SUPPLEMENTAL INFORMA	ATION SUBMITTED
Submitted on: 5 Taken By: Submitted on: 5 Taken By: Submitted on: 5 Taken By:	V
SUPPLEMENTAL INFORMATION HAS BEEN RECEIVED BY TFOLLOWING:	THIS OFFICE IN REGARDS TO THE
BP#	
PA# 06-7226 Sowenk	M37
SP#	
SI#	
OTHER:	

RECD MAY 2 1 2007

Real Estate Offices: 1785 East Main St. Mailing Address: P.O. Box 865 Cottage Grove, OR 97424 541/942-9141 FAX 541/942-1653 www.territorialland.com

Stephanie Schulz Lane County Land Management 125 East 8th Avenue Eugene, OR 97401

TERRITORIAL LAND COMPANY, REALTORS IB

May 18, 2007

Re: PA 06-7226, Measure 37 Waiver, Corrin M. and Betty M. Schrenk

Dear Ms. Schulz:

This letter is to address your report and recommendations to the Board of Commissioners with regards to the above referenced Planning Action. As I presented at the May 8, 2007 hearing, your recommended approval of the Measure 37 waiver request was not the request submitted by Mr. and Mrs. Schrenk. As I also presented at the May 8 hearing, the report you prepared has two significant errors which were addressed at that time, but which I will further address herein.

Item 1. The staff report sets out the dates of acquisition by Mr. and Mrs. Schrenk as being Jan 28, 1978 and April 19, 1979. To an extent these dates of acquisition are true, but incomplete, leading to a conclusion that is erroneous. The primary error is applicable to Tax Lot 18-02-31-303 and virtually all of Tax Lot 19-02-06-201, in which an ownership interest was acquired on May 1, 1966 by an unrecorded land sale contract entered into between Belva D. Schrenk and Ernest E. Schrenk as Sellers and Corrin M. Schrenk and Betty M. Schrenk as Buyers. A copy of this contract was included in the original application submitted on behalf of Cory and Betty Schrenk, additional copies were provided to the Commissioners and staff at the May 8 hearing.

Item 2. The staff report relies on the above error in concluding the zoning that was applicable to Mr. and Mrs. Schrenk at the time of their acquisition, concluding the zoning that should be applied under a Measure 37 waiver is Farm Forestry 20 (FF20). A significant portion of the Schrenk property was zoned Agriculture, Grazing and Timber Raising at the time of their acquisition, specifically, all of the area acquired under the above reference land sale contract.

The above two errors lead to a faulty conclusion in preparing the Order for execution by the Board of Commissioners, reiterating the dates of acquisition and relying on the zoning that was applicable on those erroneous dates.

The following summary is taken from the narrative report submitted on behalf of Mr. and Mrs. Schrenk in their original application. This summary sets out by tax lot the dates of acquisition by specific parcel, corresponding to the Measure 37 Lot Book Search prepared by First American Title Insurance Company, which was also included in the original application.

First American Parcel No.	Instrument in Which Ownership Interest was Acquired	Applicable Tax Lot	Date Acquired
1.	Fee Title Conveyed in Deed 7841404	19-02-06-100	Jan. 27, 1978
	A second deed was execute Recorded under 8045777	ed on	September 15,1980
2.	Ownership Interest Conveyed in Land Sale Contract Parcel "A"	18-02-31-303	May 1, 1966
	Notably, the prop a specific exception	erty annotated as Parcel 4 by on to the legal description fo ntract under Parcel "A"	y the First American Report is or Parcel 2, as it also was in
	Fee Title Conveyed in Deed 7841404		Jan. 27, 1978
3.	Ownership Interest Conveyed in Land Sale Contract Parcel "A"	18-02-31-303	May 1, 1966
	Fee Title Conveyed in Deed 7841404		Jan. 27, 1978
4.	Fee Title Conveyed In Deed 7923230	18-02-31-303	Apr. 19, 1979
5.	Ownership Interest Conveyed in Land Sale Contract Parcel "B"	19-02-06-201	May 1, 1966
	Fee Title Conveyed in Deed 7841404		Jan. 27, 1978

If it is helpful to you, I color coded in the tax map each of the above parcels and their respective legal descriptions in each of the referenced conveyances, which were submitted at the May 8 hearing, you may wish to refer to that map. Those documents, though not color coded, were also included in the original application.

Item 1. Discussion.

In reviewing the legal descriptions of the respective instruments you will note that portions of the Schrenk property were conveyed on a variety of dates as follows:

- A. The Land Sale Contract dated May 1, 1966 was color highlighted with the respective descriptions corresponding to the highlighting on the map. Please note- most of the area is highlighted in blue, with two areas excepted out, highlighted in green and orange hashed lines, and also includes the area highlighted in pink. The area shown as tax lot 900, highlighted in purple was included in the land sale contract of 1966 but later conveyed out and is not part of the M-37 claim. This area is best described as tax lot 18-02-31-201 and 303.
- B. The Bargain and Sale Deed dated January 27, 1978 that conveys all of the property that was the subject of the 1966 land sale contract and the property referenced as Tax Lot 19-02-06-100, this area is highlighted in magenta, both in the legal description of the deed and corresponding to the tax lot on the map. The recording of this deed is the satisfaction of the terms of the land sale contract as well as the initial conveyance of Tax Lot 19-02-06-100.
- C. The Bargain and Sale Deed dated April 19, 1979, color coded in green in the legal description and the corresponding highlighted area on the map. This area was excepted out of the 1966 land sale contract and out of the 1978 deed.

Item 2. Discussion

Again, you may find it helpful to refer to the color coded map and the respective legal descriptions.

- A. The area acquired in the 1966 land sale contract (color coded blue and pink) was zoned AGT (Agriculture, Grazing and Timber Raising) as set out in the report from Land Management dated October 2, 2006, PA 06-6643.
- B. The area acquired in the 1978 and 1979 deeds (magenta and green highlighted areas) was zoned Farm Forestry 20. See report dated October 2, 2006, PA 06-6642.

Mr. and Mrs. Schrenk have submitted a request for waiver of the current EFU zoning code and are seeking to have applied the zoning that was in effect at the dates of their acquisition of the respective parcels to allow a development request as follows:

Parcel	Applicable Tax Lot	Acreage within the Parcel	Zoning at Acquisition	Proposed Development
1	19-02-06-100	116.29	FF-20	Subdivide into five lots of 20 to 30 acres each, one to have the existing dwelling, the other four to be approved for new dwellings.
2, 3	18-02-31-303	150.75 (Less 3.3 in Parcel 4)	AGT	Subdivide into 30 lots of 2 acres to 15 acres in size. The projected development is 15 to 20 lots of 2 acres each, 5 to 6 lots of
& 5	19-02-06-201	44.25 Total 191.70		10 acres in size, and 8 to 10 lots of up to 15 acres in size.
4	18-02-31-303	3.30	FF-20	Recognize as a Legal Lot with a single dwelling as now located on the parcel, no further division or development with additional dwellings

The above summary is an excerpt taken from the original application submitted by Mr. and Mrs. Schrenk.

The three criteria for evaluation of a valid Measure 37 claim are: 1.) Continuous ownership by the present owner or family members and the county has enacted or enforced a restrictive land use regulation since the property was acquired. 2.) The restrictive land use regulation has the effect of reducing the fair market value of the property. 3.) The restrictive land use regulation is not an exempt land use regulation as defined in LC 2.710.

I believe the original application submitted on behalf of Mr. and Mrs. Schrenk adequately addressed the above three criteria. The summary noted in this letter and the previously supplied deeds and land sale contract clearly satisfies the first element of continuous ownership. The application of the restrictive land use regulation is established by the Public Records Research Requests.

Your staff report concludes the information provided by Mr. and Mrs. Schrenk in their original application adequately establishes the allegation of a reduction in fair market value.

Your staff report concludes the minimum lot size and restrictions on new dwellings in the E30 and E40 zoning are not exempt regulations.

Summation.

Mr. and Mrs. Schrenk are seeking the following waiver:

The restrictive provisions of LC 16.212 that limit the development of dwellings and the division of land in the E30 and E40 (Exclusive Farm Use) Zone shall not apply to Corrin and Betty Schrenk, so they can make application for approval to develop the property located 84100, 84300 and 84366 Cloverdale Road, Creswell, and more specifically described in the records of the Lane County Assessor as map 19-02-06, tax lots 100 and 201, and 18-02-31, tax lot 303, consisting of approximately 311 acres in Lane County, Oregon, in a manner consistent with the land use regulations in effect when they acquired an interest in the property on May 1, 1966 for tax lot 201 and 303 (noting that portion excepted from 303 on that date), January 27, 1978 for tax lot 100 and April 19, 1979 for the balance of tax lot 303 (that portion excepted from the May 1, 1966 land sale contract).

If incorporated into the Order for execution by the Board of Commissioners, the first page will need to be corrected to show the dates of acquisition to be May 1, 1966, January 27, 1978 and April 19, 1979.

I recognize the entire Measure 37 process has been an arduous task for the county staff and I appreciate the challenges associated with applications such as the Schrenks that have a high level of complexity. I hope the summary that was presented at the May 8 hearing and this letter will clear up any confusion and allow you to proceed with a new Order for the Commissioners approval

Our next hearing is scheduled for June 5, 2007. I will be out of the state at my daughter's graduation exercises from May 18 through May 27. If you have questions I can be reached on my cell phone at 954-2944. I may not be able to take your call but I will respond to you as quickly as possible if you will leave me a message, please give me a time that would be best to reach you. You can also e-mail me at jbelknap@territorialland.com.

Please let me know if you need additional information or have any further questions.

Thank you for your attention to this matter. I am sure you will be happy to see the end of the Measure 37 applications.

Sincerely,

Jim Belknap

Principal Broker

cc: Cory and Betty Schrenk

SUPPLEMENTAL Submitted on: 6-8-07	L INFORMATION SUBMITTED Taken By: 592
SUPPLEMENTAL INFORMATION HAS I FOLLOWING:	BEEN RECEIVED BY THIS OFFICE IN REGARDS TO THE
BP#	ML
PA# 067226	
SP#	schrenk
SI#	
OTHER:	



Real Estate Offices: 1785 East Main St. Mailing Address: P.O. Box 865 Cottage Grove, OR 97424 541/942-9141 FAX 541/942-1653 www.territorialland.com

Kent Howe Director of Planning Lane County Land Management Division 125 East 8th Avenue Eugene, OR 97424

June 5, 2007

26-03-07202101 40₁₅

Re: Planning Action 06-7226

Dear Mr. Howe:

This letter is to follow up to the presentation made today before the Lane County Board of Commissioners regarding the above referenced planning action, being the Measure 37 request of Corrin and Betty Schrenk.

Enclosed with this letter is a copy of the map I presented at the hearing on May 8, 2007 and again today.

Tax Lot 18-02-31-303, highlighted in blue in the enclosed map, and Tax Lot 19-02-06, highlighted in pink in the enclosed map, were the subject of the land sale contract between Ernest E. Schrenk and Belva D. Schrenk as Sellers and Corrin M. Schrenk and Betty M. Schrenk as Buyers. The date of the contract was May 1, 1966. This contract was unrecorded. Copies of this contract have been provided in the original application, and to the Commissioners and staff at the May 8 hearing and again at today's hearing.

On the date of execution of this contract, May 1, 1966, the property that was the subject of the contract was zoned Agriculture, Grazing and Timber Raising (AGT).

Pursuant to an earlier executed deed between Ernest and Belva, the property that was described as Parcel A in the land sale contract, Tax Lot 303, highlighted in blue, was owned separately by Belva Schrenk. The area highlighted in pink, Tax Lot 201, was owned separately by Ernest Schrenk.

Notably excepted from the legal description of the property conveyed in the May 1, 1966 land sale contract was an approximate 4 acre parcel that is highlighted in green in the enclosed map. This property remained in title and ownership of Belva Schrenk.

On January 1, 1978, a deed was executed by Belva D. Schrenk and Larry J. Schrenk, acting as the Personal Representative of the Estate of Ernest E. Schrenk, to convey fee title to Tax Lots 201

Kent Howe June 6, 2007

Re: PA 06-7226

Page 2

and 303 to Corrin M. Schrenk and Betty M. Schrenk. This deed was recorded in the Lane County Deeds and Records under Recorder's Reception Number 7841404, and later re-recorded under Reception Number 7842533 to correct an error in the legal description. Copies of this deed were included in the original application, and provided to the Commissioners and staff at the May 8, 2007 hearing. In this deed the fee title interest of Earnest E. Schrenk as to Tax Lot 201 was conveyed to Corrin and Betty Schrenk. This deed also provided for the conveyance of the fee title interest of Belva Schrenk in Tax Lot 303 to Corrin and Betty Schrenk.

It is notable that the January 1, 1978 deed also included a parcel of land now referenced as Tax Assessor's Map 19-02-06, Tax Lot 100. This area is highlighted in magenta in the enclosed map. In discussion with Corrin and Betty Schrenk and also Larry Schrenk, this area was originally to have been included in the land sale contract from Belva and Ernest to Corrin and Betty, but was inadvertently left out of the legal description. At the time of Ernest Schrenk's death the omission was observed and it was included in the deed to Corrin and Betty Schrenk in settlement of the estate of Ernest Schrenk. Though the reported intent of Ernest and Belva Schrenk was to have included Tax Lot 100 in their contract sale to Corrin and Betty, it is not believed that the land use regulations applicable on May 1, 1966 can be applied to this lot. This tax lot was zoned Farm Forestry 20 (FF-20) at the time of conveyance, January 1, 1978.

On April 19, 1979 Belva D. Schrenk conveyed her ownership interest in the 4 acres that had been reserved from the sale in the May 1, 1966 land sale contract and in the January 1, 1978 deed. The April 19, 1979 deed was recorded in the Lane County Deeds and Records under Recorder's Reception No. 7923230. A copy of this deed was included in the original application and was also provided to staff and the Commissioners at the May 8 hearing. At the time of this conveyance the property was zoned FF-20.

The request of Corrin M. Schrenk and Betty M. Schrenk is to be granted a waiver of the current E30 and E40 zoning that is applicable to their property and to be allowed to develop the property in conformance with zoning that was applicable on the date they acquired ownership or an ownership interest in the property. Specifically, that zoning is as follows:

Property Description	Date of Acquisition	Zoning at Acquisition
18-02-31-303*	May 1, 1966	AGT
*Excepting therefrom	that portion reserved to Belv	a D. Schrenk in the land sale contract.
19-02-06-201	May 1, 1966	AGT
19-02-06-100	January 1, 1978	FF-20
18-02-31-303*	April 19, 1979	FF-20

^{*}That portion reserved to Belva D. Schrenk in the 5/1/66 land sale contract

Kent Howe June 6, 2007

Re: PA 06-7226

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I appreciate the opportunity to clear up any confusion that has been associated with this application. Would you please advise me if there is any remaining misunderstanding. I look forward to bringing this matter to a conclusion at the June 19 hearing.

Also enclosed is an affidavit signed by Larry J. Schrenk discussing his role as the personal representative of the Estate of Ernest E. Schrenk in the execution of the January 1, 1978 deed referenced above.

Sincerely,

James E. Belknap
Principal Broker

AFFIDAVIT OF LARRY J. SCHRENK

- I, Larry J. Schrenk, after being first duly sworn, depose and say as follows:
- 1. I am the son of Ernest E. Schrenk and Belva D. Schrenk and the brother of Corrin M. Schrenk.
- 2. On January 27, 1978, acting as the Personal Representative of the Estate of Ernest E. Schrenk, I executed a Bargain and Sale Deed conveying the ownership interest of my late father, as Seller in an unrecorded land sale contract dated May 1, 1966, to Corrin M. Schrenk and Betty M. Schrenk. This deed was recorded in the Deeds and Records of Lane County under recorder's reception number 7841404 and later re-recorded to correct a legal description under recorder's reception number 7842533. A copy of said deed is attached hereto at Exhibit A.
- 3. The purpose of the above referenced deed was to acknowledge the completion of the payment provisions of the May 1, 1966 land sale contract. The property that was the subject of this land sale contract is generally referred to as Lane County Tax Assessor's Map 19-02-06, Tax Lot 201. This was referenced as Parcel B in the unrecorded May 1, 1966 land sale contract discussed above.
- 4. The above referenced deed No. 7841404/7842533 also conveyed fee title to a parcel of land, now known as Lane County Tax Assessor's Map 19-02-06, Tax Lot 100. This is a parcel of approximately 114.92 acres that was to have been included in the property sold in the May 1, 1966 land sale contract, but was discovered to have been erroneously omitted from the legal description of that contract at the time of settlement of my father's estate. The purpose of the inclusion of this described parcel was to convey the title from my late father's estate to Corrin M. Schrenk and Betty M. Schrenk.

Dated this 6 day of June, 2007

Larry J. Schrenk

SUBSCRIBED AND SWORN to before me this 6¹/₂ day of June, 2007

OFFICIAL SEAL

JAMES E. BELKNAP

NOTARY PUBLIC-OREGON

COMMISSION NO. 379228

MY COMMISSION EXPIRES APRIL 1, 2008

tary Public for Oregon

· \	19-2-6	1478	100
7342000	PGAIN & SALE DEED 7811	101	<u> </u>
Attly recording return to:			
Until a change it requested, mail all tax itatements to: Corrin M. and Botty M. Schrent	-		
Creswell, Oregon 97426	-		
FOR VALUE RECEIVED Schrenk, and Larry	J. Schrenk, as Personal	l Ropresentative	of the

Belva D. Schrenk, and Estate of Ernest E. Schrenk, Deceased, herein referred to at grantois, hereby grant, bargain, will, and comey unto

Corrin M. Schrenk and Betty M. Schrenk, husband and wife, herein referred to as grantees, the following described real property, with tenements, hereditaments, and appurtenances, to with

(See attached)

H 3 . 8: # 5111 #c615.50

this dead is being re-recorded to correct the legal description.

m=n 6184 a 0 0 1 3.50

The true consideration for this conveyance is pursuant to the terms of the Last Will and Testament of Ernest E. Schrenk dated September 23, 1966.

•	Beiva D. Schrenk Favoreniamogickihousmousmanikinykuvvvvv By:	of Ernest E. Schrenk, Deceased
•	DatedJanuary 27, 19 78	Personally appeared the above named from
	STATE OF OREGON, County of Lane, ss. Larry J. Schrenk, as Personal Representational Schrenk, Deceased, and acknowledged the foregoing instrument to behis voluntary. Dated	ive of the Estate of Early 77

Beginning at a point on the East line of the John Little Donation Land Claim No. 71, Township 19 South, Range 2 West of the Willamette Meridian at a point 20.0 leet North of the Southeast corner thereof and run thence West parallel with and 20 feet North of the South line thereof 4004.22 feet to the West line of said Claim; thence North 1149.52 feet along said West line to the Westerly Northwest corner of said Donation Land Claim No. 71, thence East 466.62 feet along a Northerly line of said Claim to the interior angle on the West line of said Claim; thence North along the West line of said Claim 185.0 feet toa point on the West line of said Claim 2475. Gleet South of the Northwest corner thereof; thence South 89° 49' East 3531.0 feet parallel with the North line of said Claim to the East line thereof; thence along said East line South 0° 20' West 1300.00 feet to the Point of Beginning: EXCEPT therefrom that portion of the above conveyed to Lane County, Oregon for road purposes by instrument recorded January 2, 1959, Clerk's Filing No. 55605, Lane County Oregon Deed Records, in Lane County, Oregon.

Beginning at a point on the East line of the John Littrel Donation Land Claim No. 79, Township 13 South, Range 2 West of the Williamette Meridian at a point South 0° 20' West 1231.6 feet from the Northeast corner thereof and run thence along said East line South 0° 20' East 1243.4 feet; thence North 89° 49' West parallel with the North line of said Claim 3531.0 feet to the West line thereof; thence along said West line North 0° 20' East 1243.4 feet; thence South 85° 49' East 3531.0 feet parallel with the North line of said Claim to the point of beginning feet parallel with the North line of said Claim to the point of beginning in Lane County, Oregon. EXCEPT therefrom that portion of the abova conveyed to Lane County, Oregon for road purposes by instrument recorded January 2, 1959, Clerk's Filing No. 56605, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO Beginning at a point on the North line of the John Littre! Donation Land Claim No. 19. Township 18 South, Range 2 West of the Willametta Meridian North 89° 49' West 1108.8 feet from the Northeast corner thereof and run thence South 0° 20' West parallel with the East line of said Claim 1231.6 feet; thence North 89° 49' West parallel with the North line of said Claim 2422.2 feet to the West line thereof; thence along the said West line North 0° 20' East 1231.6 feet to the Northwest corner of said Claim No. 79, thence South 89° 49' East 2422.2 feet along the North line of said Claim to the point of beginning, in Lane County, Oregon.

18-2-3,

303

7841404

EXCEPT THERETROM beginning at the Northeast corner of the John Littrel Donation Land Claim No. 79, Township to South, Pange 2 West of the Willamette Meridian; thence South 0° 20' West 1231.60 feet along the East line of said Donation Land Claim to a point on the centerlinu of County Road No. 937 (commonly known as Cleverdale Road); thence South 89° 49' West 30.00 (eet to an iron pin found on the Westerly right-of-way line of said County Road marking the True Point of Beginning; thence South 0° 20' West 332.93 feet along said Westerly right-of-way line to a point marked by an iron pin; thence North 89° 46' West 269.72 feet to a point marked by an iron pin; thence North 89° 46' 37" West 132.32 feet to a point marked by an iron pin; thence North 0° 22' 23" East 145.00 fect to a point marked by an iron pin; thence North 89° 46' 52" West 51.62 feet to a point marked by an iron pin; thence North 3° 23' 08" East 187.87 feet to a point murked by an iron pin; thence South 89° 43' East 434.57 feet to the true point of beginning, in Lane County, Oregon. ALS - MCEPT THEREFROM beginning at an existing 5/8 inch iron rod, said point being North 89° 49' West 263.11 feet from a 5/8 inch iron rod marking the East Southeast corner of the James Thompson Denation Land Claim No. 80, Township 18 South, Range 2 West, Willamette Meridian; thence run North 89° 49' West 984.78 feet to the centerline of Bear Creek, said point being referenced by a 5/6 inch iron rod South 89° 49' East 20.00 feet; thence along the centerline of Bear Creek as follows: South 7° 55' 15° East 52.83 feet; thence South 46° 00' 15" East 231.17 feet; thence South 22° 12' 45" East 171.02 feet; thence South 9° 34' 45" East 156.58 feet; thence South 12° 34' 45" East 249.26 feet; thence South 70° 00' 45" East 186.47 feet; thence South 48° 25' 45" Tast 371.03 feet; and thence South 2° 52' 15" West 112.57 feet to a point, said point being referenced by a 5/3 inch iron rod South 69° 48' East 20.00 feet; thence leaving said Bear Creek and run South 89° 48' East 168.95 feet to an existing 5/8 inch iron rod; and thence North 0° 19' 15" East 1230.39 feet to the point of beginning. Containing 16.83 acres, more of less, all in Section 31, Township, 18 South, Range 2 West, Willamette Mcridian, Lane County, Oregon.

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North one half of the following described property, to-wit:

at the 1 1/4 inch iron pipe marking the Northeast corner of im Skinner Donation Land Claim No. 70, Township 19 South, Vest of the Willamette Meridian, thence North 89* 13' 34" .69 feet along the North line of Section 5 of said Township e to an iron pipe marking the North Northwest corner of the ell Donation Land Claim No. 71, Township 19 South, Range I the Willemotte Moridian; thonce South 0° 47° 32" East 920.12 point marked by an iron pin; thence North 88° 20' 24" West eet along an existing property line fence to an iron pin set in ir thereof; thence South 1° 38' 07" West 1168.48 feet continuing is property line fence to an iron pin set in a corner thereof; thence 58' 20" West 1257.08 feet continuing along said property line a corner therein and an iron pin marking the Northwest corner illium T. Callison Donation Land Claim No. 50, Township 19 South, West of the Willamette Meridian; thence South 0° 20' 34" West cet continuing along said property line fence to a point marked on pin; thence West 302.60 feet to an iron pin set on the Fost he George Reeves Donation Land Claim No. 69, Township 19 lange 2 West of the Willamette Meridian; thence North 0° 06' 1.89 fect to an iron pipe marking the Northeast corner of said Claim; thence North 0° 07' 20" West 1714.31 feet along the East he William Skinner Claim as above mentioned to the point of ng in Lane County, Oregon.

DIVIDED ONE-HALF INTEREST IN THE FOLLOWING DESCRIBED PROPERTY:

ng at the Southeast corner of the John Littrel Donation Land Claim, Township 19 South, Range 2 West of the Williamette Meridian, and thence West along the South line of the Claim 3,104.6 feet to the ast corner of Lot 5 of Section 6 of Township 19 South, Range 2 West, North 20 feet, thence East parallel to the South line of the Claim feet to the East line of said Claim No. 71, thence South 20 feet place of beginning.

er with an easement for ingress and egress over and across the ing described property, to-wit

ling at the Southeast corner of the John Littrell Donation Land Claim 1. Township 19 South, Range 2 West of the Willamette Meridian, and ig thence West along the South line of the Claim 3,104.6 feet to the east corner of Lot 5 of Section 6 of Township 19 South, Range 2 West, North 20 feet, thence East parallel to the South line of the Claim 6 feet to the East line of said Claim No. 71, thence South 20 feet; place of beginning.

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THIS CONTRACT, Made this 1st day of May ,19 66, between BELVA D. SCHRENK and ERNEST E. SCHRENK, husband and wife between the consider called the seller, and CORRIN M. S.CHRENK and BETTY M. SCHRENK, husband and wife and wife , hereinalter called the buyer,

WITNESSETH, That in consideration of the stipulations herein contained and the payments to be made as hereinafter specified, the seller hereby agrees to sell to the buyer and the buyer agrees to purchase from the seller, the following described real estate, situate in the County of Lane

State of Oregon , to-wit:

Shown on attached sheet

for the sum of Seventy-three thousand Four Hundred EightyDollars (\$73,480.00) (hereinalter called the purchase price) on account of which) is paid on the execution hereof (the receipt of which is Dollars (\$ hereby acknowledged by the seller), and the remainder to be paid to the order of the seller at the times and in amounts as follows, to-wit: The Buyers shall pay the Sellers the sum of \$174.30 interest, each month and in addition thereto shall pay to the Seller \$2,303.35 on November 1, 1966 and a like payment on November 1st of each year thereafter and in addition thereto, commencing May 1, 1971, the Buyers shall pay the Sellers an additional \$1,000.00 and make a like payment of \$1,000.00 on the First day of May of each and every year thereafter, all of said payment to be made until the balance of the purchase price is fully paid. It is expressly understood that the real property described as Parcel "A" above is the real property of Belva D. Schrenk and the real property described as Parcel "B" above is the separate and distinct property of Ernest E. Schrenk and each of said sellers is signing this contract not only to sell his interest to the purchasers herein, Diff to release all of his curtesy interest or her dower interest in table property and the proceeds of the property and the proceeds of the process of the after lawfully may be imposed upon said premises, all promptly belove the same or any part thereof become past due; that at huyer's expense, he will insure and keep impured all buildings now or hereafter creted un said premises against loss or damage by five (with extended coverage) in an animal post less than \$\frac{1}{2}\$ in a company or companies satisfactory to the seller, with loss payable first to the seller and then to the huyer as their respective interests may appear and all policies of invusance to be delivered to the seller as won as invused. Now if the huyer shall fail to pay any their respective interests may appear and all policies of invusance to be delivered to the seller as won as invused. Now if the huyer shall fail to pay any their respective interests may appear and all policies of invusance to be delivered to the seller as won as invused. Now if the huyer shall fail to pay any their respective interests that a his secured by this contact and shall bear interest at the rate aloressid, without waiver, however, of any right arising to and became a part of the delivers that within the seller to burst's histories that it is contact, and shall bear interest at the rate aloressid, without waiver, however, of any right arising to the seller to burst's histories that it is in the seller on or subsequent to the date of this adveraged, in an animal such as the seller on an animal seller that the seller on an animal seller than the seller on an animal seller than the seller on an animal seller than the date of this adveraged in the seller on or subsequent to the date consequent and purchase payer is fully the burst, his heirs and assigns, here and clear of a nonuntrial now of record, if any relief deed consequing said purchase payer is fully the burst, his heirs and assigns, here and clear of a nonuntrial now of record, if any relief deed consequing such as a seller to the seller of an animal seller to the seller of an animal seller to the seller of an animal seller seller and seller seller and seller The hover further agree in a minimum is shall any waiver by said seller of any breach of any provision arrest or his or a waiver of the provision itself.

By breach if any such provision, or as a waiver of the provision itself.

In case out or action is systemated in breaches this contract or to enture any of the provisions bereaf, the buyer action may pay such sum as the line as of the provision is a state of the provision of the provisions bereaf, the buyer action may pay such sum as the appellate court shall adjudge reasonable as plaintiff in a former's less to make the trial court, the buyer littler promoses to pay such sum as the appellate court shall adjudge reasonable as plaintiff is attentify a feet on such In constraint this contract, it is understood that the collect or the buyer may be more than one person, that if the context so requires, the single-mone shall be taken to me in and include the plural, the association, the leminine and the neuter, and that kenerally all kunnatical changes shall be associated to make the provisions hered apply equally to corporations and to individuals.

Buyers may make prepayment at any time without penalty.

IN WITNESS WHEREOF, said parties have hereunto set their hands and seals in duplicate on this, the day and year first above written. (SEAL)

tirrike whichever phones not applicable.
| Kor material acknowledgment, see reverse |

(SEAL)

Parcel "A": Beginning at a point on the East line of the John Littrel Donation Land Claim No. 79, Township 18 South, Range 2 West of the Willamette Meridian at a point South 0°20' W West 1231.6 feet from the Northeast corner thereof and run thence along said East line South 0°20' 1243.4 feet; thence North 89°49' West parallel with the North line of said claim 3531.0 feet to the West line thereof; thence along said West line North 0°20' East 1243.4 feet, thence South 89°49' East 3531.0 feet parallel with the North line of said Claim to the point of beginning, in Lane County, Oregon, EXCEPT therefrom that portion of the above conveyed to Lane County, Oregon, for road purposes by instrument recorded January 2, 1959, Clerk's Filing No. 56605, Lane County Deed Records, in Lane County, Oregon, AND: Beginning at a point on the North line of the John Littrel Donation Land Claim No. 79, Township 18 South, Range 2 West of the Willamette Meridian, North 89°49' West 1108.8 feet from the Northeast corner thereof and run thence South 0°20' West parallel with the East line of said Claim 1231.6 feet; thence North 89°49' West parallel with the North line of said Claim 2422.2 feet to the West line thereof; thence along the said West line North 0°20' East 1231.6 feet to the Northwest corner of said Claim No. 79; thence South 89°49' East 2422.2 feet along the North line of said Claim to the point of beginning, in Lane County, Oregon;

AND also the North half of the following:

PARCEL "B": Beginning at the 14 inch iron pipe marking the Northeast corner of the William Skinner Donation Land Claim No. 70, Township 19 South, Range 2 West of the Willamette Meridian; thence North 89°13'34" East 2052.69 feet along the North line of Section 6 of said Township and Range to an iron pipe marking the North Northwest corner of the John Littrell Donation Land Claim No. 71, Township 19 South, Range 2 West of the Willamette Meridian; thence South 0°47'32" East 920.12 feet to a point marked by an iron pin; thence, North 88°20'24" West 466.62 feet along an existing property line fence to an iron pin set in the corner thereof; thence South 1°38'07" West 1168.48 feet continuing along said property line fence to an iron pin set in a corner thereof; thence North 89°58'20" West 1257.08 feet continuing along said property line fence to a corner therein and an iron pin marking the Northwest corner of the William T. Callison Donation Land Claim No. 50, Township 19 South, Range 2 West of the Willamette Meridian; thence South 0°20'34" West 640.98 feet continuing along said property line fence to a point marked by an iron pin; thence West 302.60 feet to an iron pin set on the East line of the George Reeves
Donation Land Claim No. 69, Township 19 South, Range 2 West of the Willamette Meridian; thence North 0°06' East 972.89 feet to an iron pipe marking the Northeast corner of said Reeves Claim; thence North 0°07'20" West 1714.31 feet along the East line of the William Skinner Claim as above -mentioned to the point of beginning in Lane County, Oregon,

EXCEPT the following from the above described real property:

Beginning at the northeast corner of the John Littrell Donation Land Claim No. 79, Township 18 South, Range 2 West of the Willamette Meridian; thence, South 0°20' West 1231.60 feet along the east line of said Donation Land Claim to a point on the centerline of County Road No. 937 (commonly known as Cloverdale Road); thence, South 89°49' East 30.00 feet to an iron pin found on the westerly right of way line of said County Road marking the True Point of Beginning; thence South 0°20' West

Page 1. Legal Description

LEGAL DESCRIPTION

332.93 feet along said westerly right-of-way line to a point marked by an iron pin; thence, North 89°46' West 269.72 feet to a point marked by an iron pin; thence, North 89°46'37" West 132.32 feet to a point marked by an iron pin; thence, North 0°22'23" East 145.00 feet to a point marked by an iron pin; thence, North 89°46'52" West 51.62 feet to a point marked by an iron pin; thence, North 3'23'08" East 187.87 feet to a point marked by an iron pin; thence, South 89°49' East 434.57 feet to the true point of beginning in Lane County, Oregon.

AND ALSO EXCEPT the following from the above described real property:

Beginning at an existing 5/8 inch iron rod, said point being North 89°49' West 263.11 feet from a 5/8 inch iron rod marking the East Southeast corner of the James Thompson Donation Land Claim No. 80, Township 18 South, Range 2 West, Willamette Meridian; thence run North 89°49' West 984.78 feet to the centerline of Bear Creek, said point being referenced by a 5/8 inch iron rod South 89°49' East 20.00 feet; thence along the centerline of Bear Creek as follows: South 7°55'15" East 52.83 feet; thence South 46°00'15" East 291.17 feet; thence South 22°12'45" East 171.02 feet thence South 9°34'45" East 156.58 feet; thence South 12°34'45" East 249.26 feet; thence South 70°00'45" East 186.47 feet; thence South 48°25'45" East 371.03 feet; and thence South 2°52'15" West 112.57 feet to a point, said point being referenced by a 5/8 inch iron rod South 89°48' East 20.00 feet; thence leaving said Bear Creek and run South 89°48' East 168.95 feet to an existing 5/8 inch iron rod; and thence North 0°19'15" East 1230.39 feet to the point of beginning. Containing 16.83 Acres, more or less, all in Section 31, Township 18 South, Range 2 West, Willamette Meridian, Lane County, Oregon.

The purchase price for the real property above described is the sum of \$54,400.00 for parcel "A". The selling price for parcel "B" is \$7,500.00. The selling price for the following described personal property, to-wit:

one-half interest in one (1) International T.D. Tractor	- \$3,000.00
One (1) Front-end Tractor Loader	700.00
One (1) Plow	350.00
One (1) Mowing Machine	450.00
One (1) Hay Rake	580.00
One (1) International Model 606 Deisel Tractor	4,500.00
Twenty (20) Head of White Face Cattle Total Sale price of personal property	2,000.00 \$11,580.00

Page 2. Legal Description

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HAME, ADDRESS, ZIP			
Corring M. and Betty M. Schrenk			
Creswell, Oregon 97426			

FOR VALUE RECEIVED

FOR VALUE RECEIVED

Eelva D. Schrenk, and Larry J. Schrenk, as Personal Representative of tha Estate of Ernest E. Schrenk, Deceased, herein referred to at grantots, necessy grant, bargain, will, and convey unto

Corrin M. Schrank and Betty M. Schrank, husband and wife, herein referred to as grantees, the following described real property, with tenements, hereditaments, and appurtenances, to with

(See attached)

3 . B: # 5112 44615.50

this dead is being re-recorded to correct the legal description.

zo = 78 6 184 a 8 C 15.5 D

The true consideration for this conveyance is pursuant to the terms of the Last Will and Testament of Ernest E. Schrenk dated September 23, 1966.

Estate of Ernest E. Schrenk, Deceased Tancordination destributiones and francis francisco. By: Personal Representative DatedJanuary 27.......... 19 78.......... Personally appeared the above name

Larry J. Schrenk, as Personal Representative of the Estate of Erm STATE OF OREGON, County of Lane, ss. 24 Notary Public for Oregon

1075 Oak Street, Eugene

CASCADE TITLE COMPANY

7841404

Beginning at a point on the East line of the John Little Donation Land Claim No. 71, Township 19 South, Range 2 West of the Willamette Meridian at a point 20.0 feet North of the Southeast corner thereof and run thence West parallel with and 20 feet North of the South line thereof 4004.22 feet to the West line of said Claim; thence North 1149.52 feet along said West line to the Westerly Northwest corner of said Donation Land Claim No. 71, thence East 466,62 feet along a Northerly line of said Claim to the interior angle on the West line of said Claim; thence North along the West line of said Claim 165.0 feet toa point on the West line of said Clerm 2475. 6) feet South of the Northwest corner thereof; thence South 89° 49' Fast 3531.0 feet parallel with the North line of said Claim to the East line thereof; thence along said East line South 0° 20' West 1300.00 feet to the Point of Beginning: DICEPT therefrom that portion of the above conveyed to Lane County, Oregon for road purposes by instrument recorded January 2, 1959, Clerk's Filing No. 55605, Lane County Oregon Deed Records, in Lone County, Oregon,

Beginning at a point on the East line of the John Littrel Donation Land Claim No. 79, Township 13 South, Range 2 West of the Williamette Meridian at a point South 0° 20' West 1231.6 feet from the Northeast corner thereof and run thence along said East line South 0° 20' East corner thereof and run thence along said East line South 0° 20' East 1243.4 feet; thence North 89° 49' West parallel with the North line of said Claim 3531.0 feet to the West line thereof; thence along said West line North 0° 20' East 1243.4 feet; thence South 80° 49' East 3531.0 line North 0° 20' East 1243.4 feet; thence South 80° 49' East 3531.0 feet parallel with the North line of said Claim to the point of beginning feet parallel with the North line of said Claim to the point of the above in Lane County, Oregon. EXCEPT therefrom that portion of the above conveyed to Lane County, Oregon for road purposes by instrument recorded January 2, 1939, Clerk's Filing No. 56605, Lane County Oregon Deed Records, in Lane County, Oregon.

ALSO Beginning at a point on the North line of the John Littre! Donation Land Claim No. 79. Township 18 South, Range 2 West of the Willamette Meridian North 89° 49° West 1108.8 feet from the Northeast corner thereof and run thence South 0° 20° West parallel with the East line of said Claim 1231.6 feet; thence North 89° 49° West parallel with the North line of said Claim 2422.2 feet to the West line thereof; thence along the said West line North 0° 20° East 1231.6 feet to the Northwest corner of said Claim No. 79. thence South 89° 49° East 2422.2 feet along the North line of said Claim to the point of beginning, in Lane County, Oregon.

18-2-3

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CEPT THEREFROM beginning at the Northcast corner of the John Littrel Donation Land Claim No. 79, Township to South, Pange 2 West of the Willamette Meridian; thence South 0° 20' West 1231,60 feet along the East line of said Donation Land Claim to a point on the centerlinu of County Road No. 937 (commonly known as Cleverdale Road); thence South 89° 49' West 30.00 (cct to an Iron pin found on the Westerly right-of-way line of said County Road marking the True Point of Beginning; thence South 0° 20' West 332.93 feet along said Westerly right-of-way line to a point marked by an iron pin; thence North 89° 46' West 269.72 feet to a point marked by an iron pin; thence North 89° 46' 37" West 132.32 feet to a point marked by an iron pin; thence North 0° 22' 23" East 145.00 fect to a point marked by an iron pin; thence North 89° 46' 52" West 51.62 feet to a point marked by an iron pin; thence North 3° 23' 08" East 187.87 feet to a point murked by an iron pin; thence South 89° 49' East 434.57 feet to the true point of beginning, in Lane County, Oregon. ALS - MOEPT THERETROM beginning at an existing 5/8 inch iron rod, said point being North 89° 49' West 263.11 feet from a 5/8 Inch from rod marking the East Southeast corner of the James Thompson Denation Land Claim No. 80, Township 18 South, Range 2 West, Willamette Meridian; thence run North 89° 49' West 984.78 feet to the centerline of Bear Creek, said point being referenced by a 5/8 inch iron rod South 89° 49' East 20.00 fect; thence along the centerline of Bear Creek as follows: South 7° 55' 15" East 52.83 feet; thence South 46° 00' 15" East 231.17 feet; thence South 22° 12' 43" East 171.02 feet; thence South 9° 34' 45" East 156.58 feet; thence South 12° 34' 45" East 249.26 feet; thence South 70° 00' 45" East 186.47 feet; thence South 48° 25' 45" Tast 371.03 fect; and thence South 2° 52' 15" West 112.57 feet to a point, said point being referenced by a 5/3 inch fron rod South 69° 48' East 20.00 feet; thence leaving said Bear Creek and run South 89° 48' East 168.95 feet to an existing 5/8 inch iron rod; and thence North 0° 19' 15" East 1230.39 feet to the point of beginning. Containing 16.83 acres, more of less, all in Section 31, Township 18 South, Range 2 West, Willamette Mcridian, Lane County, Oregon.

7841404

the North one half of the following described property, to-wit:

Beginning at the 1 1/4 inch iron pipe marking the Northeast corner of the William Skinner Donation Land Claim No. 70, Township 19 South, Range 2 West of the Williamette Meridian, thence North 89* 13' 34" East 2052,69 feet along the North line of Section 6 of said Township and Range to an Iron pipe marking the North Northwest corner of the John Littrell Donation Land Claim No. 71, Township 19 South, Range 2 West of the Willamette Meridian; thence South 0* 47' 32" East 920.12 feet to a point marked by an iron pin; thence North 88° 20' 24" West 455.62 feet along an existing property line fence to an iron pin set in the corner thereof; thence South 1° 38' 07" West 1168.48 feet continuing Biong said property line fence to an iron pin set in a corner thereof; thence North 89° 58' 20" West 1257.08 feet continuing along said property line fence to a corner therein and an iron pin marking the Northwest corner of the William T. Callison Donation Land Claim No. 50, Township 19 South, Range 2 West of the Willemette Meridian; thance South 0° 20' 34" West 640.9d feet continuing along said property line fence to a point marked by an iron pin; thence West 302,60 feet to an iron pin set on the East line of the George Reeves Donation Land Claim No. 69, Township 19 South, Range 2 West of the Williamette Meridian; thence North 0. 06 East 972.89 feet to an iron pipe marking the Northeast corner of said Reeves Claim; thence North 0° 07' 20" West 1714.31 feet along the East ling of the William Skinner Claim as above mentioned to the point of beginning in Lane County, Oregon.

AN UNDIVIDED ONE-HALF INTEREST IN THE FOLLOWING DESCRIBED PROPERTY:

Beginning at the Southeast corner of the John Littrel Donation Land Claim No. 71, Township 19 South, Range 2 West of the Willamette Meridian, and running thence West along the South line of the Claim 3,104.6 feet to the Southeast corner of Lot 5 of Section 6 of Township 19 South, Range 2 West, thomas North 20 feet, thence East parallel to the South line of the Claim 3104.6 feet to the East line of said Claim No. 71, thence South 20 feet to the place of beginning.

Together with an easement for ingress and egress over and across the following described property, to-wit

Beginning at the Southeast corner of the John Littrell Donation Land Claim No. 71, Township 19 South, Range 2 West of the Willamette Meridian, and running thence West along the South line of the Claim 3,104.6 feet to the Southeast corner of Lot 5 of Section 6 of Township 19 South, Range 2 West, thence North 20 feet, thence East parallel to the South line of the Claim 3104.6 feet to the East line of said Claim No. 71, thence South 20 feet to the place of beginning.

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