WARRANTY DEED - STATUTORY FORM (Individual or Corporation) Grantor, conveys and warrants to ... PAUL BUNYAN . NOMESA, INC., AD .OREGON . CORPORATION .... Grantee, the following described real property free of encumbrances except as specifically set forth herein: lot 9, Block 1, HILLTOP ACRES, in Clackamas County, Oregon. SUBJECT TO a 15 foot utility easement along the Easterly Lot line. Encumbrances: excepting restrictive coverants, regarding underground utilities, imposed by instrument, including terms and provisions recorded April 25, 1969 as Recorder's Fee No. 69-7258, Clackamas County Records. of ORS 93.030\*). 20th Dated this day of . its hame to be signed by creep of its board of directors, Renn *f. 77*...( М. Неллі thef STATE OF UREGON. 7 STATE OF OASCON, County of 1 81 County of Clackamas January 20 . 19 1 85. . . 19 77) Personally appeared and Personally appeared the above memed ..... ha, being duly sworr. .James A. and Ethel M. Hennig. each for himself and not one for the other, did say that the former president and that the latter is the ...husbaud and wife ..... the secral any of the 2.4..... and soknowledged the formating in-...... , a corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them schowledged said instrument to be its strument to be ... their their voluntary act and deed voluntary act and doed. -ipolojo mes Before me: až \*\*\*\*\*\*\*\* lotary Public for Oregon INSU Notary Public for Oregon 2 My commission expires: 10~29-80 My conmission expires: щ If the consideration consists of or includes other property or value, add the following: "The actual consideration consists of or includes other property or value given or promised which is part of the whole consideration." (indicate which)" Jamas A., and Ethel. M., Hennig. 148, Molalla, Ave..... Oragon. City,.. OR.....92045..... Grantor's Name and Address Paul Runyan Homes. Ing. 14999.Burketrom.Rd. 9ragen.Gity...98...92045...... Graniee's Name and Address 83 After recording relum to: Paul Bunyan Homes, Inc. 14999 Burkstrom Rd. 80 '?₩ Oregon City, Oregon 97045 Name, Address Until a change is requested all tax ( following address. ants shall be sunt to the ····Paul.Bunyan.Homes...Inc..... .....14999. Burkstrom. Pd...... Oregon City Oragon 20 97045 L-303-Oregon 8-1-76 77 5768

25 RESTRICTIVE COVENANT APP THE UNDERSIGNED, as the fee owner of the following described real property, the same being the real property now duly platted as <u>Hill top Arro's BA1-2-4-5</u> - Subdivision, as said plat is now recorded in Book \_\_\_\_ Page of the Plat Records of the County of Clac Kamas , State of Oregon, hereby makes the following (additional) declarations as to limitations, restrictions, and uses to which the lots and/or tracts constituting said addition may be put, hereby specifying that said declarations shall constitute covenants to run with all the land, as provided by law, and shall be binding upon all parties and all persons claiming under them; and for the benefit of and limitations upon all future owners and said addition, this declaration of restrictions supprebeing designed for the purpose of keeping said addition desirable, uniform, where attractive and suitable in design and use as herein specified; Except as otherwise hereinafter provided, no outdoor overhead wire or service drop for the distribution of electric energy or for telecommunication purposes nor any pole, tower, or other structure supporting said outdoor overhead wires shall be erected, placed or maintained within the subdivision. Except for those purchasers and properties hereinafter designated, all purchasers of lots or tracts within the subdivision, their heirs, successors, and assigns shall provide, install, use and maintain underground service wires to connect their premises and the structures built thereon to the underground electric or telephone utility facilities provided or to be provided. The purchasers of lots "JBLI and Let", BL2 May May Hove ever head on Molalla Aue Side and the utility companies may provide overhead electric or telephone utility service employing overhead wires and service drops in lieu of and in place of underground service wires above required. IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this . 1962. day of Execute appropriate attached notary form. 3-10-65 (with exception clause) 69 7258 SU PAPing A + D Sec. 8 The Party and the second second second

1969 5 APR NOTARY FOR INDIVIDUAL OR PARTNERSHIP ATE OF CREGON 125 County of \_\_\_\_ Ø. On this day of 196Z, before the undersigned, a Notary Public in and for said County and State, personally mil Hamer Henry HE арреа to be the individual described in and who executed the foregoing instrument, and acknowledged to me executed the same freely and voluntarily. that al IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this, the day and year in this certificate first written. a state of the second ÷., ast inp in the second \*.\* Notary Fublic for Oregon. . My Commission expires: " BLIC 315 NOTARY FOR CORPORATION 11 2 STATE OF OREGON County of On this \_\_\_\_ day of \_ 196\_\_ before me, the undersigned Notary Dublie. enmeared ь. <u>4</u> did say that he, the said S 0 is the Secretary of tion, and that the seal af aid corporation, and that the anid corporation by authority o and the free act and deed of said IN TESTIMONY WHEREOF, I have hereunto set my hand and allianu my official seal, this, the day and year in this my certificate, written. Notary Public for Oregon. My Commission expires: R.K. Mc Craw 707 man st Oregon city, Ore 2 - RESTRICTIVE COVENANT -1-63 the sector

HILLTOP ACRES - Lot 9, B1k 1 15' Utility Easement

3-2E-50B 3100

NUCH 77-57168 (15' PUE ALONG EASTERLY LOT LINE PER PROPERTY WAREANTY DEED OF LOT 9 BLOCK 1 HILTOP ACRES

2/15/77

PAGE | LTEM 1314

Env. 335

After recording return to: James H. Bean 1300 SW 5th Suite 3400 Portland, OR 97201

Clo Rocky Sumph Until further notice send all tax statements to: Rocky C. Younger 15080 South Maple Lane Oregon City, OR 97045

**Clackamas County Official Records** Sherry Hall, County Clerk

2005-004931

\$46.00



01/19/2005 09:40:15 AM

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## LAND SALE CONTRACT

## Grantor:

Letha Younger 18402 S Holly Lane Oregon City, OR 97045

## Grantee:

Rocky and Janice Younger 15080 S Maple Lane Oregon City, OR 97045

Letha Younger, Grantor, hereby sells to Rocky and Janice Younger, husband and wife, an undivided sixteen and 67/100ths interest in the real property located in Section 5, Township 3 South, Range 2 East, Willamette Meridian, Clackamas County, State of Oregon, described more fully in Exhibit A attached hereto for the following described purchase price and on the following terms and conditions.

Purchase Price: Two Hundred Fifty Thousand Six Hundred Eighteen and No/100 Dollars (\$250,618.00) payable as follows:

- 1. Simultaneously with the execution of this Contract Grantee shall pay Grantor the sum of One Thousand and No/100 Dollars (\$1,000.00)
- 2. On or before the first day of February, 2005, and continuing thereafter on or before the first day of each succeeding month until the entire Purchase Price including all interest accrued thereon shall have been paid in full, the sum of One Thousand Three Hundred Forty and No/100 Dollars (\$1,340.00).
- 3. All unpaid principal indebtedness shall bear interest from January 1, 2005 at the rate of five percent (5%) per annum, which interest is included in the monthly payment set forth above.

Income and Expense Allocation: Grantor and Grantee shall share all income and expense related to or arising out of the ownership of the parcels of land described in Exhibit "A" in proportion to their respective ownership interests therein. So long as Grantee is not in default under the terms of this Land Sale Contract Grantee's interest in said parcels shall be an undivided Sixty-Six point Sixty-Seven One-hundredths percent (66.67%) and Grantor's interest shall be an undivided Thirty-Three and Thirty-Three One-hundredths percent (33.33%) ownership.

<u>No Prepayment Penalty:</u> Grantee may prepay all or any part of the remaining balance owed under the terms of this Land Sale Contract at any time without penalty, provided however that prepayment of any sum less than the total then remaining balance, including interest accrued to the date of such prepayment, will not relieve Grantee from the obligation to make all monthly payments strictly on time until the purchase price has been fully paid.

<u>Restriction on Transfer of Ownership</u>: Each party to this Land Sale Contract agrees that until the Purchase Price required under this Land Sale Contract has been fully paid they will not sell, convey, transfer, or encumber any part of their respective ownership interest in any one or more of the properties described in Exhibit "A" without the prior written consent of the other party, which consent may not be unreasonable withheld.

<u>Default/ Acceleration of Payment:</u> If Grantee fails to make any payment required hereunder promptly on or before its due date, Grantor may, upon thirty (30) days written notice of default, demand full and immediate payment of all the then remaining unpaid Purchase Price, including interest accruing to the date of such payment. If Grantee does not pay such remaining unpaid portion of the Purchase Price within Sixty (60) days after receipt of such demand this Land Sale Contract shall, at Grantor's sole discretion, be deemed terminated and upon such termination become null and void and of no further force or effect. In the event this Land Sale Contract is so terminated Grantor shall be deemed to be and to have remained fully vested in her present fifty percent (50%) interest in the property described in Exhibit "A" and Grantee shall have no right to any refund of sums paid towards the Purchase Price nor to any interest in said land being sold hereunder.

<u>Deed:</u> Promptly upon receipt of the final payment required hereunder, Grantor shall convey the interest being sold under this Land Sale Contract to Grantee by a Special Warranty Deed, free and clear of any liens or encumbrances caused or permitted by Grantor subsequent to December 31, 2004.

<u>Attorney Fees.</u> If suit or action is brought to enforce any of the terms or obligations arising under this Land Sale Contract the prevailing party in such suit or action shall be entitled to recover his or her costs of suit or action from the non-prevailing party, including reasonable attorney fees and reasonable attorney fees on appeal. IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS DAY OF JANUARY, 2005.

**GRANTOR**:

Haunyu B Letha Younge

GRANTEE:

By:

By:\_( Younger

STATE OF OREGON, County of Clackamas\_\_\_\_)ss. This instrument was acknowledged before me on January <u>4</u>,2005, by Rocky C. Younger and Janice C. Younger, and Letha Younger.

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OFFICIAL SEAL CONNIE LEWIS NOTARY PUBLIC - OREGON COMMISSION NO. 355661 MY COMMISSION EXPIRES APRIL 9, 2006 Notary Public for Oregon My.commission expires: Apr. 19,2006



Legal Description

LOTS 3, 6, 7, 8 AND 9, BLOCK 1, HILLTOP ACRES, IN THE CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

Hrr/548184 9/29/2004

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Ö EXHIBIT

## CMM:sjr 548938.01

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Oregon Ciry,	oregon 97045	
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	and Janice Younger	AECORDER'S USE
	e Lane Road Oregon 97045	
	send all lax statements to (Name, Address, Zip):	
Same_address_	as_above	
		By, Deputy
		ARGAIN AND SALE DEED
KNOW AL	L BY THESE PRESENTS that	Rocky C. Younger and Janice C. Younger
hereinafter called g	rantor, for the consideration hereina	after stated, does hereby grant, bargain, sell and convey unto
Rocky C. You	unger and Janice C. Youn	nger, husband and wife, an undivided one-half intere
itaments and appurt	tenances thereunto belonging or in	ccessors and assigns, all of that certain real property, with the tenements, hered any way appertaining, situated in <b>Clackamas</b>
	escribed as follows, to-wit:	
Lots 3 6	7.8 and 9. Riock 1 011	LTOP ACRES, in the City of Oregon City, Clackamas
County, State		
* and Letha A	A. Younger as to an undi	ivided one-half interest, as tenants in common
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This instrument me	d for record by Fidelity	
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UIE,OUS ۲ ۲ 100.56 107.5 860 LOT 8, BLK 3 ZO LOT 2, BLKS BEAVER 85.5 LOT G. BLE A LOT 1, BULS 100.0 LOTS, BLK 3 77.56 107.5 Э 88.60 ັທ -LTOP 024 AVE. LOT 7, BLK4 LOT I, BUKS 3. BLK , /0 LOT 4. BLK ; /0 LOTS, BLK ; ice.o LOTE BLEY LOT J. BLK, 0 55'W Lore, ALK. 1023.90 LOT 9, BLK , 10 80 100.0 EXCERPT OF 15 PUE PER DOC. NO. HILLTOP ACRES 77-5768 (HILLTOP ACKES SC IROU BAR PUT 37/26 LOT 9 BLOCK / WARRANTY DEED) and say that I have correctly surveyed and marked with legal HILLTOP ACRES, that at the initial point of survey I drove a galvanized inches below the surface of the ground. Said point being corner stone of sec. 5, T3S, R2E, W.M. as calcutated from map ne intersection of the easterly edge of Molalla Ave. and the kson to Gale in book 60, page 239, Clackamas County deed Beginning at the initial point of survey thence N61°51'E along ? 45'E 587.65 FT to a I's bar; thence S76°55'W. 1023.90 FT to the DB FT. along Mobilia Ave. to a g iron rod set by the Oregon State soint of beginning. PRO NEEq Errica mainers Lewis N. Brainerd - Pacific Surveys bscribed and sworn to before me 5 12 day of June 1967 hijler commission expires Approved Donald S. Hattan 

