

Recorded By TICOR TITLE

M 831087

Recorded in MULTNOMAH COUNTY, OREGON

C. Swick, Deputy Clerk

A37 3

ATTDS

Total : 31.00

2004-209326

11/18/2004 02:26:42pm

**TICOR TITLE™****After Recording Return To:**

Sonja D. Holmes
 Zane O. Holmes
 19333 NW Street St Helens Road
 Portland OR 97231

Send Tax Statements To:

Sonja D. Holmes
 Zane O. Holmes
 19333 NW Street St Helens Road
 Portland OR 97231

Title Order No. 831087

Escrow No. 07-47839

Tax Account No.

WARRANTY DEED

(ORS 93.850)

Clodfelter Company, LLC, a Limited Liability Company, Grantor, conveys and warrants to Sonja D. Holmes and Zane O. Holmes, as tenants by the entirety, Grantee, the following described real property free of encumbrances except as specifically set forth herein:


See Exhibit 'A' attached hereto and by reference made a part hereof.

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.

The true consideration for this conveyance is \$75,000.00.

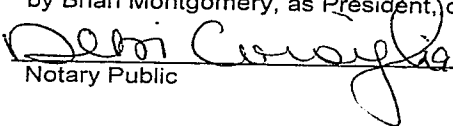
Dated this 15th day of NOVEMBER, 2004.

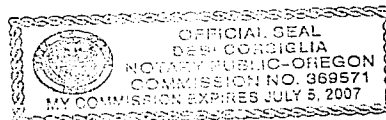
CLODFELTER COMPANY, LLC


 By: Brian Montgomery, President

State of OR, County of Multnomah)ss.

This instrument was acknowledged before me on 11-15, 2004
 by Brian Montgomery, as President, of Clodfelter Company, LLC.


 Notary Public

My commission expires: 7/5/07

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11-18-04

EXHIBIT 'A'

Legal Description:

A tract of land in the Southeast one-quarter of Section 18, Township 2 North, Range 1 West of the Willamette Meridian, in the County of Multnomah and State of Oregon, being more particularly described as follows:

Beginning at a point which is 907.37 feet North and 2061.38 feet West of the Southeast corner of said Section 18; thence North 38° 05' East 639.57 feet, more or less, to a point in the Southwesterly right of way line of Lower Columbia River Highway (State Highway); thence along said right of way South 40° 11' East 47.46 feet; thence South 49° 49' West 15.0 feet; thence South 40° 11' East 300.0 feet; thence North 49° 49' East 15.0 feet; thence South 40° 11' East 39.0 feet to Station 221+11.0 of State Highway; thence Southeasterly along said right of way 177.64 feet on curve to left having a radius of 5779.65 feet; thence South 23° 01' East along right of way line of old St. Helens Road (now vacated), 139.14 feet; thence Southeasterly along said right of way line 128.83 feet following a curve to left having a radius of 603.2 feet to a point in the Westerly right of way line of Cornelius Pass Road; thence along said right of way line South 32° 27' 1/2' West 330.48 feet; thence Southwesterly along said right of way line 274.63 feet, more or less, following a curve to the right having a radius of 2835.2 feet to the intersection with line running South 39° 00' East from the point of beginning; thence North 39° 00' West 861.16 feet to the point of beginning.

EXCEPT THEREFROM that portion described in Deed to the State of Oregon by and through its State Highway Commission recorded December 6, 1966, Fee No. 46640 in Book 537, Page 372, Records of Multnomah County.

ALSO EXCEPT THEREFROM that portion described in Deed to the State of Oregon, by and through its State Highway Commission recorded June 25, 1971, Fee No. 75960 in Book 796, Page 845, Records of Multnomah County.

AND ALSO EXCEPT THEREFROM that portion described in Deed to Thomas Scott Clodfelter, et ux, recorded September 18, 1975, Fee No. 43672 in Book 1062, Page 554, re-recorded October 13, 1975, Fee No. 48169 in Book 1066, Page 1142, Records of Multnomah County.

Easement, including the terms and provisions thereof,

From: Holbrook Estate
To: The Pacific Telephone and Telegraph Company
Recorded Date: December 5, 1916
Recording Number: 116094 Book 724 Page 197
For: Poles, lines and necessary appurtenances
Affects: Exact location cannot be determined

Easement, including the terms and provisions thereof,

From: Holbrook Estate, et al
To: The United States of America
Recorded Date: October 25, 1940
Recording Number: 25685 Book 573 Page 393
For: Electric power transmission lines and necessary appurtenances
Affects: A strip of land 100 feet in width through the central portion of herein described property

Covenants, Conditions and Restrictions, including the terms and provisions thereof, contained in document.

Executed By: Holbrook Estate, et al
Recorded Date: October 25, 1940
Recording Number: 25685 Book 573 Page 393, amended November 23, 1987 as Fee 87101447 in Book 2060, Page 988

But omitting any covenant or restriction based upon race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons and omitting restrictions, if any, based on limitations on facilities authorized under the provisions of ORS 442.400 to 443.455 (Residential Facilities and Homes) or 443.705 to 443.825 (Adult Foster Homes.)

11-18-04

Easement reserved in Deed, including the terms and provisions thereof,
From: Holbrook Estate
To: Emily H. Gaylor
Recorded Date: January 10, 1949
Recording Number: 00978 Book 1313 Page 571
For: A strip of land 20 feet in width for ingress and egress

Necessary slope easements in connection with Cornelius Pass Road, County Road No. 891.

Easement for existing public utilities in vacated street area and the conditions imposed thereby,
Street Name: Old St. Helens Road

Easement, including the terms and provisions thereof,
From: Emily H. Gaylord
To: The United States of America
Recorded Date: May 27, 1958
Recording Number: 18165 Book 1899 Page 434
For: A strip of land 14 feet in width for road purposes
Affects: Exact location cannot be determined

Access restrictions in Deed, including the terms and provisions thereof.
From: Emily H. Gaylord, a widow
To: State of Oregon, by and through its State of Oregon, by and through its
State Highway Commission
Recorded Date: December 2, 1966
Recording Number: 46640 Book 537 Page 372
County: Multnomah

Easement, including the terms and provisions thereof,
From: Emily H. Gaylor Estate
To: Portland General Electric Company
Recorded Date: August 17, 1967
Recording Number: 30944 Book 576 Page 1326
For: An anchor and necessary appurtenances
Affects: A strip of land 2 feet in width and 25 feet in length

Easement, including the terms and provisions thereof,
From: Myra-Helen Clodfelter, the duly appointed, qualified and acting executrix
of the Will and Estate of Emily H. Gaylord, deceased
To: Phyllis H. Murphy, et al
Recorded Date: October 6, 1969
Recording Number: 39867 Book 701 Page 141
For: Ingress and egress
Affects: Upon, over and across a portion of herein described property

Access restrictions in Deed, including the terms and provisions thereof.
From: Myra-Helen Clodfelter acting Personal Representative of the Estate of
Emily H. Gaylord
To: State of Oregon, by and through its State of Oregon, by and through its
State Highway Commission
Recorded Date: June 25, 1971
Recording Number: 75060 Book 796 Page 845
County: Multnomah

Road Maintenance Agreement, including the terms and provisions thereof,
Between: Thomas Scott Clodfelter, Ellen Jeanne Clodfelter, Myra-Helen Clodfelter,
Eleanor Holbrook Conrad, Oscar L. Tuerck, Jr., John O. Tuerck, Sabra P.
Sauder, Phyllis H. Murphy, Harriet Ritzheimer
And: Linda J. Hedford
Dated: December 30, 1982
Recorded Date: January 4, 1983
Recording Number: 00444 Book 1636 Page 1960

11-18-04