



W. J.C.

**SUPPLEMENTAL MEMO
AGENDA COVER MATERIAL
SUPPLEMENT**

MEMO DATE: February 13, 2006

AGENDA DATE: February 15, 2006

TO: BOARD OF COUNTY COMMISSIONERS

FROM: KENT HOWE, PLANNING DIRECTOR

RE: In the Matter of Considering a Ballot Measure 37 Claim and Deciding Whether to Modify, Remove or Not Apply Restrictive Land Use Regulations in Lieu of Providing Just Compensation (PA 05-6100, Bedortha)

On January 18, 2006, the Board held a hearing regarding this claim. After taking testimony, the Board closed the hearing except for additional information regarding the date of acquisition. The deadline to submit additional evidence for this issue was February 8, 2006.

On January 30, Mr. Waterbury submitted a letter stating he believes the current owner acquired tax lot #2300 in 1969, and tax lot #200 in 1974. To support this, he supplied additional copies of deeds that he previously submitted. However, on January 17, Mr. Waterbury submitted a letter that stated the current owner acquired both tax lots in 1964. He has not explained this apparent conflict.

For this claim, the applicant must :

- identify the original land owner and demonstrate that person entered into a land sale contact with a specific person, and
- identify each person who assumed the contract prior to the current owner, and
- state when the current owner fulfilled the contract.

The evidence submitted by Mr. Waterbury appears to demonstrate Milton Bedortha acquired an interest in tax lot #200 on February 1, 1974. As previously stated, although the Bedortha Family Trust is listed in the county tax records as the current owner, this is a revocable trust and does not seem to affect Milton Bedortha's ownership.

However, the acquisition date for tax lot #2300 is still unclear. There does not appear to be evidence of a deed completing the contract between Jessie W. Post and McNair through which Milton Bedortha claims an interest in tax lot #2300. In addition, no evidence was submitted that demonstrates Milton Bedortha completed the contract for #2300. Because of this lack of evidence, it is difficult to determine the acquisition date for tax lot #2300.

An order is attached to this memo that waives the land use regulations for tax lot #200, based on an acquisition date of Feb. 1, 1974. There is insufficient evidence to include tax lot #2300.

Summary of evidence for Parcel 20-03-34 #2300

Instrument #50692 Dated: January 10, 1969. Recorded: January 13, 1969
Bargain and Sale Deed that shows W.L. and Kathryn McNair conveyed the parcel to Milton, Chester and Gladys Bedortha.

Instrument #50693 Dated: January 10, 1969. Recorded: unknown.
An Assignment of Contract that shows WL and Kathryn McNair assigned the remainder of the contract to Milton, Chester and Gladys Bedortha.

Instrument #7513026 Dated: March 28, 1975. Recorded: Unknown. Bargain and Sale Deed. This was a conveyance from Loris Dale Post to Julia Anna Post to create a survivorship. However, it referenced a land sale contract between Jessie W. Post and W.L. McNair and wife, dated July 11, 1967.

Instrument #7606614 Dated: January 31, 1976.
Quit Claim Deed from Chester and Gladys Bedortha to Milton Bedortha. Subject to a contract of sale dated July 11, 1967 and recorded on January 10, 1969, where Jessie Post was selling the property to WL and Kathryn McNair.

Summary of evidence for Parcel 21-03-03 #200

Instrument #29050 Dated August 30, 1963. Recorded: Unknown, unreadable. Warranty Deed from Walter and Edna Pitcher to Clifford and Berta Mae Bush.

Instrument #7404187 Dated: Feb 1, 1974. Recorded: Feb 5, 1974. Land Sale Contract from Clifford and Berta Mae Bush to Milton and Chester Bedortha.

Instrument #7908763 Dated: February 1, 1974. Recorded: February 13, 1979.
Warranty Deed from Clifford and Berta Mae Bush to Milton and Chester Bedortha.

Instrument #7606615 Dated: January 31, 1976. Recorded: February 11, 1976.
Quit Claim Deed from Chester Bedortha to Milton Bedortha, and subject to the Contract of Sale dated Feb 1, 1974.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY,
OREGON**

ORDER No.) IN THE MATTER OF CONSIDERING A BALLOT
) MEASURE 37 CLAIM AND DECIDING
) WHETHER TO MODIFY, REMOVE OR NOT
) APPLY RESTRICTIVE LAND USE
) REGULATIONS IN LIEU OF PROVIDING JUST
) COMPENSATION (Milton Bedortha /PA05-6100)

WHEREAS, the voters of the State of Oregon passed Ballot Measure 37 on November 2, 2004, which added provisions to Oregon Revised Statutes (ORS) Chapter 197 to require, under certain circumstances, payment to landowners if a government land use regulation restricts the use of private real property and has the effect of reducing the property value; and

WHEREAS, the Board of County Commissioners of Lane County enacted Ordinance No. 18-04 on December 1, 2004, to establish a real property compensation claim application process in LC 2.700 through 2.770 for Ballot Measure 37 claims; and

WHEREAS, the County Administrator has reviewed an application for a Measure 37 claim submitted by Milton Bedortha (PA05-6100), alleged to be the owner of real property located at 78190 Pitcher Lane near Cottage Grove and more specifically described in the records of the Lane County Assessor as map 21-03-03, tax lot 200, consisting of approximately 38 acres in Lane County, Oregon; and

WHEREAS, the County Administrator has determined that the application as to tax lot 200 appears to meet all of the criteria of LC 2.740(1)(a)-(d), appears to be eligible for just compensation and appears to require modification, removal or not applying the restrictive land use regulations in lieu of payment of just compensation and has referred the application to the Board for public hearing and confirmation that the application qualifies for further action under Measure 37 and LC 2.700 through 2.770; and

WHEREAS, the Board has confirmed the application appears to qualify for compensation under Measure 37 but Lane County has not appropriated funds for compensation for Measure 37 claims and has no funds available for this purpose; and

WHEREAS, the County Administrator has determined under LC 2.740(4) that modification, removal or not applying the restrictive land use regulation is necessary to avoid owner entitlement to just compensation under Ballot Measure 37 and made that recommendation to the Board; and

WHEREAS, on January 18, 2006, the Board conducted a public hearing on Milton Bedortha's Measure 37 claim (PA05-6100) and has now determined that the restrictive F2 (Impacted Forest) minimum lot size requirements and special use requirements for a new dwelling of LC 16.211 were enforced and made applicable to prevent Milton Bedortha from developing the property as he might have been allowed when he acquired an interest in the property on February 1, 1974, and that the public benefit from application of the current F2 (Impacted Forest) land use

regulations to the applicants' property is outweighed by the public burden of paying just compensation; and

WHEREAS, Milton Bedortha requests either \$780,000 as compensation for the reduction in value of his property or waiver of all land use regulations that would restrict development that could have otherwise been allowed at the time he acquired an interest in the property; and

WHEREAS, the Board finds that under LC 2.760(3) the public interest would be better served by modifying, removing or not applying the challenged land use regulations of the F2 (Impacted Forest) zone to the subject property in the manner and for the reasons stated in the report and recommendation of the County Administrator incorporated here by this reference except as explicitly revised here to reflect Board deliberation and action to allow Milton Bedortha to make application for development of the subject property in a manner similar to what he could have been able to do under the regulations in effect when he acquired an interest in the property; and

WHEREAS, this matter having been fully considered by the Lane County Board of Commissioners.

NOW, THEREFORE IT IS HEREBY ORDERED that the applicant Milton Bedortha made a valid claim under Ballot Measure 37 by describing the use being sought, identifying the county land use regulations prohibiting that use, submitting evidence that those land use regulations have the effect of reducing the value of the property, showing evidence that he acquired the property before the restrictive county land use regulations were enacted or enforced and the Board hereby elects not to pay just compensation but in lieu of payment Milton Bedortha's request shall be granted and the restrictive provisions of LC 16.211 that require a minimum lot size of 80 acres and a special use permit for a dwelling on land in the F2 (Impacted Forest) zone shall not apply to Milton Bedortha, so that he can make application for approval to develop the property at 78190 Pitcher Lane near Cottage Grove and more specifically described in the records of the Lane County Assessor as map 21-03-03, tax lot 200, in a manner consistent with the land use regulations in effect when he acquired an interest in the property on February 1, 1974.

IT IS HEREBY FURTHER ORDERED that Milton Bedortha will need to make application and receive approval for a subdivision under the other land use regulations applicable to dividing property in the F2 (Impacted Forest) zone that were not specifically identified or established by Milton Bedortha as restricting the use of the property and it would be premature to not apply those regulations given the available evidence. To the extent necessary to effectuate the Board action to not apply the division restrictions of the applicable zone described above, the claimant shall submit appropriate applications for review and approval of a land division a to show the specific development proposal and in the event additional county land use regulations result in a restriction of those uses that has the effect of reducing the fair market value of the property, the County Administrator shall have the authority to determine those restrictive county land use regulations that will not apply to that development proposal to preclude entitlement to just compensation under Measure 37. All other Lane Code land use and development regulations shall remain applicable to the subject property until such time as they are shown to be restrictive and that those restrictions reduce the fair market value of the subject property.

IT IS HEREBY FURTHER ORDERED that this action making certain Lane Code provisions inapplicable to Milton Bedortha's use of his property does not constitute a waiver or modification of state land use regulations and does not authorize immediate division of the land or immediate construction of a dwelling. The requirements of state law, including but not limited to ORS 215.213, Goal 3 and OAR chapter 660, division 33, may contain specific standards regulating development of the subject property and the applicants should contact the Department of Administrative Services (DAS - State Services Division, Risk Management - Measure 37 Unit, 1225 Ferry Street SE, U160, Salem, OR 97301-4292; Telephone: (503) 373-7475; website address: <http://www.oregon.gov/DAS/Risk/M37.shtml>) and have the State of Oregon evaluate a Measure 37 claim and provide evidence of final state action before seeking county land use approval.

IT IS HEREBY FURTHER ORDERED that the other county land use regulations and rules that still apply to the property require that land use, sanitation and building permits be approved by Lane County before any development can proceed. Notice of this decision shall be recorded in the county deed records. This order shall be effective and in effect as described in LC 2.770 and Ballot Measure 37 to the extent permitted by law. This order does not resolve several questions about the effect and application of Measure 37, including the question of whether the right of applicants to build another dwelling can be transferred to another owner. If the ruling of the Marion County Circuit Court in *MacPherson v. Dept. of Administrative Services*, (Marion County Circ. Ct. Case No. 00C15769, October 14, 2005) becomes final and that decision or any subsequent court decision has application to Lane County in a manner that affects the authority of this Board to grant relief under Ballot Measure 37 and LC 2.700 through 2.770 then the validity and effectiveness of this Order shall be governed by LC 2.770 and the ruling of the court.

DATED this _____ day of _____, 2006.

Bill Dwyer, Chair
Lane County Board of County Commissioners

APPROVED AS TO FORM

Date _____ Lane County

OFFICE OF LEGAL COUNSEL

Norman Waterbury
Land Use Planning Consultant
28788 Gimpl Hill Rd.
Eugene, OR 97402

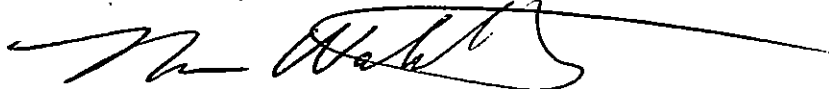
1-30-06

To:
William Van Vactor
Lane County Land Management Division

Re: P.A. 05-6100, Bedortha,

Please find additional information showing that the Bedortha's purchased Tax Lot 2300 in 1969 as evidenced by Lane County Document 50962 and 50963. Also see that Tax Lot 200 was purchased in 1974 as shown on Lane County Document 7404187.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Norman Waterbury', with a long horizontal line extending to the right.

Norman Waterbury 510-3501

EXHIBIT (A)

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES
OFFICE OF COUNTY ASSESSOR LANE COUNTY, OREGON

26337
OLD NUMBER

CODE NO. 45-01

MAP NO. 21.03.03	TAX LOT NO. (2-3) 200	936 862	TOWNSHIP 21 S.	RANGE 3W	W.M.	AERIAL PHOTO
ACCOUNT NUMBER		SECTION 3				
LOT NO.	BLOCK NO.	ADDITION				CITY

LEGAL DESCRIPTION	DEED RECORD		ACRES REMAINING
	DATE OF ENTRY	DEED NUMBER	
<div style="border: 1px solid black; padding: 2px; width: fit-content;">INDENT EACH NEW COURSE TO THIS POINT</div> West, W.M., NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Twp. 21 South, Range 3 in Lane County, Oregon.	1944	250/639	40.75
	1964	R229/29050	
	1974 CO	R676/4187	
	1979WA	R972/08763	
	1976QC	R781/6615	
	2000 DE	31225	

FOR ASSESSMENT
AND TAXATION
USE ONLY

tax lot 200

200

7404187

Pt. 30

MEMORANDUM OF LAND SALE CONTRACT

KNOW ALL MEN BY THESE PRESENTS, That on the 1st day of Feb, 1974,
CLIFFORD A. BUSH and BERTA MAE BUSH, husband and wife

as VENDORS, and MILTON W. BEDORTHA and CHESTER W. BEDORTHA, not as tenants in
common but with the right of survivorship

as VENDEES, made and entered into a certain Land Sale Contract;

WHEREAS, VENDOR agreed to sell and VENDEES agreed to purchase the following
real property, to-wit:

The Northwest 1/4 of the Northeast 1/4 of Section 3, Township 21
South, Range 3 West of the Willamette Meridian, in Lane County, Oregon.
Together with appurtenant easement of record
Subject to power line easement of record

Consideration: \$20,000.00

The terms and conditions of said transfer being fully set forth in said Land Sale Contract.

IN WITNESS WHEREOF the parties have hereunto set their hands this 1st day of Feb

1974

Milton W. Bedortha
Chester W. Bedortha

x Clifford A. Bush
x Berta Mae Bush

STATE OF OREGON, County of Lane, ss.

I, Notary Public, personally appeared the within named CLIFFORD A. BUSH and BERTA MAE BUSH,
husband and wife
and acknowledged the foregoing instrument to be their voluntary act and deed. Before me

My address:
Box 582
Dottage Grove, Ore. 97424

Betsy J. Wathen
Notary Public for Oregon
My Commission Expires: 9-10-76

PIONEER
RECORDS & ELECTIONS
1150 6th Street
Dottage Grove, Oregon

TO

of Oregon,
y of Lane, ss.
I, D. M. Penfold, Director of the
tment of Records and Elections,
for the said County, do hereby
that the within instrument was
ed for record at

74 FEB 5 AM 8 59

676 R

ounty OFFICIAL Records.

PENFOLD, Director of the
ment of Records & Elections.

Deputy

1-05

1 To:

Maynard Wilson
1150 6th Street
Dottage Grove, Oregon

LLA 058998

PARCEL RECORD - Cartographic Unit

1311800
1608536

EX 616.7 (B)

2005-096607

Code Area	Township	Range	Section	1/4	1/8	Parcel Number	Type	Number
	20	03	34	0	0	02300		

OFFICIAL RECORDS OF DEEDS PLANS AND REAL PROPERTIES

County	Number	Office of County Assessor	Map Number	Tablet Number	Special Interest
1941	11	20	34	0	2300

TERMS	BEARING	DISTANCE	BEARING REFERENCE ON LEGAL SUBDIVISION	ACRES	RECORD
1941	West S 7 1/2° N	19.17 oh	Beginning at a point 16.32 chs. South of the quarter section corner between Sections 34 & 35 of Tp. 20 S., R. 3 W.M., thence		REMAINING
	East S 7 1/2° N	3.85 ch	to the SE corner of SE 1/4 of said Section 34		
	East	5.98 oh	thence		
	South	6.91 oh	to East line of said Section 34		
	East	16.02 oh	to place of beginning, all in Section 34, Tp. 20 S., R. 3 West W.M. in Lane County, Oregon, containing more or less 16.69 acres.		
	North	9.71 oh			

Begin at NW corner of SE 1/4 of Sec. 34, T. 20 S., R. 3 West W.M. and

Also SE 1/4 and SW 1/4 of Section 34, Township 20, Range 3 West W.M. About 1/3 acre being SE of the slough that runs through the SE corner of land by heirs of Mabel A. & William W. Wells, Sec 34, Tp. 20 S., R. 3 W.M. and adjoining land now being conveyed by Sarah Edna Raymond to grantees.

Remarks	1961	West N 56°15'12" S 7°30'1" W	98.0 ft 131.5 ft 76.4 ft	Also: Beginning at the SE corner of the NW quarter of SE 1/4 of Section 34, Tp. 20 South, Range 3 West W.M., run thence along the center of a slough thence to the point of beginning in Lane County, Oregon.	105.18
---------	------	------------------------------	--------------------------------	---	--------

Formerly part of	History of Parcel	Acres Remaining												
	<table border="1"> <tr> <th>Exceptions/Additions</th> <th>Date of Entry/ Acquisition</th> <th>Deed Record Volume</th> <th>Page</th> </tr> <tr> <td>NEW DESCRIPTION</td> <td>2003</td> <td>LLA</td> <td>2001-062056</td> </tr> <tr> <td>ACREAGE CORRECTION</td> <td>2001</td> <td>062056</td> <td></td> </tr> </table>	Exceptions/Additions	Date of Entry/ Acquisition	Deed Record Volume	Page	NEW DESCRIPTION	2003	LLA	2001-062056	ACREAGE CORRECTION	2001	062056		63.67
Exceptions/Additions	Date of Entry/ Acquisition	Deed Record Volume	Page											
NEW DESCRIPTION	2003	LLA	2001-062056											
ACREAGE CORRECTION	2001	062056												

FOR ENCUMBRANCE AND TAXATION USE ONLY

50692
BARGAIN & SALE DEED

FOR VALUE RECEIVED W. L. MC NAIR and KATHRYN MC NAIR, Husband and Wife

herein referred to as grantors, hereby grant, bargain, sell, and convey unto MILTON W. BEDORTA and CHESTER W. BEDORTA and GLADYS H. BEDORTA, Husband and Wife, as tenants in common with right of survivorship

herein referred to as grantees, the following described real property, with tenements, hereditaments, and appurtenances, to wit:

Parcel 1. Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section No. 34 in Township 20 South, Range 3 West of the Willamette Meridian, in Lane County, Oregon.
Parcel 2. Beginning at a point 16.32 chains South of the Quarter Section corner between Sections 34 and 35, Township 20 South, Range 3 West of the Willamette Meridian, thence West 19.17 chains, thence South 71° West 3.85 chains to the Southeast corner of said Section 34, thence East 3.98 chains, thence South 5.91 chains thence East 6.71 chains to the East line of said Section 34, thence North 9.71 chains to the place of beginning, all in Section 34, Township 20 South, Range 3 West of the Willamette Meridian.
Parcel 3. Beginning at the Northwest corner of the Southeast Quarter of the Southeast Quarter of Section 34, Township 20 South, Range 3 West of the Willamette Meridian, and running thence South 20 chains, thence East 3.48 chains, thence North 20 chains and thence West 3.28 chains to the place of beginning, all in the Southeast 1/4 of the Southeast 1/4 of Section 34, Township 20 South, Range 3 West of the Willamette Meridian.
Parcel 4. Beginning at a point 9 chains and 48 links East from the Northwest corner of the Southeast 1/4 of Section 34, Township 20 South, Range 3 West of the Willamette Meridian, and running thence South 18 chains and 20 links, thence East 50 links, thence North 16 chains and 20 links, thence West 50 links to the place of beginning, in Lane County, Oregon.
Parcel 5. Beginning at the Southeast corner of the Northwest quarter of the Southeast Quarter of Section 34, Township 20 South, Range 3 West of the Willamette Meridian, in Lane County, Oregon, thence West 98 feet to the center of the slough, thence North 131.3 feet to the center line, thence South 71° 30' West 75.3 feet to the place of beginning, in Lane County, Oregon.

The true and actual consideration for this transfer is \$37,000. The foregoing recital of consideration is true as I verily believe.

Dated January 10, 1969

(Seal)

W.L. Mc Nair (Seal)
Kathryn Mc Nair

STATE OF OREGON, County of Lane

Personally appeared the above named

W. L. MC NAIR and KATHRYN MC NAIR, Husband and Wife

and acknowledged this foregoing instrument to be their voluntary act and deed before me:

Dated January 10, 1969 AD 1969

Notary Public for Oregon



50692
Complement of
CASCADE TITLE COMPANY
1972 OX Street Eugene Oregon
BARGAIN & SALE
DEED
44109 Mc Nair
17283 Bedorta
State of Oregon
County of Lane
I, Ina Randolph, Director of the
Department of Records and Elections,
do hereby certify that the within instrument was
received for record at
1969 JAN 13 PM 2:22 3
Reel 451-R
Lane County OFFICIAL Records.
INA RANDOLPH, Director of the
Department of Records & Elections.
By *Ina Randolph* Deputy
C23-083-05
Return To:
Maynard W. ...
11 So. 6th Street
Cottage Grove, Oregon
JAN 13 1969
CASCAD E TITLE COMPANY

50693

ASSIGNMENT OF CONTRACT

THIS ASSIGNMENT, made this 16th day of January, 1969, by and between W. L.

MC NAIR and KATHRYN MC NAIR, Husband and Wife, hereinafter known as the Assignors,

and MILTON W. BEDORTHA and CHESTER W. BEDORTHA and GLADYS H. BEDORTHA, Husband and

Wife, tenants in common with right of survivorship, hereinafter known as the

Assignees,

W I T N E S S E T H :

BEFORE AND IN CONSIDERATION of the sum of Ten Thousand Nine Hundred Seventy

and no/100 Dollars, to them in hand paid by the Assignees, the receipt of

which is hereby acknowledged, the Assignors do hereby sell, assign and set over to

the Assignees the certain contract for the purchase of real property entered

into between the Assignors and JESSIE W. POST, a Widow, on the 11th day of July,

1968, of the following described property, to-wit:

Parcel 1: Commence at the Southeast Quarter of the Southeast Quarter and the Southeast

Quarter of the Southwest Quarter of Section No. 34 in Township 20 South,

Range 3 West of the Willamette Meridian, in Lane County, Oregon.

Beginning at a point 16.32 chains South of the Quarter Section

corner between Sections 34 and 35, Township 20 South, Range 3 West of the

Willamette Meridian, thence West 19.17 chains, thence South 7° West 3.65

chains to the Southeast corner of said Section 34, thence East 3.93 chains,

thence South 2° 31' 15" East 16.02 chains to the East line of

Section 34, thence North 9° 71' chains to the place of beginning, all in

Section 34, Township 20 South, Range 3 West of the Willamette Meridian.

Parcel 2: Beginning at the Northwest corner of the Southeast quarter of the

Southeast Quarter of Section 34, Township 20 South, Range 3 West of the

Willamette Meridian, and running thence South 20 chains, thence East 3.0

chains, thence North 20 chains and thence West 3.48 chains to the place

of beginning, all in the Southeast 1/4 of the Southeast 1/4 of Section 34,

Township 20 South, Range 3 West of the Willamette Meridian.

Parcel 3: Beginning at a point 3 chains and 48 links East from the Northwest

corner of the Southeast 1/4 of the Southeast 1/4 of Section 34,

Range 3 West of the Willamette Meridian, and running thence South 17

chains and 28 links, thence East 50 links, thence North 13 chains and 17 links, thence

West 50 links to the place of beginning, in Lane County, Oregon.

Parcel 4: Beginning at the Southeast corner of the Northwest quarter of

Section 34, Township 20 South, Range 3 West of the

Willamette Meridian, Lane County, Oregon, run thence West 9.1 feet to the

center of the slough, thence North 55° 15' East along said center line 31.3

feet, thence South 7° 30' West 75.4 feet to the place of beginning, in

Lane County, Oregon.

It is understood and agreed that at the date of this assignment a balance

of Twenty Six Thousand Twenty Five & no/100 Dollars (\$26,025.00) remains to be paid

on said Contract. The Assignees agree to make the next payment due on said

Contract on or before the 15th day of February, 1969, and all payments thereafter until paid in full.

Witness my hand and seal of office this 16th day of January, 1969.

Notary Public for Oregon

Page 1 - Assignment of Contract

50693

The Assignors do covenant that taxes on said property have been paid to date and that all obligations required to be fulfilled by said contract have been completed.

The Assignors do hereby covenant to and with the said Assignees that they have good title to the property and the same is free and clear of all encumbrances and that they have good right to assign the contract.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on this day and year first above written.

W. L. McRair
Kathleen McRair
Assignors

Milton W. Bidertha
Christie W. Bidertha
Madeline H. Bidertha
Assignees

STATE OF OREGON
COUNTY OF CLATSOP

Personally appeared the above named W. L. MC RAIR and KATHLEEN Mc RAIR husband and wife and acknowledged the foregoing instrument to be their act and deed.

Notary Public for Oregon
My Commission expires 1959

John W. Francis
Notary Public for Oregon
My Commission expires 1959

