

SIGNED IN COUNTERPART

RECORDING REQUESTED BY:
Fidelity National Title Company of Oregon

GRANTOR'S NAME:
Robert M Dye the duly appointed, qualified and acting personal representative of the estate of John P Malcom,

GRANTEE'S NAME:
City of Portland, a Municipal Corporation

SEND TAX STATEMENTS TO:
City of Portland, a Municipal Corporation
1120 SW 5th, Room 1204
Portland, Or 97204

AFTER RECORDING RETURN TO:
City of Portland
1120 SW 5th Room 1204
Portland, Or 97204
attn: Janene Edgerton
Escrow No: 20100018171-FTPOR02

Multnomah County Official Records
C Swick, Deputy Clerk

2010-158712



\$56.00

12/15/2010 02:10:49 PM

1R-W DEED
\$25.00 \$11.00 \$15.00 \$5.00

Cnt=1 Stn=25 ATLJH

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Robert M Dye the duly appointed, qualified and acting personal representative of the estate of John P Malcom, Grantor conveys and warrants to

City of Portland, a Municipal Corporation, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Multnomah, State of Oregon:

Exhibit "One"

Subject to and excepting:

Right of way, Easements and maintenance agreements as recorded and other items now of record
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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$350,000.00. (See ORS 93.030)

DATED: 12/10

Approved and accepted
by _____
City of Portland

John P Malcom Estate
BY: [Signature]
Robert M Dye, Personal Representative

State of OREGON
County of Multnomah

This instrument was acknowledged before me on 12.8, 2010 by Robert M Dye

as Personal Representative of Estate of John P Malcom

[Signature], Notary Public - State of Oregon

My commission expires: _____



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Fidelity National Title of Oregon

20100018171-02

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THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$350,000.00. (See ORS 93.030)

DATED: Dec 3, 2010

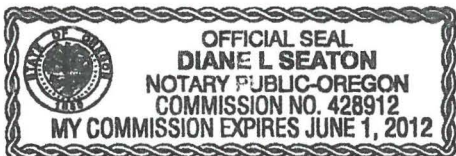
Approved and accepted
by [Signature]
City of Portland

John P Malcom Estate
BY: _____
Robert M Dye, Personal Representative

State of OREGON
County of Multnomah

This instrument was acknowledged before me on Dec. 3, 2010 by Jeffrey B. Baer

as Director of Bureau of Internal Business Services
City of Portland
Diane L. Seaton, Notary Public - State of Oregon
My commission expires: June 1, 2012



APPROVED AS TO FORM
[Signature]
CITY ATTORNEY

PRELIMINARY REPORT

(Continued)

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EXHIBIT "ONE"

PARCEL 1:

That part of Government Lot 1, Section 16, Township 1 South, Range 3 East, Willamette Meridian, Multnomah County, Oregon, more particularly described as follows:

Bounded on the North by the following described property: A tract of land in the Northeast one-quarter of Section 16, Township 1 South, Range 3 East of the Willamette Meridian, Multnomah County, Oregon, being a part of Government Lot 1 and more particularly described as follows:

Beginning at a point that bears South 89°06'30" West along the North line of said Government Lot 1, 219.72 feet from the Northeast corner of said Section 16 to an iron rod which marks the true point of beginning; thence continuing South 89°06'30" West along said North line 221.12 feet to an iron rod; thence South 00°16'30" West 208.47 feet to an iron rod; thence North 70°47'00" East, 114.46 feet to an iron rod; thence South 46°26'00" East, 155.49 feet to an iron rod; thence North 00°16'30" East parallel to the West line of the herein described tract, 281.40 feet to the point of beginning.

Bounded on the East by the following described property:

That part of Government Lot 1, Section 16, Township 1 South, Range 3 East, Willamette Meridian, Multnomah County, Oregon, more particularly described as follows: Beginning at the Northeast corner of Section 16, Township 1 South, Range 3 East, Willamette Meridian; thence South along the East line of Section 16, 281.34 feet to an iron rod which marks the true point of beginning of the tract herein described; thence South along the East line of Section 16, 212.39 feet to an iron rod; thence West, South 89°36'30" West 330.34 feet to an iron rod; thence North 64°26' East 105.60 feet to an iron rod; thence North 27°02'30" East, 71.48 feet to an iron rod; thence North 12°58' West 107.53 feet to an iron rod; thence North 89°06'30" East 224.27 feet to the point of beginning.

Bounded on the South by the following described property:

That part of Government Lot 1 in Section 16, Township 1 South, Range 3 East of the Willamette Meridian in the County of Multnomah and State of Oregon, described as follows:

Beginning at the intersection of the centerline of Walters Road (County Road No. 1085) and the West line of Government Lot 2 in said Section 16, said beginning point being the Southeast corner of a tract conveyed to John Gantenbein by deed recorded March 5, 1910, in Deed Book 487, Page 466; thence North along said West line of Government Lot 2 and along the West line of Government Lot 1, a distance of 572.7 feet to the Northwest corner of a tract conveyed to Leo Smothers and wife by deed recorded September 7, 1950, in PS Deed Book 1429, Page 311; thence East 208.7 feet to the Northeast corner of said Smothers Tract; thence North 52°48' East 304.5 feet to the Northeast corner of a Tract conveyed to James Metzger and wife by deed recorded December 3, 1954, in PS Deed Book 1694, Page 282; thence continuing North 52°48' East 199.00 feet to the most Southerly corner of a tract conveyed to John P. Malcom by deed recorded January 23, 1959, in PS Deed Book 1938, Page 460; thence continuing North 52°48' East 150 feet to the true point of beginning hereof; thence East parallel with the North line of said Lot 1 to the East line of said lot; thence South along said East lot line to the Northeast corner of that tract conveyed to Violet B. Henson by deed recorded September 19, 1952, in PS Deed Book 1559, Page 178; thence West along the North line of said Henson Tract to a point which is South of

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(Continued)

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the true point of beginning; thence North to the true point of beginning.

Bounded on the West by the following described property:

A tract of land in the Northeast one-quarter of Section 16, Township 1 South, Range 3 East of the Willamette Meridian, Multnomah County, Oregon, being a part of Government Lot 1 and more particularly described as follow:

Beginning at a point that bears South 89°06'30" West along the North line of said Lot 1, 440.84 feet from the Northeast corner of said Section 16, which is the true point of beginning of the tract herein conveyed; thence South 00°16'30" West, 259.81 feet to an iron pipe; thence South 07°03'00" East, 235.33 feet to an iron pipe, said point being the Northwest corner of that certain tract of land conveyed to Maude M. Aldrich and John P. Malcom by deed recorded April 17, 1962, in Book 2111, Page 600, Deed Records of said County; thence South 53°04'30" West along said centerline of a 50-foot right-of-way, 150.00 feet; thence North 00°16'30" East, 208.70 feet to an iron pipe; thence North 89°43'30" West, 60.00 feet to an iron pipe; thence North 04°24'55" West, 372.79 feet to an iron pipe in the North line of Section 16; thence North 89°06'30" East, 180.00 feet to the true point of beginning.

TOGETHER WITH a non-exclusive easement for roadway purposes, as granted by Maude M. Altrich to Leo Smothers and Mary Lou Smothers, husband and wife, recorded August 3, 1954, in Book 1673, Page 384, Deed Records, over a strip of land 30 feet wide, the centerline of which is described as follows: Beginning at an angle point in Walters Road at road station 44+42.47, said point being South 1443.52 feet and West 754.03 feet from the Northeast corner of said Section 16; thence North 84° 20' West tracing the centerline of said road, 48.23 feet to the true point of beginning of said centerline; thence North 43°28' West 117.30 feet; thence North 26°52' West 43.49 feet; thence North 7°42' East 43.49 feet (the last two equal lines are chords on a curve); thence North 25°15'40" East 370.18 feet; thence North 13°26'10" 236.37 feet to an iron pipe; and the terminus of the center line of said 30 foot wide strip.

Also TOGETHER WITH a non-exclusive easement for roadway purposes, as granted by Maude M. Altrich to Leo Smothers and Mary Lou Smothers, husband and wife, recorded August 3, 1954, in Book 1673, Page 384, Deed Records, over a strip of land 30 feet wide, the centerline of which is described as follows: Beginning at an angle point in Walters Road at road station 44+42.47, said point being South 1443.52 feet and West 754.03 feet from the Northeast corner of said Section 16; thence North 84° 20' West tracing the centerline of said road, 48.23 feet to the true point of beginning of said centerline; thence leaving said center line of Walters Road, North 43°28' West 117.30 feet; thence North 26°52' West 43.49 feet; thence North 7°42' East 43.49 feet (the last two equal lines are chords on a curve); thence North 25°15'40" East 370.18 feet; thence North 13°26'10" 236.37 feet to an iron pipe; and the true point of beginning of the center line of said 30 foot wide strip: thence North 53°04'30" East 344 feet to the terminus of said 30 foot wide strip, at the Southeast corner of that tract conveyed to John P. Malcom by deed recorded August 29, 1969, in Book 695, page 594, Deed Records.

PARCEL 2:

Situated in the County of Multnomah and State of Oregon, bounded and described as follows, to-wit:

That part of Government Lot 1 in Section 16, Township 1 South, Range 3 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as follows:

Beginning at the intersection of the center line of Walters Road (County Road No. 1085) and the West line of

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(Continued)

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Government Lot 2 in said Section 16, said beginning point being the Southeast corner of a tract conveyed to John Gantenbein by Deed recorded March 5, 1910, in Deed Book 487, Page 466; thence North along said West line of Government Lot 2 and along the West line of Government Lot 1 a distance of 572.7 feet to the Northwest corner of a tract conveyed to Leo Smothers and wife by deed recorded September 7, 1950, in Ps Deed Book 1429, Page 311; thence East 208.7 feet to the Northeast corner of said Smothers Tract: thence North 52°48' East 304.5 feet to the Northeast corner of a tract conveyed to James Metzger and wife by deed recorded December 3, 1954 in Ps Deed Book 1694, Page 282; thence continuing North 52°48' East 150.00 feet to the true point of beginning hereof; thence South, along the West line of the Aldrich property described in deed recorded April 17, 1962 in Book 2111, Page 600, Deed Records, a distance of 412 feet, more or less, to the North line of a tract conveyed to John R. Scally and Janet Scally, by deed recorded May 31, 1963 in Book 2170, Page 322, Deed Records; thence West, along the North line of the Scally property to the Northwest corner of said Scally property; thence South 89°07' West, 26.47 feet, along the South line of the Maude M. Aldrich property, to the East line of a tract conveyed to Floren J. Becker and lone S. Becker, by deed recorded August 31, 1964 in Book 118, Page 286, Film Records; thence Northerly, along the East line of the Becker tract, to the most Southerly Southwest corner of the tract conveyed to John P. Malcom by deed recorded January 31, 1959 in Book 1938, Page 460; thence North 52°48'; East, 150 feet to the true point of beginning, which is the center of a 50 foot right of way.

PARCEL 3:

That part of Government Lot 1 in Section 16, Township I South, Range 3 East of the Willamette Meridian, in the County of Multnomah and State of Oregon. described as follows:

Beginning at the intersection of the center line of Walters Road County Road No. 1085 and the West line of Government Lot 2 in said Section 16. said beginning point being the Southeast corner of a tract conveyed to John Gantenbein by Deed recorded March 5, 1910. in Deed Book 487, Page 466: thence North along said West line of Government Lot 2 and along the West line of Government Lot 1, a distance of 872.7 feet to the Northwest corner of a tract conveyed to Leo Smothers and wife by deed recorded September 7, 1950, in Ps Deed Book 1429, Page 311; thence East 208.7 feet to the Northeast corner of said Smothers Tract thence North 52°48' East, 304.5 feet to the Northeast corner of a tract conveyed to James Metzger and wife by deed recorded December 3, 1954 in Ps Deed Book 1694, Page 282; thence continuing North 52°48' East, 199.00 feet to the most Southerly corner of a tract conveyed to John P. Malcom by deed recorded January 23, 1959, in Ps Deed Book 1938, Page 460; thence continuing North 52°48' East, 150 feet to the true point of beginning hereof; thence East parallel with the North line of said Lot 1 to the East line of said lot; thence South along said East lot line to the Northeast corner of that tract conveyed to Violet B. Henson by deed recorded September 19, 1952. in Ps Deed Book 1559, Page 178; thence West along the North line of said Henson Tract to a point which is South of the true point of beginning; thence North to the true point of beginning.