road No. 414; thence S. 88 degrees 57' 30" E. along said north line a distance of 267.73 feet; thence N. 0 degrees 11' 30" E., parallel with the west line of said Northwest one-quarter of the Southeast one-quarter, a distance of 318.23 feet to a point in the south line of Dodge Park Blvd.; thence N. 85 degrees 52' 30" W. along said south line a distance of 268.33 feet to the point of beginning.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is NONE.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 7 day of June, 1992.

RUTH TOWNS

BY John M. Towns Attorney-in-fact for Ruth Towns
JOHN M. TOWNS, Attorney-in-fact for Ruth Towns

John Milton Towns
JOHN MILTON TOWNS

121-92

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

STATE OF OREGON)
) ss. 1-7, 1992.
County of Multnomah)

Personally appeared JOHN M. TOWNS who, being duly sworn did say that he is the attorney-in-fact for RUTH TOWNS and that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowledged said instrument to be the act and deed of said principal.

Before me:

[Signature]
NOTARY PUBLIC for Oregon
My Commission Expires: 5-2-93

STATE OF OREGON)
) ss. 1-7, 1992.
County of Multnomah)

Personally appeared the above named JOHN M. TOWNS and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

[Signature]
NOTARY PUBLIC for Oregon
My Commission Expires: 5-2-93

AFTER RECORDING RETURN TO:
Tim Nay, Attorney at Law
6720 SW Macadam Ave. Suite 200
Portland, OR 97219

SEND TAX STATEMENTS TO:
John M. Towns, Trustee
John M. Towns Trust
35227 SE Carpenter Lane
Gresham, OR 97080

006227

Page 2 - BARGAIN AND SALE DEED

STATE OF OREGON
Multnomah County

1. a Deputy for the Recorder of Conveyances in and for Multnomah County, do hereby certify that the above instrument is a true and correct copy of the original instrument as recorded in the records of said County.

1992 JAN 21 AM 9 34
RECORDING SECTION
MULTNOMAH CO. OREGON

In Book _____
On Page **Bill 2498 PAGE 1841**
Witness my hand and seal of office this _____ day of _____, 1992.

[Signature]
Recorder of Conveyances

1070
20

1-21-92

AFTER RECORDING RETURN TO:
Law Offices of Nay & Friedenber
6720 SW Macadam, Suite 200
Portland, OR 97219-2312

SEND TAX STATEMENTS TO:
John M. Towns
35227 SE Carpenter Lane
Gresham, OR 97080

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk
38.00
99016670 09:59am 01/26/99
029 30009066 03 18
A97 3 0.00 15.00 3.00 20.00 0.00

STATUTORY WARRANTY DEED

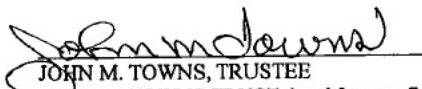
JOHN M. TOWNS, TRUSTEE, JOHN M. TOWNS TRUST, dated January 7, 1992, GRANTOR, conveys and warrants to JOHN M. TOWNS, GRANTEE, the following described real property, situated in the County of Multnomah, State of Oregon, free of encumbrances except as specifically set forth herein:

FOR LEGAL DESCRIPTION: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Subject to and excepting: easements, rights of way, restrictions, conditions and encumbrances of record.

True and actual consideration for this conveyance is NONE.

DATED this 19 day of January, 1999.

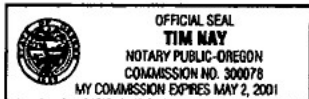

JOHN M. TOWNS, TRUSTEE
JOHN M. TOWNS TRUST dated January 7, 1992

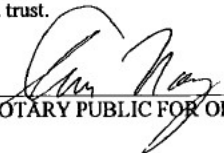
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

3

STATE OF OREGON)
) ss:
County of Multnomah)

Personally appeared before me on this 19 day of January, 1999, JOHN M. TOWNS, who, being duly sworn, did say that JOHN M. TOWNS is the Trustee under the JOHN M. TOWNS Trust dated January 7, 1992, and that JOHN M. TOWNS executed the foregoing instrument by authority of and in behalf of said trust.





NOTARY PUBLIC FOR OREGON

**EXHIBIT "A" TO
STATUTORY WARRANTY DEED**

**JOHN M. TOWNS, TRUSTEE
JOHN M. TOWNS TRUST, dated January 7, 1992 -- GRANTOR**

BONNIE JO RUSSELL - GRANTEE

A tract of land situated in 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, more particularly described as follows:

Commencing at the northwest corner of said legal subdivision, which point is marked by a monument; thence S. 0 degrees 11' 30" W. along the west line of said legal subdivision a distance of 307.81 feet to a point in the south line of Dodge Park Blvd. and the point of beginning of the tract herein to be described; thence continuing S. 0 degrees 11' 30" W. a distance of 332.66 feet to a point in the north line of Carpenter Lane, County Road No. 414; thence S. 88 degrees 57' 30" E. along said north line a distance of 267.73 feet; thence N. 0 degrees 11' 30" E., parallel with the west line of said Northwest one-quarter of the Southeast one-quarter, a distance of 318.23 feet to a point in the south line of Dodge Park Blvd.; thence N. 85 degrees 52' 30" W. along said south line a distance of 268.33 feet to the point of beginning.

AFTER RECORDING RETURN TO:

Law Offices of Nay & Friedenberg
6720 SW Macadam, Suite 200
Portland, OR 97219

SEND TAX STATEMENTS TO:

Bonnie Jo Russell
PO BOX 185
Dundee, OR 97115

Recorded in the County of Multnomah, Oregon
C. Suick, Deputy Clerk



38.00

99016671 09:59am 01/26/99

029 30000000 03 18
A37 3 0.00 15.00 3.00 20.00 0.00

WARRANTY DEED

Reserved Special Power of Appointment

Conveyance. JOHN M. TOWNS, GRANTOR, conveys and warrants to BONNIE JO RUSSELL, GRANTEE, the following described real property, situated in the County of Multnomah, State of Oregon, free of encumbrances except as specifically set forth herein:

FOR LEGAL DESCRIPTION: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Subject to and excepting: easements, rights of way, restrictions, conditions and encumbrances of record.

Consideration. The true consideration for this conveyance is NONE.

RESERVED SPECIAL POWER OF APPOINTMENT

1. Grantor Reserves Special Power of Appointment. Grantor reserves the power to appoint the real property, or any portion of it, outright or in trust, and on such terms and conditions as grantor deems fit to impose, to or for the benefit of any one or more of grantor's lineal descendants or said lineal descendant's then current or surviving spouse, or to charitable organizations.

2. Exercise of Power. Grantor may exercise this power after grantor's death by a provision in grantor's will or any codicil making express reference to this power. The exercise of this power is personal to the grantor. Unless grantor exercises this power by will or codicil, the deed recorded last shall control as to ambiguities or inconsistencies. All or any portion of the real property over which this power is not exercised shall remain vested in the grantee or grantees.

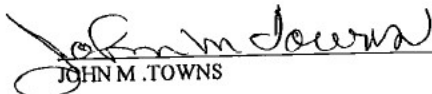
3

3. Limitations on Grantor's Power. Grantor shall not exercise grantor's special power, directly or indirectly, to satisfy the legal obligation grantor may have to any person or for the grantor's pecuniary benefit. Grantor shall not exercise this power in favor of grantor, grantor's estate, grantor's creditors or the creditors of grantor's estate. Any trust created or continued under the exercise of grantor's special power of appointment shall continue for no longer than twenty-one (21) years after the death of the last survivor of grantor's lineal descendants living on the date of grantor's death.

4. Release. Grantor may, during grantor's lifetime, release this special power of appointment with respect to all or any portion of the real property. Grantor may release this power by a deed making express reference to this power and executed and recorded prior to grantor's death. The release of this power may be made by grantor's agent in a valid agency document referencing powers of appointment.

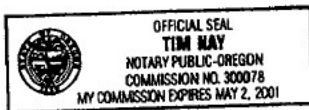
5. Property Use Disclaimer. THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

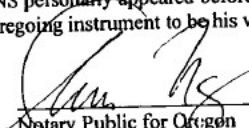
DATED this 19 day of January, 1999.


JOHN M. TOWNS

STATE OF OREGON)
) ss.
County of Multnomah)

The above-named JOHN M. TOWNS personally appeared before me on this 19 day of January, 1999, and acknowledged the foregoing instrument to be his voluntary act.




Notary Public for Oregon

**EXHIBIT "A" TO
WARRANTY DEED**

JOHN M. TOWNS -- GRANTOR

BONNIE JO RUSSELL - GRANTEE

A tract of land situated in 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, more particularly described as follows:

Commencing at the northwest corner of said legal subdivision, which point is marked by a monument; thence S. 0 degrees 11' 30" W. along the west line of said legal subdivision a distance of 307.81 feet to a point in the south line of Dodge Park Blvd. and the point of beginning of the tract herein to be described; thence continuing S. 0 degrees 11' 30" W. a distance of 332.66 feet to a point in the north line of Carpenter Lane, County Road No. 414; thence S. 88 degrees 57' 30" E. along said north line a distance of 267.73 feet; thence N. 0 degrees 11' 30" E., parallel with the west line of said Northwest one-quarter of the Southeast one-quarter, a distance of 318.23 feet to a point in the south line of Dodge Park Blvd.; thence N. 85 degrees 52' 30" W. along said south line a distance of 268.33 feet to the point of beginning.

AFTER RECORDING RETURN TO:

Law Offices of Nay & Friedenber
6720 SW Macadam, Suite 200
Portland, OR 97219-2312

SEND TAX STATEMENTS TO:

Bonnie Jo Russell, Trust
Towns Legacy Trust
PO BOX 185
Dundee, OR 97115

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk



38.00

99016672 09:59am 01/26/99

029 30000000 03 18
A37 3 0.00 15.00 3.00 20.00 0.00

STATUTORY WARRANTY DEED


BONNIE JO RUSSELL, GRANTOR, conveys and warrants to BONNIE JO RUSSELL, TRUSTEE, TOWNS LEGACY TRUST dated January 19, 1999, GRANTEE, the following described real property, situated in the County of Multnomah, State of Oregon, free of encumbrances except as specifically set forth herein:

FOR LEGAL DESCRIPTION: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE.

Subject to and excepting: easements, rights of way, restrictions, conditions and encumbrances of record.

True and actual consideration for this conveyance is NONE.

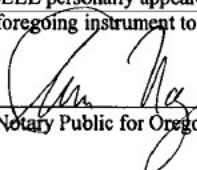
DATED this 19 day of January, 1999.


BONNIE JO RUSSELL

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON)
) ss.
County of Multnomah)

The above-named BONNIE JO RUSSELL personally appeared before me on this 19
day of January, 1999, and acknowledged the foregoing instrument to be her voluntary act.



Notary Public for Oregon



**EXHIBIT "A" TO
STATUTORY WARRANTY DEED**

BONNIE JO RUSSELL -- GRANTOR

**BONNIE JO RUSSELL, TRUSTEE
TOWNS LEGACY TRUST, dated January 19, 1999 - GRANTEE**

A tract of land situated in 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, more particularly described as follows:

Commencing at the northwest corner of said legal subdivision, which point is marked by a monument; thence S. 0 degrees 11' 30" W. along the west line of said legal subdivision a distance of 307.81 feet to a point in the south line of Dodge Park Blvd. and the point of beginning of the tract herein to be described; thence continuing S. 0 degrees 11' 30" W. a distance of 332.66 feet to a point in the north line of Carpenter Lane, County Road No. 414; thence S. 88 degrees 57' 30" E. along said north line a distance of 267.73 feet; thence N. 0 degrees 11' 30" E., parallel with the west line of said Northwest one-quarter of the Southeast one-quarter, a distance of 318.23 feet to a point in the south line of Dodge Park Blvd.; thence N. 85 degrees 52' 30" W. along said south line a distance of 268.33 feet to the point of beginning.

50
11

AFTER RECORDING RETURN TO:

STATE OF OREGON

Jacqueline N. McKinster
35227 SE Carpenter Ln
Gresham, OR 97080

Recorded in MULTNOMAH COUNTY, OREGON or record on
C. Swick, Deputy Clerk

Until a change is requested all tax statements shall be sent to the following address:
Same as above

A37 2
Total : 26.00
ATLJH
d in
No.
Witness

Escrow No.: 21-433881-MC
Order No.: 433881

2006-220185 11/29/2006 02:43:09pm

Name TitleBy
Deputy.

WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

Bonnie Jo Russell, Trustee, Towns Legacy Trust dated January 19, 1999

Grantor, conveys and warrants to

Jacqueline N. McKinster and Kenneth C. McKinster III Wife and Husband

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

SEE LEGAL DESCRIPTION ATTACHED HERETO

Before signing or accepting this instrument, the person transferring fee title should inquire about the person's rights, if any, under ORS 197.352. This instrument does not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses, to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930 and to inquire about the rights of neighboring property owners, if any, under ORS 197.352.

Chicago Title Insurance Co.

ENCUMBRANCES: None

The true consideration for this conveyance is \$388,200.00.

Dated November 20, 2006; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Towns Legacy Trust

BY: Jerry Donald Towns, Jr.
Jerry Donald Towns, Trustee

STATE OF OREGON
County of Multnomah

This instrument was acknowledged before me this 20 day of November, 2006, by Jerry Donald Towns, as Trustee of Towns Legacy Trust.

Michelle E Cooper
Notary Public for
My Commission Expires:



(SEAL)

21-433881-MC

2

Order No.: 433881

LEGAL DESCRIPTION

A tract of land situated in 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, more particularly described as follows:

Commencing at the Northwest corner of said legal subdivision, which point is marked by a monument; thence South $0^{\circ}11'30''$ West along the West line of said legal subdivision a distance of 307.81 feet to a point in the South line of Dodge Park Blvd. and the point of beginning of the tract herein to be described; thence continuing South $0^{\circ}11'30''$ West a distance of 332.66 feet to a point in the North line of Carpenter Lane, County Road No. 414; thence South $88^{\circ}57'30''$ East along said North line a distance of 267.73 feet; thence North $0^{\circ}11'30''$ East parallel with the West line of said Northwest one-quarter of the Southeast one-quarter a distance of 318.23 feet to a point in the South line of Dodge Park Blvd.; thence North $85^{\circ}52'30''$ West along said South line a distance of 268.33 feet to the point of beginning.

15
16
31



After recording return to:
Jacqueline N. McKinster
35227 SE Carpenter Lane
Gresham, OR 97080

Until a change is requested all tax statements shall be sent to the following address:
Jacqueline N. McKinster
35227 SE Carpenter Lane
Gresham, OR 97080

File No.: 7034-1139603 (ACM)
Date: December 17, 2007

Recorded in MULTNOMAH COUNTY, OREGON
C. Swick, Deputy Clerk
A31 3 ATESB
Total : 31.00

2007-217123 12/21/2007 03:04:43pm

STATUTORY BARGAIN AND SALE DEED

Kenneth C. McKinster III, Grantor, conveys to **Jacqueline N. McKinster**, Grantee, the following described real property:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

The true consideration for this conveyance is **\$0.00**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007.

Dated this 17 day of Dec, 2007.


Kenneth C. McKinster III

RECORDED BY
FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON
NO. 1139603

3

APN: R342606

Bargain and Sale Deed

File No.: 7034-1139603 (ACM)

- continued

Date: 12/17/2007

STATE OF Oregon)
)ss.
County of Multnomah)

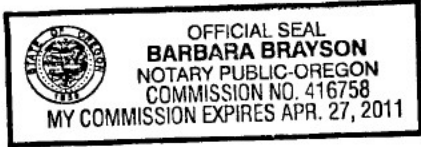
This instrument was acknowledged before me on this 17 day of December, 2007
by **Kenneth C. McKinster III.**

Barbara Brayson

Notary Public for Oregon

My commission expires:

4/27/11



APN: R342606

Bargain and Sale Deed

File No.: 7034-1139603 (ACM)

- continued

Date: 12/17/2007

EXHIBIT A

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN 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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LEGAL SUBDIVISION, WHICH POINT IS MARKED BY A MONUMENT; THENCE SOUTH 0°11'30" WEST ALONG THE WEST LINE OF SAID LEGAL SUBDIVISION A DISTANCE OF 307.81 FEET TO A POINT IN THE SOUTH LINE OF DODGE PARK BLVD. AND THE POINT OF BEGINNING OF THE TRACT HEREIN TO BE DESCRIBED; THENCE CONTINUING SOUTH 0°11'30" WEST A DISTANCE OF 332.66 FEET TO A POINT IN THE NORTH LINE OF CARPENTER LANE, COUNTY ROAD NO. 414; THENCE SOUTH 88°57'30" EAST ALONG SAID NORTH LINE A DISTANCE OF 267.73 FEET; THENCE NORTH 0°11'30" EAST PARALLEL WITH THE WEST LINE OF SAID NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER A DISTANCE OF 318.23 FEET TO A POINT IN THE SOUTH LINE OF DODGE PARK BLVD.; THENCE NORTH 85°52'30" WEST ALONG SAID SOUTH LINE A DISTANCE OF 268.33 FEET TO THE POINT OF BEGINNING.

Multnomah County Official Records **2013-068063**
R Weldon, Deputy Clerk 05/20/2013 10:55:18 AM
1R-W DEED Pgs=3 Stn=28 ATMWB
\$15.00 \$11.00 \$15.00 \$10.00 **\$51.00**



After recording return to:
Daniel M. Hellwege and Diana L.
Hellwege
35227 SE Carpenter Lane
Gresham, OR 97080

Until a change is requested all tax
statements shall be sent to the
following address:

Daniel M. Hellwege and Diana L.
Hellwege
35227 SE Carpenter Lane
Gresham, OR 97080

File No.: 7012-2071221 (sb)
Date: May 17, 2013

FATCO NO. 2071221-GR

STATUTORY WARRANTY DEED

Jacqueline N. McKinster, Grantor, conveys and warrants to **Daniel M. Hellwege and Diana L. Hellwege, husband and wife and Camilla M. Armstrong, a married woman, all not as tenants in common, but with rights of survivorship**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

- 1: Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$495,000.00**. (Here comply with requirements of ORS 93.030)

APN: R342606

Statutory Warranty Deed
- continued

File No.: 7012-2071221 (sb)

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Multnomah, State of Oregon, described as follows:

A TRACT OF LAND SITUATED IN 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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LEGAL SUBDIVISION, WHICH POINT IS MARKED BY A MONUMENT; THENCE SOUTH 0°11'30" WEST ALONG THE WEST LINE OF SAID LEGAL SUBDIVISION A DISTANCE OF 307.81 FEET TO A POINT IN THE SOUTH LINE OF DODGE PARK BLVD. AND THE POINT OF BEGINNING OF THE TRACT HEREIN TO BE DESCRIBED; THENCE CONTINUING SOUTH 0°11'30" WEST A DISTANCE OF 332.66 FEET TO A POINT IN THE NORTH LINE OF CARPENTER LANE, COUNTY ROAD NO. 414; THENCE SOUTH 88°57'30" EAST ALONG SAID NORTH LINE A DISTANCE OF 267.73 FEET; THENCE NORTH 0°11'30" EAST PARALLEL WITH THE WEST LINE OF SAID NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER A DISTANCE OF 318.23 FEET TO A POINT IN THE SOUTH LINE OF DODGE PARK BLVD.; THENCE NORTH 85°52'30" WEST ALONG SAID SOUTH LINE A DISTANCE OF 268.33 FEET TO THE POINT OF BEGINNING.

NOTE: This Legal Description was created prior to January 01, 2008.