

Mult Co Dept of Environ Services
Land Development Section

Application for Land Division
Tentative Plan Approval (all types)

General Information - Site Identification

Site location (by street address)

15401 & 15403 S.E. Powell Blvd.

Identification of total land involved.
Use Tax Roll (ie "legal") description.
(Tax lot number or Lot and Block #
plus name of existing subdivision)

Lot 9 Block 2 MARRIAGE ESTATES PHASE TWO
and Tax Lot 381

Assessor's Map # 3346 & 3446

Location by quarter of Section, Section,
Township, & Range ("Jeffersonian Grid")

| | | |
|----|----|----------|
| NW | NE | East 1/2 |
| SW | SE | XXXXXX |

Quarter of Section 12
Township 1 N, Range 2, W / E, WM
S

Site size (total area of land involved)

acreage = _____ and
/or sq ft = 39263

Site dimensions (if rectangular in shape)

frontage = 195 ft, depth = 244 ft

Zoning classification (type of district)

existing LR7

proposed _____
(if change is being requested)

Are any other Zoning ac-
tions needed (such as _____ yes no
Variances or Exceptions)? () (X)

If yes, please note particulars below:

FILE
NUMBER LLA - _____

Type of
Land Div I II III

Pre-Filing Conf (if req'd)

Pre-App # _____ - _____

Conf date _____

Time _____ AM _____ PM

Receipt Pre-App fee below

Application Filing Fee

(Receipt space below for
Type II or III fees only)

Description (site ident)

verified by: JYE

Map references

Assessor's
"100 scale" # 3346
3446

Assessor's
"600 scale" # _____

Zoning

area book SE

S Z M # 409

Zoning check 417

verified by: JYE

Miscellaneous

12 JAN 82
ige

A.



DI LORETO & ASSOCIATES
Engineers · Planners · Surveyors

Aug. 5, 1985

Multnomah County
Department of Environmental Services
Zoning Division
2115 S.E. Morrison St.
Portland, OR 97214
Attn: Irv Ewen

Re: Application for lot line adjustment

Dear sir:

Attached hereto is the application of Herman J. and Rosalie T. Maricelli for the lot line adjustment between lot 9 block 2 of the plat of "MARRIAGE ESTATES PHASE TWO" and tax lot 381 of the east 1/2 of section 12, T1S R2E, W.M. Included are three copies of legal descriptions for parcel 1, parcel 2, legal description for dedication of 5.00 feet to the north side of Powell Blvd., and a legal description for a cess pool easement from parcel 1 to parcel 2.

After completion of revue, please send all reports to;

Herman J. Maricelli
2621 S.W. Eastwood Ave.
Gresham, OR 97030

Ph. 665-4011

Also send the deed of dedication to be signed to him with instructions for execution.

Yours very truly,

Eugene P. DiLoreto, P.E., P.L.S.



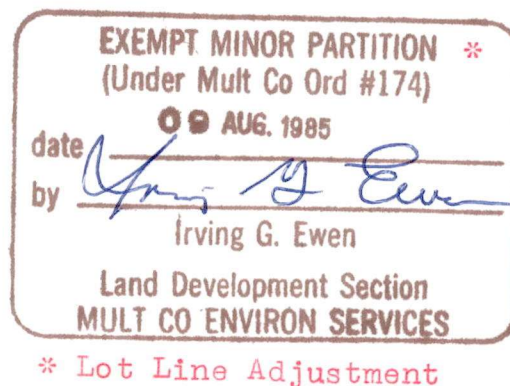
DI LORETO & ASSOCIATES
Engineers · Planners · Surveyors

Aug 1, 1985

CESSPOOL EASEMENT

A tract of land in the east 1/2 of Section 12, T1S R2E, W.M., more particularly described as follows:

Beginning at the southeast corner of Lot 5 Block 2 of the plat of the plat of "MARRIAGE ESTATES PHASE TWO", a duly recorded plat in Section 12, T1S R2E, W.M., recorded in plat book 1216 page 11, plat records Multnomah County, Oregon, said point being the initial point of the said plat; thence $S0^{\circ}00'15''W$ a distance of 70.06 feet along the west line of the plat of "MARRIAGE ESTATES", a duly recorded plat in section 12, T1S R2E, W.M., recorded in plat book 1213 page 62, plat records of Multnomah County, Oregon; thence $N87^{\circ}36'19''W$ a distance of 71.68 feet parallel to the south line of said Lot 5; thence $S0^{\circ}02'10''E$ a distance of 56.00 feet parallel to the west line of Lot 9 Block 2 to the true point of beginning; thence $S89^{\circ}57'50''W$ a distance of 15.00 feet; thence $S0^{\circ}02'10''E$ a distance of 20.00 feet; thence $N89^{\circ}57'50''E$ a distance of 15.00 feet; thence $N0^{\circ}02'10''W$ a distance of 20.00 feet parallel to the east line of Lot 9 Block 2 of the plat of "MARRIAGE ESTATES PHASE TWO" to the true point of beginning. This easement is sole for the cess pool that now exists in this area. When this cess pool is replaced for any reason, It must be placed with in the property lines of the parcel that it serves and then this easement becomes null and void and ceases to exist.





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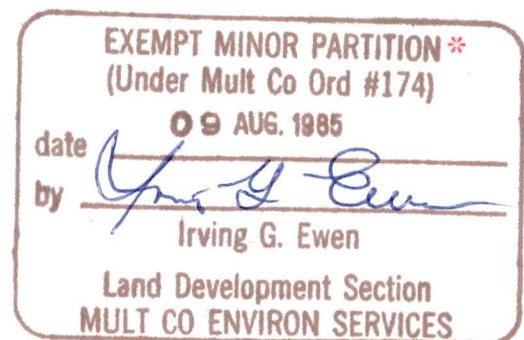
Aug. 1, 1985

PARCEL 2

DESCRIPTION FOR DEED OF DEDICATION

A tract of land in the east 1/2 of Section 12, T1S R2E, W.M. to be dedicated for road purposes, said tract being a part of that parcel conveyed to Herman J. Maricelle and Rosalie T. Maricelli by deed recorded Mar. 15, 1984 in deed book 1733 pages 1081 and 1082, more particularly described as follows:

Beginning at the southwest corner of Lot 1, Block 2 of the plat of "MARRIAGE ESTATES" a duly recorded plat in Section 12, T1S R2E, W.M., Multnomah County, Oregon, recorded in plat book 1213 page 62 of the plat records of said Multnomah County; said point of beginning being 35 feet (when measured at right angles) north of the centerline of S.E. Powell Blvd., thence N69°38'55"W a distance of 74.70 feet parallel to the centerline of S.E. Powell Blvd. to the west line of that parcel conveyed to Kevin A. Hardy and Mary H. Hardy by deed recorded April 30, 1982 in deed book 1593 pages 1397 and 1398, deed records of Multnomah County and the true point of beginning; thence N69°38'55"W a distance of 17.07 feet to the southeast corner of lot 9 block 2 "MARRIAGE ESTATES PHASE TWO", a duly recorded plat in Section 12, T1S R2E, W.M. Multnomah County, Oregon in plat book 1216 page 11 plat records of Multnomah County; thence S0°02'10"E a distance of 5.33 feet to a point that is 30.00 feet (when measured at right angles) north of the centerline of S.E. Powell Blvd.; thence S69°38'55"E a distance of 17.07 feet parallel to the centerline of S.E. Powell Blvd.; thence N0°02'10"W a distance of 5.33 feet to the true point of beginning.
Containing 85 square feet, more or less.



* Lot Line Adjustment



DI LORETO & ASSOCIATES
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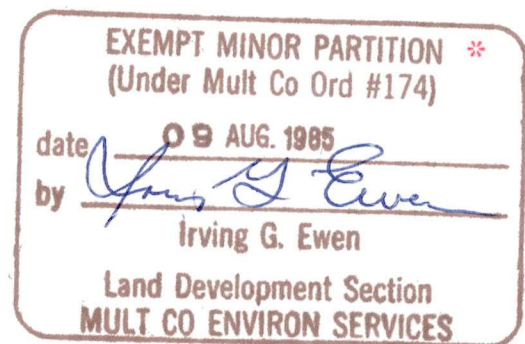
Aug. 1, 1985

PARCEL 1

DESCRIPTION FOR DEED OF DEDICATION

A tract of land in the east 1/2 of Section 12, T1S R2E, W.M. to be dedicated for road purposes, said tract being a part of that parcel conveyed to Kevin A Hardy and Mary W. Hardy by deed recorded april 30, 1982 in deed book 1593 pages 1397 and 1398, deed records Multnomah County, Oregon, more particularly described as follows:

Beginning at the southwest corner of Lot 1, Block 2 of the plat of "MARRIAGE ESTATES" a duly recorded plat in Section 12, T1S R2E, W.M., Multnomah County, Oregon, recorded in plat book 1213 page 62 of the plat records of said Multnomah County; said point of beginning being 35 feet (when measured at right angles) north of the centerline of S.E. Powell Blvd., thence N69°38'55"W a distance of 74.70 feet parallel to the centerline of S.E. Powell Blvd. to the west line of that parcel conveyed to Kevin A. Hardy and Mary H. Hardy by deed recorded April 30, 1982 in deed book 1593 pages 1397 and 1398, deed records of Multnomah County; thence S0°02'10"E a distance of 5.33 feet to a point that is 30.00 feet (when measured at right angles) north of the centerline of S.E. Powell Blvd.; thence S69°38'55"E a distance of 74.70 feet parallel to the centerline of S.E. Powell Blvd.; thence N0°00'15"E a distance of 5.33 feet to the point of beginning. Containing 374 square feet, more or less.



* Lot Line Adjustment



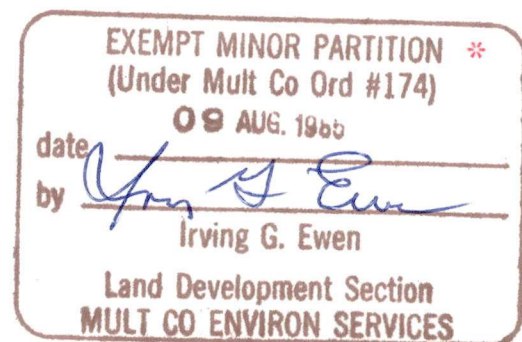
DI LORETO & ASSOCIATES
Engineers · Planners · Surveyors

Aug 1, 1985

PARCEL II

A tract of land in the east 1/2 of Section 12, T1S R2E, W.M., more particularly described as follows:

Beginning at the southeast corner of Lot 5 Block 2 of the plat of the plat of "MARRIAGE ESTATES PHASE TWO", a duly recorded plat in Section 12, T1S R2E, W.M., recorded in plat book 1216 page 11, plat records Multnomah County, Oregon, said point being the initial point of the said plat; thence $SO^{\circ}00'15"W$ a distance of 70.06 feet along the west line of the plat of "MARRIAGE ESTATES", a duly recorded plat in section 12, T1S R2E, W.M., recorded in plat book 1213 page 62, plat records of Multnomah County, Oregon, and the true point of beginning, thence $N87^{\circ}36'19"W$ a distance of 71.68 feet parallel to the south line of said Lot 5; thence $SO^{\circ}02'10"E$ a distance of 150.93 feet parallel to the west line of Lot 9 Block 2 to a point that is 35 feet (when measured at right angles) north of the center line of S.E. Powell Blvd.; thence $S69^{\circ}38'55"E$ a distance of 76.27 feet parallel to the center line of S.E. Powell Blvd. to the southwest corner of the above described plat of "MARRIAGE ESTATES"; thence $NO^{\circ}00'15"E$ a distance of 174.46 feet along the west line of the plat of "MARRIAGE ESTATES" to the true point of beginning.
Containing 11643 square feet, more or less.



* Lot Line Adjustment



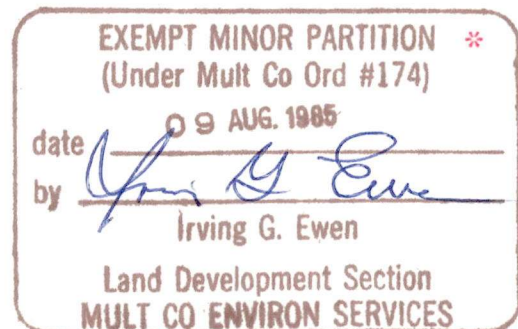
DI LORETO & ASSOCIATES
Engineers · Planners · Surveyors

Aug. 1, 1985

PARCEL I

A tract of land in the east 1/2 of Section 12, T1S R2E, W.M., more particularly described as follows:

Beginning at the southeast corner of Lot 5 Block 2 of the plat of "MARRIAGE ESTATES PHASE TWO" a duly recorded plat in Section 12, T1S R2E, W.M. recorded in plat book 1216 page 11, plat records of Multnomah County, Oregon, said southeast corner being the initial point of the said plat; thence N87°36'19"W a distance of 183.37 feet along the south line of Lots 5 and 6 Block 2 of the said plat to the northwest corner of Lot 9; thence S0°02'10"E a distance of 184.27 feet along the west line of Lot 9 to the northerly line of S.E. Powell Blvd. which point is the southwest corner of Lot 9; thence S69°38'55"E a distance of 118.99 feet along the northerly line of S.E. Powell Blvd.; thence N0°02'10"W a distance of 150.93 feet parallel to the west line of Lot 9; thence S87°36'19"E a distance of 71.68 feet to the west line of the Plat of "MARRIAGE ESTATES" a duly recorded plat in plat book 1213 page 62, plat records of Multnomah County, Oregon; thence N0°00'15"E a distance of 70.06 feet along the west line of the plat of "MARRIAGE ESTATES" to the point of beginning.
Containing 27616 square feet, more or less.



* Lot Line Adjustment

SURVEY FOR THE ADJUSTMENT OF THE LOT LINE BETWEEN LOT 9 BLOCK 2
OF "MARRIAGE ESTATES PHASE TWO" AND TAX LOT 381 IN THE EAST 1/2 OF
SECTION 12, T18R2E, W.M.

SURVEYED AUG. 1, 1985

ASSESSOR'S MAP NO. 3346 & 3446

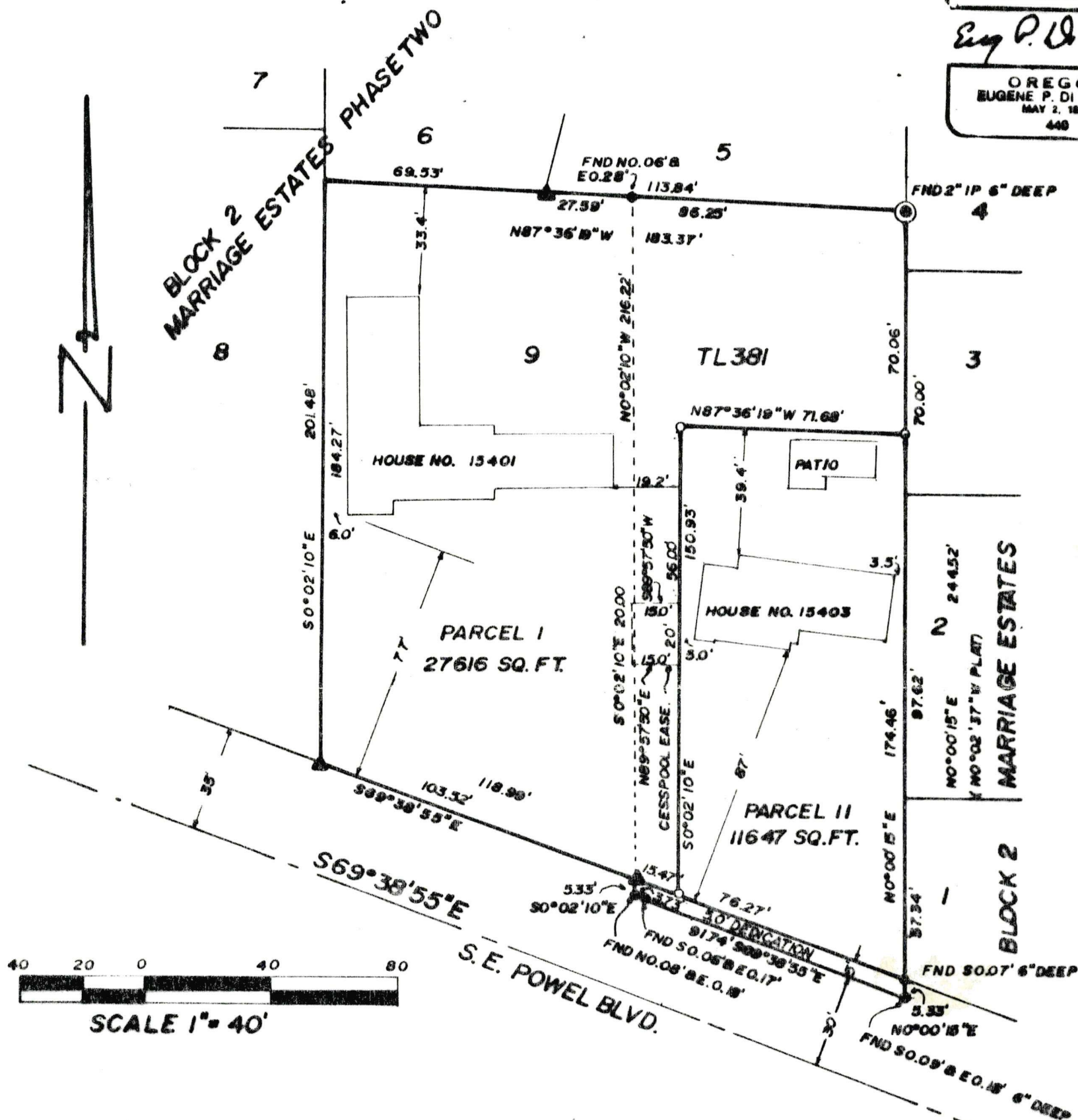
BY:  DI LORETO & ASSOCIATES

Engineers - Planners - Surveyors
3736 S.E. 70th - Portland, OR 97206
(503) 771-8475

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Eug. P. Di Loreto

OREGON
EUGENE P. DI LORETO
MAY 2, 1988
448



NARRATIVE:
LOCATED MONUMENTS SHOWN. BASED THE SURVEY ON
THE MONUMENTS FROM "MARRIAGE ESTATES PHASE TWO"
BASIS OF BEARINGS IS THE WEST LINE OF LOT 9

LD NO. LOT LINE ADJUSTMENT

| | |
|--------------------------------------|---------------------|
| APPROVED <i>Eug. P. Di Loreto</i> | DATE 9 AUG. 1985 |
| LAND DEVELOPMENT SECTION | |
| COUNTY SURVEYOR | |
| COUNTY ASSESSOR | |

ALL POINTS FLUSH UNLESS NOTED

- DENOTES 5/8" IR FND
- ▲ DENOTES 5/8" IR W/PLASTIC CAP INSCRIBED "SHAPIRO LS 709"
- DENOTES 5/8" X 30" IR W/PLASTIC CAP INSCRIBED "DILORETO LS 440"

KNOW ALL MEN BY THESE PRESENTS, That Kevin A. Hardy & Mary H. Hardy

of _____, Multnomah County, Oregon, in consideration of One and no/100
(\$1.00) _____ Dollars, and other good and
valuable considerations, to _____ them _____ paid by Multnomah County, a political subdivision of
the State of Oregon, ha _____ granted, bargained, sold and conveyed, and do _____ hereby grant, bargain, sell and convey
unto said Multnomah County, its successors and assigns, a perpetual easement for road purposes in, upon, and across the property herein-
after described, and ha _____ forever dedicated, and do _____ hereby forever dedicate to the use of the public as a public road,
all the following bounded and described real property situated in the County of Multnomah and State of Oregon, to-wit:

A tract of land in the east one-half of Section 12, Township 1 South, Range 2 East, Willamette Meridian, Multnomah County, Oregon, to be dedicated for road purposes, said tract being a part of that parcel conveyed to Kevin A. Hardy and Mary H. Hardy, by deed recorded April 30, 1982 in deed book 1593, pages 1397 and 1398, deed records Multnomah County, Oregon, more particularly described as follows:

(74.67) Beginning at the southwest corner of Lot 1, Block 2 of the plat of "MARRIAGE ESTATES" a duly recorded plat in Section 12, Township 1 South, Range 2 East, Willamette Meridian, Multnomah County, Oregon, recorded in plat book 1213 page 62 of the plat records of said Multnomah County; said point of beginning being 35 feet (when measured at right angles) north of the centerline of SE Powell Blvd., thence North 69° 38' 55" West a distance of 74.67 feet parallel to the centerline of SE Powell Blvd., to the west line of that parcel conveyed to Kevin A. Hardy and Mary H. Hardy by deed recorded April 30, 1982 in deed book 1593, pages 1397 and 1398, deed records of Multnomah County; thence South 0° 02' 10" East a distance of 5.33 feet to a point that is 30.00 feet (when measured at right angles) north of the centerline of SE Powell Blvd.; thence (74.67) South 69° 38' 55" East a distance of 74.67 feet parallel to the centerline of SE Powell Blvd; thence North 0° 00' 15" East a distance of 5.33 feet to the point of beginning.

Containing 374 square feet, more or less.

TO HAVE AND TO HOLD the above granted easement unto the said Multnomah County, its successors and assigns, forever.

IN WITNESS WHEREOF, the grantor _____ above named ha _____ hereunto set _____ hand _____ and
seal _____ this _____ day of _____ A.D., 19 _____

APPROVED:

XXXXXXXXXXXXXXXXXXXX
XXX LARRY E. NICHOLAS, County Engineer
XXXXXXXXXXXX

Kevin A. Hardy (SEAL)
Mary H. Hardy (SEAL)

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
XXXXXXXXXXXX

By _____
Deputy XXXXXXXXXXXX

STATE OF OREGON
County of Multnomah

THIS CERTIFIES that on this 12th day of November A.D., 19 85
before me the undersigned, a Notary Public in and for said county and state, personally appeared the within named Kevin A Hardy and Mary H. Hardy
known to me to be the identical individual S described in and who executed the within instrument, and
acknowledged to me that They executed the same freely and voluntarily.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal the day and year last above written.

Harold M. D. Lorto
Notary Public for Oregon

My Commission expires Sept 25 19 87

KNOW ALL MEN BY THESE PRESENTS, That Herman J. Maricelli & Rosalie T. Maricelli

of _____, Multnomah County, Oregon, in consideration of One and no/100
(\$1.00) Dollars, and other good and
valuable considerations, to them paid by Multnomah County, a political subdivision of
the State of Oregon, ha _____ granted, bargained, sold and conveyed, and do _____ hereby grant, bargain, sell and convey
unto said Multnomah County, its successors and assigns, a perpetual easement for road purposes in, upon, and across the property herein-
after described, and ha _____ forever dedicated, and do _____ hereby forever dedicate to the use of the public as a public road,
all the following bounded and described real property situated in the County of Multnomah and State of Oregon, to-wit:

A tract of land in the east one-half of Section 12, Township 1 South, Range 2
East, Willamette Meridian, Multnomah County, Oregon, to be dedicated for road
purposes, said tract being a part of that parcel conveyed to Herman J. Maricelli
and Rosalie T. Maricelli by deed recorded March 15, 1984, in deed book 1733, pages
1081 and 1082, more particularly described as follows:

(74.67) Commencing at the southwest corner of Lot 1, Block 2 of the plat of "MARRIAGE
ESTATES" a duly recorded plat in Section 12, Township 1 South, Range 2 East, Willamette
Meridian, Multnomah County, Oregon, recorded in plat book 1213, page 62, of the
plat records of said Multnomah County; said point being 35 feet (when measured
at right angles) north of centerline of SE Powell Blvd.; thence North 69° 38'
55" West a distance of 74.67 feet parallel to the centerline of SE Powell Blvd.
to the west line of that parcel conveyed to Kevin A. Hardy and Mary H. Hardy by
deed recorded April 30, 1982, in deed book 1593 pages 1397 and 1398, deed records
of Multnomah County and the true point of beginning; thence North 69° 38' 55"
West a distance of 17.07 feet to the southeast corner of lot 9 block 2 "MARRIAGE
ESTATES PHASE TWO", a duly recorded plat in Section 12, Township 1 South, Range
2 East, Willamette Meridian, Multnomah County, Oregon, in plat book 1216, Page
11, plat records of Multnomah County; thence South 0° 02' 10" East a distance
of 5.33 feet to a point that is 30.00 feet (when measured at right angles) north
of the centerline of SE Powell Blvd; thence South 69° 38' 55" East a distance
of 17.07 feet parallel to the centerline of SE Powell Blvd.; thence North 0° 02'
10" West a distance of 5.33 feet to the true point of beginning.

Containing 85 square feet, more or less.

TO HAVE AND TO HOLD the above granted easement unto the said Multnomah County, its successors and assigns, forever.

IN WITNESS WHEREOF, the grantor _____ above named ha _____ hereunto set _____ hand _____ and
seal _____ this _____ day of _____ A.D., 19 _____

APPROVED:

XXXXXXXXXXXXXXXXXXXX
LARRY F. NICHOLAS, County Engineer
XXXXXXXXXXXX

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
XXXXXXXXXXXX

Herman J. Maricelli (SEAL)
Rosalie T. Maricelli (SEAL)

By _____
Deputy _____
STATE OF OREGON
County of Multnomah

THIS CERTIFIES that on this 12th day of November A.D., 19 85
before me the undersigned, a Notary Public in and for said county and state, personally appeared the within named Herman J.
Maricelli and Rosalie T. Maricelli
who are known to me to be the identical individual s described in and who executed the within instrument, and
acknowledged to me that they executed the same freely and voluntarily.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal the day and year last above written.

Thomas M. DeLorto
Notary Public for Oregon

My Commission expires Sept 25, 19 85

OA

QUITCLAIM DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

Herman J. and Rosalie T. Maricelli

releases and quitclaims to ~~Kevin A. and Mary H. Hardy~~ Grantor,

AMERICAN SAVINGS & LOAN

Grantee, all right, title and interest in and to the following described real property situated in Multnomah County, Oregon, to-wit:

A tract of land in the East 1/2 of Section 12, more particularly described as follows: Beginning at the southeast corner of Lot 5 Block 2 of the plat of "MARRIAGE ESTATES PHASE TWO" a duly recorded plat in Section 12, T1S, R2E, W.M. recorded in plat book 1216 page 11, plat records of Multnomah County, Oregon, said southeast corner being the initial point of the said plat; thence S0°00'15"W a distance of 70.06 feet; thence N87°36'19" W a distance of 70.18 feet parallel to the South line of said lot 5 to the northeast corner of that parcel conveyed to Kevin A. Hardy and Mary H. Hardy by deed recorded April 30, 1982 in deed book 1593, pages 1397 and 1398, deed records of Multnomah County, Oregon, and the true point of beginning; thence N87°36'19"W a distance of 1.50 feet; thence S0°02'10"E a distance of 150.93 feet parallel to the east line of lot 9 block 2 of the plat of "Marriage Estates Phase Two" to a point that is 35.00 feet northerly of (when measured at right angles) the centerline of S.E. Powell Blvd.; thence S69°38'55" E a distance of 1.60 feet parallel to the said centerline; thence N0°02'10"W a distance of 151.42 feet parallel to the east line of the said lot 9 block 2 to the true point of beginning. Containing 227 square feet, more or less.

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.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true and whole consideration for this conveyance is \$===== (Here comply with the requirements of ORS 93.030) other value given.

Dated this 12 day of November, 1985.



Herman J. Maricelli

Rosalie T. Maricelli

STATE OF OREGON, County of Multnomah) ss. October/November 12, 1985
Personally appeared the above named Herman J. and Rosalie T. Maricelli

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Flora M. De Lora
(OFFICIAL SEAL) Notary Public for Oregon—My commission expires: 9-25-87

QUITCLAIM DEED

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

SPACE RESERVED
FOR
RECORDER'S USE

Herman J. and Rosalie T. Maricelli

~~Kevin A. and Mary H. Hardy~~ GRANTOR~~15403 SE Powell Blvd.~~ AMERICAN SAVINGS & LOAN~~Portland, Oregon~~ AND LOAN~~1515 SW 5TH~~ GRANTOR'S ADDRESS, PORT. OR. 97201-5469

After recording return to:

Kevin A. and Mary N. Hardy

15403 SE Powell Blvd.

Portland, Oregon

AMERICAN SAVINGS & LOAN

1515 S.W. 5TH NAME ADDRESS, ZIP

SUITE 770 - PORTLAND, OR. 97201-5469

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

Kevin A. and Mary H. Hardy

15403 SE Powell Blvd.

Portland, Oregon

AMERICAN SAVINGS & LOAN

NAME ADDRESS, ZIP

CESSPOOL AGREEMENT FOR/EASEMENT

THIS AGREEMENT, Made and entered into this day of October, 19 85,
by and between Herman J. and Rosalie T. Maricelli
hereinafter called the first party, and Kevin A. and Mary H. Hardy
....., hereinafter called the second party;

WITNESSETH:

WHEREAS: The first party is the record owner of the following described real estate in Multnomah
County, State of Oregon, to-wit:

A tract of land in the east 1/2 of Section 12, T1S R2E, W.M., more particularly described as follows:
Beginning at the southeast corner of Lot 5 Block 2 of the plat of "MARRIAGE ESTATES PHASE TWO" a duly
recorded plat in Section 12, T1S R2E, W.M. recorded in plat book 1216 page 11, plat records of Multnomah
County, Oregon, said southeast corner being the initial point of the said plat; thence N87°36'19"W a distance
of 183.37 feet along the south line of Lots 5 and 6 Block 2 of the said plat to the northwest corner of
Lot 9; thence S0°02'10" E a distance of 184.27 feet along the west line of Lot 9 to the northerly line of
S.E. Powell Blvd. which point is the southwest corner of Lot 9; thence S69°38'55" E a distance of 118.99 feet
along the northerly line of S.E. Powell Blvd.; thence N0°02'10" W a distance of 150.93 feet parallel to the
west line of Lot 9; thence S87°36'19" E a distance of 71.68 feet to the west line of the plat of
"Marriage Estates" a duly recorded plat in plat book 1213 page 62, plat records of Multnomah County,
Oregon; thence N0°00'15" E a distance of 70.06 feet along the west line of the plat of "Marriage Estates"
to the point of beginning. Containing 27616 square feet, more or less.

and has the unrestricted right to grant the easement hereinafter described relative to said real estate;

NOW, THEREFORE, in view of the premises and ^{for} ~~in consideration of One Dollar (\$1) by the second-~~
~~party to the first party paid and other valuable considerations, the receipt of all of which hereby is acknowl-~~
~~edged by the first party, they agree as follows:~~

The first party does hereby grant, assign and set over to the second party a cesspool easement
on the following described real property in Multnomah County:

A tract of land in the east 1/2 of Section 12, T1S R2E, W.M., more particularly described as follows:
Beginning at the south east corner of Lot 5 Block 2 of the plat of the plat of "MARRIAGE ESTATES PHASE TWO"
a duly recorded plat in Section 12, T1S R2E, W.M., recorded in plat book 1216 page 11, plat records of
Multnomah County, Oregon, said point being the initial point of the said plat; thence S0°00'15" W a distance of
70.06 feet along the west line of the plat of "Marriage Estates" a duly recorded plat in section 12, T1S
R2E, W.M., recorded in plat book 1213 page 62, plat records of Multnomah County, Oregon; thence N87°36'19" W
a distance of 71.68 feet parallel to the south line of said Lot 5; thence S0°02'10" E a distance of 56.00
feet parallel to the west line of Lot 9 Block 2 to the true point of beginning; thence S89°57'50" W a distance
of 15.00 feet; thence S0°02'10" E a distance of 20.00 feet; thence N89°57'50" E a distance of 15.00 feet;
thence N0°02'10" W a distance of 20.00 feet parallel to the east line of Lot 9 Block 2 of the plat of
"Marriage Estates Phase Two" to the true point of beginning.

(Insert here a full description of the nature and type of the easement granted to the second party.)

The second party shall have all rights of ingress and egress to and from said real estate ~~(including the~~
~~right from time to time except as hereinafter provided, to cut, trim and remove trees, brush, overhanging~~
~~branches and other obstructions)~~ necessary for the second party's ~~use, enjoyment, operation and maintenance of~~
the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above de-
scribed real estate.

The second party hereby agrees to hold and save the first party harmless from any and all claims of
third parties arising from second party's use of the rights herein granted.

The easement described above shall ~~continue for a period of~~ ^{be} ~~always~~ subject,
however, to the following specific conditions, restrictions and considerations: This escrow is solely for the
cesspool that now (October, 1985) exists on the site. When this cesspool is replaced or abandoned for any
reason, this easement becomes void and ceases to exist and the second party must remove or properly abandon
(fill with rock or gravel) the existing cesspool and locate any replacement or new cesspool on their own
property. The second party or their successors agrees to provide any documents necessary to facilitate
removal of this easement from the official records after the easement ceases to exist. The second party
further agrees that while the cesspool remains in its present location, the second party shall maintain the
cesspool in good operating condition.

If this easement is for a right of way over or across first party's said real estate, the center line of said easement is described as follows:

NOT APPLICABLE

and second party's right of way shall be parallel with said center line and not more than feet distant from either side thereof.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest as well.

In construing this agreement and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter; and, generally, all changes shall be made or implied so that this instrument shall apply both to individuals and to corporations.

IN WITNESS WHEREOF, the parties hereto have subscribed this instrument in duplicate on this, the day and year first hereinabove written.

Hx. Herman J. Maricelli
Rx. Rosalie T. Maricelli

(If the above named first party is a corporation, use the form of acknowledgment opposite.)

(ORS 93.490)

STATE OF OREGON,

County of Multnomah

October 12, 1985

Personally appeared the above named

Herman J. and Rosalie T. Maricelli

and acknowledged the foregoing instrument to be
their voluntary act and deed.

Before me:

(OFFICIAL
SEAL)

Thomas M. De Sant
Notary Public for Oregon

My commission expires: 9-25-FF

STATE OF OREGON, County of) ss.

....., 19.....

Personally appeared and
..... who, being duly sworn,
each for himself and not one for the other, did say that the former is the
..... president and that the latter is the
..... secretary of

....., a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal
of said corporation and that said instrument was signed and sealed in behalf
of said corporation by authority of its board of directors; and each of them
acknowledged said instrument to be its voluntary act and deed.

Before me:

Thomas M. De Sant
Notary Public for Oregon

My commission expires: 9-25-FF

(OFFICIAL
SEAL)

AGREEMENT FOR EASEMENT

BETWEEN

Herman J. and Rosalie T. Maricelli

AND

Kevin A. and Mary H. Hardy

AFTER RECORDING RETURN TO

Kevin A. and Mary H. Hardy

15403 S.E. Powell Blvd.

Portland, Oregon

AMERICAN SAVINGS AND LOAN

1515 SW 5TH, SUITE 770

PORTLAND, OR. 97201-5469

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON

County of) ss.

I certify that the within instru-
ment was received for record on the
..... day of, 19.....,
at o'clock M., and recorded
in book on page or as
file/reel number,
Record of of said county.

Witness my hand and seal of
County affixed.

Recording Officer

By Deputy