

Abstract of title

to

120.01 acres of land in the EWS Herera D L G

in Clatsop County, Oregon, and Sec

16, T 2 S R 1 E and in Sec

18, T 2 S R 2 E

ABSTRACT OF TITLE

TO

Land in Clackamas County, Oregon described as follows: Beginning at a point on the right of east bank of the Willamette River 14 chains south 64° east of the Northwest corner of the Benoni B. Rogers Donation Land Claim, said point is also the southwest corner of a 100 acre tract of land conveyed by Rudolph Staub and wife to John J Naef by deed recorded on page 146 of book 31, records of Deeds of said Clackamas County; thence North 56° East 63.40 chains to the east line of said Donation Land Claim and to a point distant 17.50 chains from the northeast corner of said Donation Land Claim; thence South $43^{\circ}45'$ east along the east line of said claim 21.70 chains, more or less to the northeast corner of a 100 acre tract of land conveyed by B. B. Rogers to John Evans by Deed recorded on page 303 of Book "C" of Clackamas County Deed records; thence south $57^{\circ}45'$ west 63.40 chains along the north line of said tract so conveyed to John Evans, to the Willamette River; thence northwesterly along the meanderings of said river 20.75 chains more or less to the place of beginning, said tract being part of Section 13, Township 2 South range 1 East and of Section 18, township 2 south range 2 east and containing 120.01 acres of land.

I

Map of the B. B. Rogers. D.L.C.

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P A T E N T

United States

To

Benoni B. Rogers.

Dated Mar. 18, 1859

Recorded Dec. 21, 1910, in

Book 119 of Deeds at Page 215

Signed and Sealed.

Grants Notification No. 1003, Claim No. 37, being parts of Sections Twelve (12) and Thirteen (13) in Township Two (2) South, of Range One (1) East of the Willamette Meridian, and Claim No. 41, ^{EXCHANGED TO 39} being parts of Sections seven (7) and eighteen (18) in Township Two (2) South, of Range Two (2) East of the Willamette Meridian, according to official plat of survey, described as follows;-to-wit:- Beginning at a point, the north west corner of claim No. 38 and the South west corner of claim No. 37 in Section 13 in Township 2 South, of Range 1 East of the Willamette Meridian, thence with the meanders of the right bank of the Willamette River in Section 13 North 54° west 23.50 chains and north 64° west 22 chains to the Northwest corner of claim No. 37, thence north 52° east 67.80 chains, thence south 45° 45' east 58 chains and thence south 64° 15' west 67.22 chains to the place of beginning in Willamette Land District, Oregon Territory; containing 320.13 acres.

Signed by the President--James Buchanan, By T. J. Aloright,
Secretary, I. M. Granger, Recorder of the General Land Office.
(Seal of General Land office affixed.)

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Deed Book "C" Page 303

Benoni H. Rogers

To

John Evans.

War Deed Dated Aug. 14, 1858.

Acknowledged * * *

Recorded Sept. 14, 1858.

consideration \$1,000.00

Duly sealed & witnessed.

Property conveyed.

One hundred acres on the upper side of my land claim in Clackamas County, Oregon, bounded; Beginning at the corner between Berryman Jennings and myself; thence down said River by the meanders thereof to the corner of my orchard fence on said river (meaning the upper corner) thence by said fence Easterly so far as it extends; thence continuing Easterly to the East line of my claim at such an angle as may be necessary to enclose within the aforesaid boundaries, my East line and the line between me and said Jennings, the area or amount of one hundred acres; thence by said East line to the South East corner of my claim; thence by the line of Jennings to the point begun at—more accurately described as follows: Beginning at a post on the right bank of the Willamette River, the same being the South West corner of claim No. 37 in Town two South—Range one East running thence North 34 degrees West along said bank 10.75 chains to a post; thence North 57 degrees 45 minutes East 65.40 chains to a post in the East boundary of claim No. 41 in Town two South—Range two East; thence South 45 deg. 45 minutes East 15.80 chains to the south East corner of said claim No. 41; thence South 64 deg. 15 minutes West along the South line of said claim No. 41 & 37—67.22 chains, to the place of beginning. Containing 100.48 acres.

709.5 FT
 4,316.7 FT
 CHANGED TO 39
 1230 FT
 CHANGED TO 39
 CHANGED TO 39
 67.22 CH = 4,436.52 FT

NE

"Together with the right to enter upon my land for the purpose using my spring in common with myself or any future owner thereof, with the privilege also of taking therefrom by means of pipes or any machinery."

4

Benani B. Rogers

To

James E. Cardwell & George E.
Cole.

War Deed Dated Feb'y 25, 1859

Acknowledged " " "

Recorded Mch 17 "

Consideration \$3,000.00

Duly Sealed & Witnessed

Property conveyed.

Notification No. 1003, Part of Sections 12 & 13 Town two south Range one East and Also part of Section 7 & 18 Town two South-Range two East, - Certificate No. 517 excepting however from this conveyance the portion of said land which was deeded by me to John Evans, Aug. 14, 1858, by deed recorded in Book C, Pages 303 & 304, Clackamas county Records; it being intended to convey all the land to which I am entitled as a Donation claim, excepting what has been deed as above to John Evans, my said claim being No. 37 in Town two South-Range one east and No. 41 in Town two south Range two east and the land hereby conveyed containing 220 acres more or less.

"Except the right to said Evans and his representatives to use the Spring in said land in common with me and my assigns with the privilege granted in his deed."

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STATE OF OREGON)
County of Multnomah.) SS.

I, J. S. Risley, being first duly sworn, do depose and say that I am a resident of the County of Clackamas in the State of Oregon, and have resided therein continuously since the first day of August 1858; that during the years 1858 and 1859 I was well acquainted with the Benoni B. Rogers the donee of a certain tract of land consisting of about 320 acres, situate in Section No 13 in Township No 2 South of Range No 1 East and Section No 16 in Township No 2 South of Range No 2 East, donated by the Government of the United States to Benoni B. Rogers, and during all the time between the 13th day of August, 1858 and the 26th day of February 1859, the said Benoni B. Rogers was an unmarried man.

Subscribed and sworn to before me)
this 26th day of October, 1894.)

J. S. Risley.

W. H. Merrick)

Notary Public for Oregon.

6

Geo. E. Cole & Mary E. his wife,
James R. Gardwell & Marion I.
his wife.

To
Byron P. Gardwell.

War Deed Dated Nov. 23, 1863

Acknowledged Jan. 8, 1864

Recorded Feb. 16, 1864

Consideration \$2700.00

Truly Sealed & Witnessed.

Property Conveyed.

Part of Sections 12 & 13 in Town two South-Range one East, and also a part of Sections 7 & 18 in Town the south-range two East the same being described in Benoni B. Rogers Notification No. 1003, and in certificate No. 317 it being said Rogers Donation Land claim, except 100 acres from the South part thereof conveyed by said Rogers to John Evans. - The land hereby conveyed embracing 220 acres more or less, and being the same land conveyed to said Cole & Gardwell by said Rogers, on the 25th Feb'y 1859.

Subject to a mortgage of \$2,000.00 to A. M. Starr, Warrants except against said Mortgage, and the use in common of a certain spring, guaranteed by said Rogers unto John Evans.

Deed Book "D" Page 783.

Byron F. Gardwell & Abbie M. his wife

War Deed Dated Mar 3, 1865.

Acknowledged * 4. *

To

Recorded * 6. *

Wm. A. Starkweather

Consideration \$3,500

Duly Sealed & Witnessed

Property conveyed.

In Clackmas County Oregon; Beginning at a point on the Willamette River which bears North 34 degrees West and distant 10.75 chains from the South ^{West} East corner of the Land Claim of Benoni B. Rodgers described in Notification No. 1093, and Certificate No. 317; thence North 57 degrees 45 minutes East 63.40 chs¹ to the East line of said claim; thence North 48 degrees 45 minutes West 39.80 chains to the North East corner of said claim; thence South 52 degrees West 67.80 chains to the North West corner of said claim; thence South 64 degrees East 22 chains along the meanders of River; thence South 54 degrees East 12.75 chains to the place of beginning. - containing 220.01 Acres more or less.

Except the right of the assignees of John Evans to use water from the Spring on said land.

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Deed Book "29" Page 517

William A. Starkweather &
Eliza his wife,
To
Rudolph Staub.

War Deed Dated Sep 19, 1887

Acknowledged " " "

Recorded " " "

Consideration \$11,000.00

Duly Sealed & Witnessed.

Property Conveyed.

Premises situated in Clackamas County State of Oregon, and described as follows: Beginning at a point on the Willamette River which bears North 34 degrees west and distant 10.75 chain from the south west corner of the land claim of B. B. Rogers described in Notification No. 1005 and Certificate No. 317 on file in the Land Office at Oregon City, Oregon, running thence North 57 deg. 45 minutes east 53.40 chains to the Eastern boundary of said claim; thence North 43 deg. 45 minutes west 39.20 chains to the North east corner of said claim; thence south 52 deg. West 67.80 chains to North West corner of said claim; thence south 64 deg. East 22 chains along meanders of Willamette River and thence South 34 deg. East 12.75 chains to place of beginning, containing 220.01 Acres more or less.

Reference is hereby made to a certain spring on the above tract mentioned in former deeds and to a possible use in common which certain of the Grantees of B. B. Rogers may have in it- It is understood that we do not warrant against such claim if it should be made.

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Rudolph Staub & Anna, his wife,

To

John J. Naef.

Said Deed Dated Nov. 5, 1887

Acknowledged " " "

Recorded May 5, 1888

Consideration \$5,000.00

Duly Sealed and Witnessed.

Property Conveyed.

Commencing at a point on the Willamette River, the same being the east westerly corner of the Donation Land Claim of B. B. Rodgers, described in Notification No. 1003 and Certificate No. 317; thence with the meanders of said river south 64 degree East a distance of 14 chains; thence North 56 degrees East 53.63.40 40 chains to the eastern boundary of said claim, and to a point 17.50 chains from the North East corner of said claim; thence North 43 degrees 45 minutes West 17.50 chains to the North East corner of said claim; thence South 52 degrees West 67.80 chains and to the place of beginning.- containing 100 Acres more or less.

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Mortgage Book "A" Page 360.

Jas. R. Cardwell & Geo. E. Cole &
Mary E. his wife.
To
Benoni B. Rodgers.

Mortgage Dated Feb. 25, 1859
Acknowledged Mon. 8, 1859
Recorded " 11, "
Consideration \$3500.00
Duly Sealed & Witnessed.

Property Conveyed.

The land this day conveyed to us by said Rodgers. (See Book
"C" of Deeds page 427.)

For assignment see Book "A" Page 361, of Mortgages.

For satisfaction see Book "B" Page 355, of Mortgages.

Mortgage Book "A" Page 281

E. B. Rogers

To

F. C. Gason.

Ass't Mortgage Dated Nov. 10, 1859

Acknowledged

" " "

Recorded

" " "

Consideration \$500.00

Duly Sealed & Witnessed.

Property Conveyed.

Assignment of Mortgage Recorded Book "A" of Mortgages Page
360 and Note for \$500.00 secured thereby. This assignment to
be void on payment of \$500.00 by said Rogers to said Gason.

MORTGAGE BOOK "A" Page 458

Jas R. Caldwell & Geo. E. Cole

To

A. M. Starr

Mortgage Dated

Acknowledged Apr 6, 1860

Recorded " 21, "

Consideration \$2,000.00

Duly sealed & Witnessed

Property conveyed

Notification No. 1003. part of sections 12 & 13 Town two South
Range one East. Certificate No. 517 issued to B. B. Rogers, except
100 acres conveyed to John Evans by said Rogers off the south
part of said claim.

Satisfied on margin Nov. 29, 1864 by Mortgagee.

Mortgage Book "B" Page 355

B. E. Rogers

To

J. E. Cardwell & Geo E. Cole

Dischng of Mgtge dated Jany 11 '65

Acknowledgment " " " "

Recorded Mon 2, "

Daily sealed and witnessed.

The Premises

Discharge of Mortgage recorded Book "A" of Mortgages. on
Page 360.

W. A. STARKWEATHER and
Eliza, his wife,
to
George Laroque,

Mortgage, Dated April 22, 1872
Acknowledged " " "
Recorded " 21 "
consideration \$2500.00
Duly sealed and witnessed

Property conveyed.

Beginning at a point on the Willamette river, which bears N. 84 deg. W. and distant 10.75 chs from the southwest corner of the D.L.C. of Benoni B Rogers, described in Notification No. 1003, and Certificate No. 317.; thence North 37 deg. 45 min. E. 62.40 chs; to the East line of said claim; thence N. 43 deg. 45 min. W. 39.20 chs to the N.E. corner of said claim; thence S. 53 deg. W. 67.80 chs to the N.W. corner of said claim; thence S. 64 deg. E. 22 chs along the meanders of the river; thence S. 34 deg. E. 12.75 chs to the place of beginning. Containing 220 acres more or less.
To secure \$2500.00

Satisfied on margin Dec. 1, 1877 by J. T. Aderson, Executor of the estate of Geo. Laroque, deceased.

In the County Court of the State of Oregon for
the County of Clackamas.

In the matter of the estate
of Geo. La Rogue, deceased.

March Term 1877

Record of Wills Vol 2 Page 220

April 15, 1877. Will proven and admitted. Letters issued to
Albert J. and John T. Apperson.

Nov. 5, 1877, on his own petition, A. J. Apperson, was discharged
from the further exercise of his trust by order of the Court.

See Journal 7 page 230.

W. A. Starkweather, and

Eliza, his wife,

To

The Oregon and Washington

Trust Investment Company.

Mortgage dated Nov. 13, 1877

Acknowledged Dec. 1, "

Recorded " 1, "

Consideration \$1500.00

Duly sealed and witnessed

Premises Conveyed

ALL of the Donation claim of Benoni H. Rogers, the same being situate in Secs 13 T 2 S R 1 E. and in Secs 18 T 2 S. R 3 E. containing 200 acres, excepting therefrom 100 acres heretofore sold and conveyed to John Evans.

Given to secure \$1500.00 on Dec 1 1880, with interest at 10%

Satisfied at Book "L" of Mortgages on page 440.

William A. Starkweather &

Eliza, his wife.

To

William Reed.

Mortgage dated Dec 18 1879

Acknowledged " 20 "

Recorded " " "

Consideration \$1900.00

Duly sealed and witnessed

Premises Conveyed

The Donation claim of Benonia B. Rogers, the same being situate in Secs 15 T 2 S, R 1 E. and Sec 16 T 2 S, R 2 E. cont'g 320 acres, excepting therefrom 100 acres, heretofore conveyed by said Rogers to John Evans.

Given to secure \$1900.00 on July 1 1883, with interest at 10%

For Assignment see Book "L" of Mortgages, Page 541.

For satisfaction, see Book "M" of Mortgages Page 19.

Mortgage Book "L" Page 440

The Oregon and Washington
Trust Investment Company, by
Wm Reed and Robert Bell its
Attorneys in fact

Dischg of Mortg dated Dec. 19 '79
Acknowledged " " "
Recorded " " "
Duly Sealed one witness

To

William A. Starkweather.

The Premises

Discharge in full of Mortgage recorded at page 385 of
Book "G" of Mortgages.

Records of Multnomah County Oregon

Oregon and Washington Trust
Investment Company, By William
Lowson and John Leng, Directors,
and William Mackenzie, Secretary

Power of Attorney
Dated Sept. 13, 1879
Acknowledged " 17, 1879
Recorded Oct. 17, 1879
Duly sealed and witnessed

To
William Reid & Robert Bell

Power conferred

To sell and assign and release all mortgages to grantor, of
record in the State of Oregon.

William Reed

To

The Dundee Mortgage Trust
Investment Company

Ass't of Mortg dated Dec 22 1882

Acknowledged

Recorded

Feb'y 9 1883

Consideration \$5500.00

Duly sealed and witnessed

The premises.

Assignment (with other mortgages) of the Mortgage record-
ed at page 402 of Book "I" of Mortgages.

The Dundee Mortgage Trust
Investment Company, by
Wm Lawson & Jno Cull, Directors,
and Wm Mackenzie, Secretary

Power of Atty dated Dec. 1 1882
Acknowledged " " "
Recorded March 8 1883
Duly Sealed and Witnessed.

To

William Henry Effinger

Power conferred

Full power and lawful authority given for and on behalf
of and in the name of us, to satisfy and release and fully dis-
charge, either by deed of release executed in the name place and
stead of us, or by release and discharge in like manner executed
upon the record of such mortgages, in manner and as provided by
law, all mortgages made to and being in favor of us, and being of
record in the State of Oregon but no such discharges shall be
binding upon us unless the same shall be countersigned by Hugh
Rogers, Accountant to us at Portland, aforesaid

Mortgage Book "M" page 19

The Dundee Mortgage Trust
Investment Company by
W. H. Effinger Attorney in fact

Dischng of Mortg dated Apr 9 1888

Acknowledged " " "

Recorded " 31 "

To

Duly sealed and Witnessed

William A. Starkweather

The Premises

Discharge in full of Mortgage recorded in Book "I" of
Mortgages, on Page 402.

Countersigned by Hugh Rogers, Accountant.

Mortgage Book "M" Page 316

Wm. A Starweather & Eliza
his wife

To

Board of Commissioners for the
Sale of School & University Lands.

Mortgage Dated Sept. 23, 1883

Acknowledged " " "

Recorded " " "

Consideration \$3000.00

Duly Sealed & Witnessed

Property Conveyed.

Beginning at a point on the Willamette River which bears North 34 degrees West and distant 10.75 chains from the South West corner of the Donation Land claim of R. B. Rogers described in Notification No. 1003 and Certificate No. 317 - running thence North 57 degrees 45 minutes East 33.40 chains to the East boundary of said claim; thence North 43 degrees 45 minutes West 39.20 chains to the North East corner of said claim; thence South 52 degrees West 67.60 chains to the North West corner of said claim thence South 64 degrees East 28 chains along the meanders of said river; thence south 34 degrees East 12.75 chains to the place of beginning. Containing 220 acres. \$3000.00 for 1 year

3%

Satisfied Book "M" Page 412

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Mortgage Book "T" Page 412

The Board of Commissioners of
the State of Oregon for the
sale of School Lands

Dischg of Mtge, dated Sept 20' 87

Recorded

May 4 88

To

William A. Starkweather

The Premises

Full discharge of Mortgage recorded Book "M" of Mortgages
on page 316

The Premises

A tract of 120 acres in the
D. L. C. of B. H. Rogers, the prop-
erty of R. Staub

AS TO JUDGMENTS

In the United States Circuit Court, NONE

In the United States District Court, NONE

In the State Circuit Court, as follows:

Mar. 6, 1855. W. F. Highfield -vs- B. H. Rogers & J. L. Harlow \$229.1

Sept. 16, 1855. Matthew Davenport -vs- Benjamin H. Rogers \$153.48

No executions have issued on the foregoing judgments.

In the County Court, NONE.

THE PREMISES

A tract of 120 acres in the
 D. L. C. of R. B. Rogers, the prop-
 erty of R. Staub

As to Taxes.

Year,	State and County, To whom Assessed.	When Paid
1876,	W. A. Starkweather	Paid
1877	"	Offset by debts, Paid
1878	"	Paid
1879	"	Paid
1880	"	Paid
1881	"	April 8, 1881
1882	"	Nov. 18, 1882
1883	"	May 12, 1883
1884	"	Apr. 17, 1884
1885	"	June 1, 1885
1886	"	Paid
1887	"	"
1888	R. Staub	"

The Premises.

A tract of 120 acres, in the
L.L.G. of B. B. Rogers, in Clacka
mas County, Oregon, the property
of K. Staub.

CERTIFICATE

We have carefully examined for
the records of the United States Circuit and District Courts,
for the District of Oregon, and of Clackamas County, in said State
with reference to the title to the tract of land described in
the caption hereto, and there are no conveyances or transfers
of said land in said records, except such as appear noted on the
foregoing Abstract of Title, consisting of twenty four
entries, written on twenty four sheets of paper; and
except as recited in said Abstract there are in said records,
no mortgages, judgments, mechanics liens or taxes, that are a
lien on said land.

Portland, Oregon, Aug. 1st 1889

The Pacific Coast Abstract Co
By W. H. Merrick, Secy.

Rudolph Staub and Anna, his wife,

To

Deed Book "35" Page 16

John G. Roethe

Warranty Deed, Dated August 1, 1889

Duly Acknowledged " " " "

Recorded September 27, 1889

Consideration \$15000

Duly signed, sealed and witnessed

FROM 32 (100)
COR. 20N 5E 14
63.4 CHS (4,184 FT) NEN NE
NEN SE 217 CHS
(432.2 FT) NEN SW
63.4 CHS (4,184)

Property conveyed

Land in Clackamas County, Oregon, described as follows:
Beginning at a point on the right or East bank of the Willamette River
14 chs South 64° East of the Northwest corner of the Benoni B Rogers D.L.C.
said point is also the Southwest corner of a 100 acre tract of land, con-
veyed by Rudolph Staub and wife to John J. Haef by deed recorded on page 146
of Book 31, records of deeds of said Clackamas County, thence North 56° East
63.49 chs to the East line of said D.L.C., and to a point distant 17.50 chs
from the Northwest corner of said D.L.C.; thence South 43° 45' East along
the East line of said claim 21.70 chs, more or less, to the Northwest corner
of a 100 acre tract of land conveyed by B B Rogers to John Evans by deed
recorded on page 303 of Book 4 of Clackamas County deed records; thence

South $57^{\circ} 45'$ West 63.40 chs along the North line of said tract so conveyed to John Evans, to the Willamette River; thence Northwestwardly along the meanderings of said river 20.75 chs, more or less, to the place of beginning said tract being a part of Section 13, T 2 S R 1 E and of Section 18, T 2 S R 2 E and containing 120.01 acres of land.

John C Koethe

with

Antonia M Neuner

Deed Book "40" Page 288

Agreement, Dated January 22, 1891

Duly Acknowledged * * *

Recorded * * *

Duly signed, sealed and witnessed

Description

Recites the conditions of the deed from Rogers to Evans recorded in Book 6, Page 303, relating to the spring which is said by this agreement to be located near to southwest corner of the land owned by first party, that second party is now the owner of the land conveyed to Evans and has succeeded to his rights in said spring.

Now, Therefore, it is hereby mutually agreed by and between the parties hereto that each party hereto shall have the right to lay pipes and erect necessary machinery at and to said spring, and shall at all times have the right to enter upon the land about said spring or along the pipe line or lines leading from said spring to lay or repair the same, and the party of the second part shall have the right to lay pipes from said spring to her land adjoining the land of the party of the first part and enter upon

the land of the party of the first part for that purpose and to repair the same and to take water from said spring jointly with the party of the first part, provided, however, that the party of the first part shall have the right to place the pipe leading to his premises below the pipe of the party of the second part where the same shall enter said spring, and when the water in said spring shall be too low to run into the pipes of the party of the second part, then the party of the first part shall have the exclusive use of said spring and provided, further, that the pipes laid by the party of the second part shall enter the reservoir of said spring at least one foot from the bottom thereof.*

Signed and acknowledged by both parties.

John G Roethe and Alwiene, his wife,

To

Deed Book #59 Page 467

East Side Railway Company

Deed. Dated February 21, 1893

Duly Acknowledged * * *

Recorded * 22 *

consideration \$1

Duly signed, sealed and witnessed

Property Conveyed

A right of way for a railroad and street railway and all rail road and street railway purposes over a strip of land in Clackamas County Oregon, described as follows: A Part of the Benoni B. Rogers D L C in T 2 S R 1 E, beginning at a point on the North line of John G Roethe's land in said D L C, in the center between the rails of the railway track now laid and established by the East Side Railway Company over and across the North boundary line of the land of the said John G Roethe, from said point running East on and along said North boundary line 25.56 feet; thence running Southeasterly Parallel with and at the distance of 25.56 feet from a line drawn in the center between the rails of the railway track now laid and established by the East Side Railway Company through my land from the North to the South boundary thereof to the South boundary of my land;

thence running westward on and along said south boundary line 40 feet; thence running Northwesterly parallel with and at the distance of 14.44 feet from the line drawn in the center between the rails of the track of the East Side Railway Company as hereinbefore described to the North boundary line of my land; thence running Eastward along said North line 14.44 feet to the place of beginning. The right of way to include the right to lay, establish and maintain a double track motor railway thereon, one of said tracks being now laid thereon. The parties of the first part do also hereby grant and convey unto the Party of the second part, its successors and assigns, the right to erect and maintain poles, stretch wires thereon and to transmit electricity over the aforesaid right of way for telegraph, telephone, electric light, power and all other purposes whatsoever, and this privilege includes the right to lay and stretch wires under ground.

John G. Boeths and Alvina, his wife,

To

Deed Book "51" Page 3

John J Haef

Quit Claim Deed, Dated October 14, 1892

Acknowledged " " "

Recorded November 7, 1892,

Consideration \$1.

Duly signed, sealed and witnessed

Property Conveyed

Land in Clackamas County, Oregon, described as: commencing at a point on the Willamette River, the same being the most westerly corner of the D.L.C. of Benson E. Rogers, Notification No 1003 and Certificate No 317 on file in the U.S. Land Office at Oregon City, Oregon; thence with the meanders of said river south 64° East 14 chs; thence south 54° East 1.34 chs to a point; thence North 56° East 65.55 chs to the East line of said Rogers' claim; thence North 44° 57' West 18.33 chs to the Northeast corner of said D.L.C. thence south 58° West 67.80 chs to the place of beginning. "the same being the portion of the tract heretofore sold by Starkweather to Staub and said Haef belonging to said Haef."

2 witnesses to husband's signature and 1 witness to wife's signature.

No separate examination of wife.

John G Roethne and Alwina, his wife,

To

Mortgage Book "U" page 341

Rudolph Staub

Mortgage. Dated August 5, 1889

Duly Acknowledged " " "

Recorded " 28, "

Consideration \$14500

Duly signed, sealed and witnessed

Property conveyed

Land described as in deed recorded in Book 35, page 16 of records of deeds of Clackamas County, Oregon.

Given to secure \$14500, 5 notes of even date and due as follows

One of \$ 500 due November 1, 1889	One of \$1000 due November 1, 1890
" " \$2000 " " 1, 1891	" " \$2000 " " 1, 1892
" " \$9000 " " 1, 1894	

Interest on all at 7% from November 1st, 1889, payable semi-annually

Partial payments are acknowledged on margin by mortgagee as follows:

July 26, 1890 \$3000. July 22, 1892 \$500. April 20, 1893 \$500
 No date \$2000.

The Premises

A tract of 180 acres in the D L C of
B B Rogers in Clackamas County, Oregon,
the property of John G. Roethlis

As to Taxes

State, County and General School

Year	To Whom Assessed	When Paid
1889	R. Staub	Paid
1890	John G. Roethlis	Offset by debts
1891	" "	" " "
1892	" "	" " "
1893	" "	Paid

The Premises

A tract of 120 acres in the D. L. S of
B B Rogers in Clackamas County, Oregon,
the property of John G. Postne.

CERTIFICATE

We have carefully examined for
the records of the United States Circuit and District Courts for the
District of Oregon, and of the County of Clackamas in the State of Oregon
with reference to the title to the property described in the caption here-
to, and there are no conveyances or transfers of said land in said records,
except such as are noted in the foregoing Abstract of Title, consisting of
thirty four entries, written on thirty four sheets of paper;
and, except as recited in said Abstract, there are, in said
records, no mortgages, judgments, mechanic's liens or taxes that are a
lien on said property.

Portland, Oregon, October 17th, 1894

The Pacific Coast Abstract Co

By W. H. Merrick, Secy.

R Staub

To

John C Boethe and
Alvino, his wife

Mortgage Book #39 Page 30

Satisfaction, Dated October 30, 1894

Duly Acknowledged * * *

Recorded * 31. *

Duly signed, sealed and witnessed

Description

Full satisfaction of mortgage recorded in Book U, Page 341

John G Roethe and Alviene, his wife,

To

Mortgage Book "59" Page 31

The Investors Mortgage Security
Company, Limited

Mortgage, Dated October 29, 1894

Acknowledged * 30 *

Recorded * 31 *

Consideration \$4000

Duly signed, sealed and witnessed

Property conveyed

Land in Clackamas County, Oregon, described as follows: Beginning at the Northwest corner of the D L G of General E Rogers in Section 17, T 3 S R 1 E, W M. on the right of East Bank of the Willamette River thence South 64° East following the meanders of said river 14 chs; thence south 34° East following the meanders of said river 1 ch 24 lks to the initial point of the land to be described, the same being the Southwest corner of land deeded by John G Roethe and wife to John J Haef by deed recorded in Book 51, Page 3 Clackamas County records; thence North 56° East 65 chs 55 lks to East line of said D L G; thence South 43° 15' East 20 chs 82 lks along East line of said claim to the Northeast corner of a tract of land conveyed by said Rogers to John Evans by deed recorded in Book 6, Page 303 of Clackamas County records; thence South 67° 25' West 65

cha 40 lks along the Northerly boundary of said Evans' tract to the
Williamette River; thence Northerly following the meanders of said river to
Place of beginning, excepting a right of way granted by deed in Book 50,
Page 437 and the right to take water given by deeds in Book 6, page 303
and Book 40, page 282.

Given to secure \$4000 due as follows:

\$500 Nov 1, 1895;	\$500 Nov 1, 1896;	\$500 Nov 1, 1897
\$500 Nov 1, 1898	\$2000 Nov 1, 1899; and interest notes as follows	
\$162.65 due May 1, 1895;	\$180 due Nov 1, 1895	
\$140 * * 1, 1896	\$140 * * 1, 1896	
\$130 * * 1, 1897	\$120 * * 1, 1897;	
\$100 * * 1, 1898;	\$100 * * 1, 1898;	
\$80 * * 1, 1899	\$80 * * 1, 1899; principal notes to bear	

interest at 8% after due; and interest notes to bear 10% after due.

Mortgagor to pay all taxes and carry \$1000 insurance.

No separate examination of wife.

The Premises.

A tract of 120 acres in the D. L. G of
B B Rogers in Clackamas County, Oregon
the property of John G. Roethe

CERTIFICATE

We have carefully examined for
the records of the United States Circuit and District Courts, for the
District of Oregon, and of the County of Clackamas in the State of Oregon
with reference to the title to the property described in the caption
hereto, and there are no conveyances or transfers of said land in said
records, except such as are noted in the foregoing Abstract of Title,
consisting of thirty-eight entries, written on thirty-eight sheets of
paper; and, except as recited in said Abstract, there are, in said records
no mortgages, judgments, mechanic's liens or taxes that are a lien on
said property.

Portland, Oregon, October 31st, 1894.

The Pacific Coast Abstract Co.

By W. H. Merrick, Secy.

No. 1377

C A P T I O N

Continuation of
AN ABSTRACT OF TITLE

To

The following described premises situate in the County of
Clackamas, State of Oregon, to wit:-

Beginning on the right or east bank of the Willamette River 14 chains south 64° east of the north west corner of Benoni B. Rogers Donation Land Claim at the south west corner of a 100 acre tract conveyed by Rudolph Staub and wife to John J. Naef by deed recorded in Book 31 of Deeds at Page 146, thence north 56° east 63.40 chains to the east line of said Donation Land claim 17.50 chains from the north east corner of said Donation Land claim, thence south 43° 45' east on the east line of said Donation Land claim 21.70 chains, more or less, to the north east corner of a 100 acre tract conveyed by B. B. Rogers to John Evans by deed recorded in Book "C" of Deeds at Page 303, thence south 57° 45' west 63.40 chains on the north line of said tract of John Evans to the Willamette River, thence north westerly along the meanders of said river 20.75 chains, more or less, to the place of beginning, in Section numbered thirteen (13), in township two (2) South, of Range one (1) East of the Willamette Meridian and section numbered eighteen (18), in Township two (2) South, of Range two (2) East of the Willamette Meridian, containing one hundred and twenty (120) acres, more or less.

For the period of time from the 31st day of October, 1894 to the present time.

From the office of
The Clackamas Title Company
605-608 Chamber of Commerce
Portland, Oregon

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QUIT CLAIM DEED

AUGUST

NEUMERT (grocer)

A. F. Neumert and

Antonia M. Neumert, his wife,

AS
b. 1833
BNA 21A

To

Charles Rieley, Trustee of the
Estate of Henry Nass, Deceased.

Consideration \$1.00

Dated & Ack. Dec. 27, 1894

Recorded Dec. 28, 1894, in

Book 57 of Deeds, Page 127

Signed and Sealed

Two Witnesses.

Quit claims the land bounded by a line beginning on the
right bank of the Willamette River north 34° west 5.57 chains
from the south west corner of Claim No. 37, in Township two (2)
South, of Range one (1) East of the Willamette Meridian, thence
north 34° west 5.58 chains, thence north $57^{\circ} 45'$ east 23.40
chains to post on the east line of Claim No. 41, in Township two
(2) South, of Range two (2) East of the Willamette Meridian,
thence south $45^{\circ} 45'$ east 9.54 chains, thence south $61^{\circ} 12'$ west
to the place of beginning. Containing forty seven and ten hun-
dredths (47.10) acres.

Also the water right set forth in deed of Date January 22,
1891, by John G. Roethe to Antonia M. Neumert recorded in Book
40 of Deeds at page 288, and all tanks, pipes and appliances
connected therewith.

SPECIAL WARRANTY DEED

Charles Risley, Trustee of the
Estate of Henry Naas, Deceased,

To
J. G. Roethe

Consideration \$1234.50

Dated & Ack. June 9, 1900.

Recorded June 26, 1900, in

Book 73 of Deeds at page 318

Signed and Sealed

Two witnesses.

Conveys part of the B. B. Rogers Donation Land Claim No. 37, in Township two (2) South, of Range one (1) East of the Willamette Meridian, beginning on the right bank of the Willamette River north 34° west 5.37 chains from the south west corner of said Donation Land Claim No. 37, thence north 24° west 5.36 chains to a stake, thence north $57^{\circ} 45'$ east 13.30 chains to gas pipe in the center line of the Rinearson and Milwaukie road, thence on said center line south $49^{\circ} 53'$ east 6.58 chains to gas pipe at the line between the lands of F. A. Toepleman and Charles Risley, Trustee, thence south $61^{\circ} 12'$ west 15.17 chains to the place of beginning, containing eight and twenty three hundredths (8.23) acres.

Also that certain water right described in deed of date Jan. 22, 1891, by John G. Roethe to Antonio M. Hennert recorded in Book 40 of Deeds at page 289 and all pipes, tanks and appliances therewith or thereto connected.

\$1.50 U.S.I.R.S. affixed

WARRANTY DEED

Charles Wisley, Trustee of
Estate of Henry Naas, Deceased
Herman Naas and Lela May Naas,
his wife; Charles O. Naas and
Kittie Naas, his wife,

To

O. Paul Koethe.

Consideration \$1,000.00

Dated & Ack. Oct. 6, 1903

Recorded Oct. 17, 1903, in
Book 67 of Deeds at Page 445

Signed and Sealed

Two Witnesses

Conveys the land bounded by a line beginning at a gas pipe in the county road in the northerly line of land conveyed to Charles Wisley, Trustee, by deed recorded in Book 62 of Deeds at Page 274 which gas pipe is north $57^{\circ} 45'$ east 13.30 chains from the most westerly corner of said tract and is to the most westerly corner of land conveyed by said Charles Wisley, Trustee, to J. G. Koethe in Book 73 of Deeds at page 318, thence north $57^{\circ} 45'$ east 1001.52 feet to gas pipe in the most westerly line of the Oregon Water Power & Railway Company's Right of Way, thence south $45^{\circ} 52'$ east on the line of said Right of Way 459.77 feet to a gas pipe, thence south $61^{\circ} 20'$ west 987.98 feet to a gas pipe in the county road, thence north $49^{\circ} 49'$ west 454.03 feet to the place of beginning, containing 10.064 acres.

WARRANTY DEED

J. G. Roethe and
Alwiene Roethe, his wife,
To
Ernest Edward Roethe.

Consideration \$1.00.
Dated & Ack. APR. 30, 1904.
Recorded APR. 30, 1904, in
Book 99 of Deeds, Page 54.
Signed and Sealed.
Two Witnesses.

Conveys part of the B. B. Rogers Donation Land Claim No. 37, in Township two (2) South, of Range one (1) East of the Willamette Meridian, bounded by a line beginning on the right bank of the Willamette River north 34° west 5.37 chains from the south west corner of said Donation Land claim, thence north 34° west 5.58 chains to a stake, thence north 57° 45' east 15.30 chains to gas pipe in the center line of the Rinearson and Milwaukie road, thence on said center line south 49° 55' east 6.58 chains to gas pipe on the line between F. A. Toepelman and Chas Risley, Trustee, thence south 61° 12' west 15.17 chains to the place of beginning. Containing eight and twenty three hundredths (8.23) acres.

Also water right described in deed of date Jan. 23, 1891, by John G. Roethe to Antonia Hennert recorded in Book 40 of Deeds at page 289, and all pipes, tanks and appliances therewith connected.

WARRANTY DEED

O. Paul Koethe and
Garric Koethe, his wife,
To
John G. Koethe.

Consideration \$1500.00
Dated & Ack. Feb. 2, 1907
Recorded Feb. 9, 1907, in
Book 98 of Deeds at Page 174
Signed and sealed
Two witnesses.

Conveys the land bounded by a line beginning at a gas
pipe in the county road which is the northernly line of tract
conveyed to Charles Risley, Trustee, by deed recorded in Book
62 of Deeds at page 274, which gas pipe is north $57^{\circ} 45'$ east
13.30 chains from the most northernly corner of said tract, be-
ing the most northernly corner of tract conveyed in deed recorded
in Book 73 of Deeds at page 318, thence north $57^{\circ} 45'$ east 1001.52
feet to gas pipe in the most westerly line of the Oregon Water
Power Railway company's Right of Way, thence south $45^{\circ} 53'$ east
along said Right of Way 489.77 feet to a gas pipe, thence south
 $61^{\circ} 20'$ west 987.98 feet to a gas pipe set in the county road,
thence north $49^{\circ} 49'$ west 434.03 feet to the place of beginning.
Containing 10,064 acres.

M O R T G A G E

John C. Roethe and
Alwiene Roethe, his wife,
to
Rudolph Staub,

Consideration \$4,000.00
Dated & Ack. Oct. 30, 1894.
Recorded Nov. 1, 1894. in
Book 39 of Deeds at page 42
Signed and Sealed
Two witnesses.

Covers the land bounded by a line beginning on the right or east bank of the Willamette River 14 chains south 64° east of the north west corner of Benoni B. Rogers Donation Land claim at the south west corner of a 100 acre tract conveyed by Rudolph Staub and wife to John J. Haef by deed recorded in Book 31 of Deeds at page 148, thence north 56° east 63.40 chains to the east line of said Donation Land claim 17.50 chains from the north east corner of said Donation Land claim, thence south $43^{\circ} 45'$ east on the east line of said Donation Land claim 21.70 chains, more or less, to the north east corner of a 100 acre tract conveyed by B. B. Rogers to John Evans by deed recorded in Book 40 of Deeds at page 303, thence south $57^{\circ} 45'$ west 63.40 chains on the north line of said tract of John Evans to the Willamette River, thence north westerly along meanders of said river 20.75 chains, more or less, to the place of beginning; in Section numbered thirteen (13), in Township two (2) South, of Range one (1)

59-42

East of the Willamette Meridian and Section numbered eighteen (18), in Township two (2) South, of Range two (2) East of the Willamette Meridian. Containing one hundred and twenty (120) acres, more or less.

Given to secure the payment of \$4,000.00 in one (1) year with interest thereon at the rate of seven (7) per centum per annum.

Cancelled on the margin of the record by I. Staub Apr. 2, 1897. Attest: A. Luelling, Recorder, by C.A. Luelling, Deputy.

P O W E R O F A T T O R N E Y

The Investors Mortgage Security
Company, Limited,

To

William MacMaster and
Alexander Henderson Birrell

Dated & Ack. Sept. 27, 1895
Recorded Apr. 20, 1896, in
Book 1 of Powers of Attorney
at page 58

Signed and Sealed

Two witnesses.

This instrument authorizes the grantees to confer jurisdiction on the Oregon Courts and to manage their investments in Oregon, Washington and Idaho; to enforce collection of debts; to sell manage, lease or convey any and all lands, hereditaments, mortgages and other immovables, effects and chattels in which we are or may be or become interested in said States, and to execute and deliver all deeds, leases, releases and conveyances for and convey to, leasing or discharging any lands and to collect and receive debts, and grant and deliver valid receipts and discharges.

Signed: Investors Mortgage Security Company, Limited, by
E. H. Gull, Director, F. J. Monerleff, Director, Alfred Shepherd,
Joint Secretary; who acknowledge as such officers.

Corporate Seal Affixed.

S A T I S F A C T I O N

Investors Mortgage Security
Company, Limited, by
Alexander H. Birrell, its
Attorney in Fact,

To
John G. Roethe and wife

Dated & Ack. Nov. 3, 1899
Recorded Nov. 4, 1899, in
Book 49 of Mortgages, Page 470
Signed and Sealed
Two Witnesses

This instrument is a satisfaction of the mortgage of
John G. Roethe and Alviene Roethe his wife, the parties of
the first part therein, to The Investors Mortgage Security
Company, Limited, the parties of the second part, dated Oct.
29, 1894, and recorded Oct. 31, 1894, in Book 38 of Mortgages
at Page 31.

M O R T G A G E

John C. Roeths

To

Herman Hardt

Consideration \$800.00

Dated & Ack. Nov. 4, 1899

Recorded Nov. 4, 1899, in

Book 48 of Mrtgs. at page 348

Signed and Sealed

Two witnesses.

Covers the land bounded by a line beginning on the east bank of the Willamette River 14 chains south 64° east of the north west corner of the B. B. Rogers Donation Land Claim at the south west corner of land sold to J. J. Haef by deed recorded in Book 31 of Deeds at page 146, thence north 59° east 63.40 chains to the east line of said Donation Land Claim 17.50 chains from the north west corner of said Donation Land Claim, thence south $43^{\circ} 45'$ east on said east line 21.70 chains to the north east corner of 100 acre tract conveyed by B. B. Rogers to John Evans by deed recorded in Book "G" of Deeds at page 303, thence south $57^{\circ} 45'$ west 63.40 chains on the north line of said Evans tract to the Willamette River, thence north westerly along the meanderings of said river 20.75 chains to the place of beginning; in Section 13, in T₂ S., of R. 1 E. of the W. M. and Section 18, in T₂ S., of R. 2 E. of the W. M. containing 120.01 acres.

Given to secure the payment of \$800.00 in one (1) year with interest thereon at the rate of six (6) per centum per annum.

M O R T G A G E

J. G. Roeths

To

Gustav Kaardt.

Consideration \$1200.00

Dated & Ack. June 26, 1900

Recorded June 26, 1900, in

Book 47 of Mortgages, Page 16.

Signed and Sealed

Two Witnesses.

Covers part of the B. B. Rogers Donation Land Claim No. 37 in Township two (2) South, of Range one (1) East of the Willamette Meridian, bounded by a line beginning on the right bank of the Willamette River north 34° west 5.37 chains from the south west corner of said Donation Land Claim, thence north 34° west 5.38 chains to a stake, thence north $57^{\circ} 47'$ east 17.30 chains to a gas pipe in the center line of Emerson and Milwaukee road, thence along said center line south $49^{\circ} 55'$ east 6.58 chains to line between land of F. A. Toepelman and Chas Risley, Trustee, thence south $61^{\circ} 12'$ west 15.17 chains to the place of beginning. Containing eight and twenty three hundredths (8.23) acres.

Given to secure the payment of \$1200.00 in two (2) years with interest thereon at the rate of five (5) per centum per annum.

S A T I S F A C T I O N

Gustav Haardt

To

J. G. Roethel

Dated & Ack. Feb. 17, 1902

Recorded Feb. 24, 1902, in

Book 55 of Mortgages, Page 148

Signed and Sealed

Two Witnesses

This instrument is a satisfaction of the mortgage of J. G. Roethel, the party of the first part therein, to Gustav Haardt, the party of the second part therein, dated June 28, 1900, and recorded June 26, 1900, in Book 47 of Mortgages at page 18.

MORTGAGES

The Abstractor finds no mortgages made of record in Clackamas County by any one shown to be connected with the title since the 31st day of October, 1894, covering any part of the premises described in the caption hereof, except as hereinbefore noted.

JUDGMENTS

The Abstractor finds no judgments made of record in Clackamas County, nor actions or suits pending therein, since the 31st day of October, 1894, affecting the title to the premises described in the caption hereof.

TAXES

All taxes levied upon the premises described in the caption hereof since the 31st day of October, 1894, appear to be fully paid.

C E R T I F I C A T E

State of Oregon,)
) ss.
County of Multnomah.)

The GLACKAMAS TITLE COMPANY, a private corporation having its principal place of business at Portland, Oregon, and which is an abstractor of titles to lands in Clackamas County, does hereby certify that it has caused to be made by its President, E. F. Riley, a careful and diligent search of the records of said county for all matters relating to the land described in the caption hereof, being One hundred (100) acres, more or less, in Sec. 13, in Township two (2) South, of Range one (1) East of the W. M. and Sec. 13, in Tl. two (2) South, of Range two (2) East of the W. M. and that it finds no instruments affecting the title to said property nor liens thereon made for record in said county since the thirty-first (31st) day of October, 1894, except such as are shown in the foregoing abstract consisting of fifteen (15) sheets this twenty first (21st) day of September, 1907

Clackamas Title Company

By E. F. Riley

President.

No. 1377

Carbon Copy retained.

(Corporate seal)

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CONTINUATION OF ABSTRACT

A continuation of the foregoing Abstract as to the land deeded to Simeon H. Covell, and David N. Smith, by John G. Roethlis and wife, by deed dated October 18th, 1907, filed for record and recorded October 22d, 1907, in Record of Deeds, Book No. 191, at Page 494, Deed Records of Clackamas County, Oregon, abstract of which deed is shown at Nos. 4 & 5 hereof, and containing 108.50 acres;

Except Lot No. 1, of Block No. 3, in Townsite of Covell, according to the duly recorded plat thereof in Plat Book No. 7, at Page 17, Plat Records of said County and State, said Townsite plat being abstracted at No. 9 hereof.

RELEASE OF MORTGAGE

Herman Hardt,
(Seal)

to

John G. Roethe.

Date September 30, 1907

Consideration. Payment

Two witnesses.

(30th, 1907.

Acknowledged in due form, September

Filed, October 7th, 1907

Record Book 66, page 423.

Certifies and declares that a certain mortgage bearing date, November 4th, 1899, made by John G. Roethe to Herman Hardt and recorded in Book No. 46 of Mortgages, page 348 on November 4th, 1899, to secure note of \$800.00 with interest at 6%, per annum, and bearing date even with said mortgage is fully paid, satisfied and discharged.

AGREEMENT AS TO BOUNDARY LINE,

Agreement recites a disagreement as to the boundary line between the parties thereto, viz. John G. Roethe, and Otto Naef, due to errors or alleged errors in surveys and which controversy has led to an agreement and final understanding as to the true boundary line between them and said boundary shall be as hereinafter described and in said agreement set forth;

Therefore the said Otto Naef and Susanna Naef parties of the first part, in consideration of \$225.00 to them paid have agreed and do hereby agree to and with John G. Roethe, and Alving Roethe, his wife, the parties of the second part, which agreement is to be considered mutual and binding on all parties and that the true division line between the lands of the parties thereto is described as follows:-

Beginning at a basalt stone 27 x 6 x 6 inches in diameter set 21 inches in the ground and marked (X) on top, and set in the East boundary line of the Donation Land Claim of said Benson B. Myers at a point bearing North 45° 45' West 11.57 chains distant from the North West corner of the James McNary Donation Land Claim in section 15, and from which a fir tree 24 inches in diameter marked (O. N. & S. E.) bears North 44° 20' West 347 links distant and an oak tree 4 inches in diameter bears South 45° 05' East 58-1/2 links distant; thence South 56° West 64.55 chs. to an iron pipe driven into the ground on the meander line of Willamette River. Said division line is further marked by the present location of the fence running along said line and also more exactly evidenced by certain pipes driven into the ground along the line of said division line and to which reference is made.

Otto Naef and Susanna Naef quitclaim to John G. Roethe all right, title and interest in and to any land in said D. L. C. lying on the Southerly side of said boundary line, and John G. Roethe and Alving Roethe his wife, quitclaim to Otto Naef all lands lying on the Northerly side of said boundary line heretofore agreed upon.

Dated, Oct. 17, 1907

Two witnesses

Acknowledged in due form.

October 17th, 1907.

Filed October 19th, 1907

Book 101 *Page 46*

(Signed) Otto Naef

Susanna Naef.

J. G. Roethe

Alving Roethe

(Seals)

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WARRANTY DEED.

John C. Roethe, and
Alvina Roethe, his wife.
(signed Alvina)
(Seals)

Date, October 18th, 1907

Consideration, \$29725.00

Two witnesses.

Acknowledged in due form, October 18,

Filed, October 22d, 1907.

Record Book 101, Page 494

to
Simson H. Covell, and
David W. Smith.

Granting words: Have bargained and sold and do bargain sell and convey.

Conveys: A part of the D. L. C. of Benoni B. Rogers in Twp. 2 S., R. 1 E., and 2 S. R. 2 E., the portion of said claim hereby conveyed being a part of Section 18 in Twp. 2 S., R. 1 E., and a part of Sec. 18, in Twp. 2 S., R. 2 E., and is bounded and described as follows, to-wit:-

Beginning at a basalt stone 22 X 6 X 6 inches, set 21 inches in the ground, marked X on top, and set in the East boundary of the Benoni B. Rogers D. L. C. at a point bearing North $43^{\circ} 45'$ W. 11.57 chs., distant from the N. W. corner of the James McNary D. L. C. in Sec. 18, from which a fir 24 ins. in diameter bears N. $44^{\circ} 20'$ West 347 lks. distant and an oak 4 ins. in diameter bears S. $43^{\circ} 05'$ E 58-1/2 lks. distant. Thence running S. $43^{\circ} 45'$ E, tracing the N. E. boundary of said claim 21.39 chs. to a gas pipe set in the S. W. boundary of the James McNary D. L. C. at a point bearing S $43^{\circ} 45'$ E 9.82 chs. distant from the most westerly corner thereof, said gas pipe being also the N. E. corner of a tract of land containing 100 acres conveyed by Benoni B. Rogers to John Evans by deed recorded on Page 302 in Vol. "6", of the Deed Records for Clackamas County; thence S. $57^{\circ} 45'$ W tracing the W line of said tract of land containing 100 acres, 50.56 chs. to a gas pipe in the center line of the Binearson & Milwaukie Road; thence N. $45^{\circ} 10'$ W tracing the center line of said road 8.48 chs. to a road angle; thence N. $50^{\circ} 46'$ W tracing the center line of said road 12 chs. to the Northernly boundary of John C. Roethe's land; thence N. 56° E, tracing the said northernly boundary of said John C. Roethe's land 52.48

chs. to the place of beginning, Containing 104.88 Acres,

Except a strip 40 ft. wide heretofore conveyed to the East side Ry. Co., (now O.W.P. division P.R.L & P. Co.) Containing 1.25 A's.

Also excepting a strip 30 ft. wide along the western boundary lying wholly within the county road, containing .95 of an acre,

The total area, Excepted, Being 2.16 A's and land hereby conveyed, Containing 102.50 Acres.

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MORTGAGE

Simon H. Covell, and
Hilda Covell, his wife;
(Seals)
David H. Smith, an unmarried man;
(Seal)

To
John C. Boethe

Date October 18th, 1907
Face \$17250.00
Time on or before five years
Rate 5%
Three witnesses.
Acknowledged in due form, date made
Filed, October 19th 1907
Book 66 Page 473

Covers: Property here abstracted.

Provisions. Note contains provision that if interest is not paid when due, whole sum becomes due and collectible at option of holder, and mortgage may be then foreclosed, and usual provision for reasonable attorney's fees in case of suit or action.

Also all policies of insurance issued before this mortgage shall be held by and be payable to the holder of said mortgage as his interest appears.

Also mortgaged agrees to release from lien of this mortgage any and all parcels or tracts of land that the said Simon H. Covell and David H. Smith may request upon payment of the purchase price for the said tracts or parcels as requested.

MARGIN. See partial release of this mortgage recorded in Book 58, Page 357, of Mortgages, April 10th, 1908.

(Sg) C. E. Ramsby, Recorder.
By L. E. Williams, Deputy.

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PARTIAL RELEASE, OF MORTGAGE

John G. Roethe;
(Seal)

To

Simon H. Covell, et al.

Date April 9th 1908

Consideration. Payment as to
part released.

Two witnesses.

(1908.
Acknowledged in the form, April 9th,
Filed. April 10th, 1908

Book 68, page 357.

certifies and declares that a certain mortgage was executed by
Simon H. Covell, and wife, and David H. Smith, unmarried, to John G.
Roethe, bearing date, October 18th, 1907, recorded in Book 68, of
Mortgages, on page 478, on the 19th day of October, A. D. 1907, and

RELEASED from the aforesaid mortgage, all of blocks numbered
7 & 10, and Lot No. 1, in Block No. 5, of the original town plat of Covell,
and states that the same is fully paid, satisfied and discharged, only
on part released.

(Sg) John G. Roethe.

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DEDICATION OF TOWN PLAT OF COVELL.

KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned Simeon H. Covell, and Hilda Covell, his wife, and David N. Smith, a bachelor, do hereby make, establish and declare the annexed map or plat to be the original plat of Covell, the land embraced herein being 102.50 acres, deeded by John C. Roethe and Alvine Roethe, his wife, to Simeon H. Covell, and David N. Smith, on the 15th day of October, 1907, as per deed records of Clackamas County, Oregon, on page 494, Book 101, on the 22nd day of October, 1907, the same being a part of the D. L. C. of Benoni B. Rogers in T. 2 S. R. 1 E. and 2 S. R. 2 E., the portion of said claim hereby conveyed being a part of Section 13 in T. 2 S. R. 1 East, and a part of Section 18 in T. 2 S. R. 2 East, and representing, twenty blocks, being numbered from one to twenty, and blocks numbered 2 & 3 containing respectively five lots each numbered from one to five. The Plat commences 1340.80 feet from the South East corner of the Benoni B. Rogers Donation Land claim.

Two witnesses.

(signed) David N. Smith. (Seal)

Acknowledged in the form
March 23rd, 1908

Hilda Covell (Seal)

Filed, April 1st, 1908

Simeon H. Covell (Seal)

Plat Book 7, page 17

Plat approved and ordered filed,
Grant B. Dinick, Judge.

T. B. Killen,

)Commissioners.

John Lewallen,

Approved,

James P. Nelson County Assessor.

SUPERVISOR'S CERTIFICATE.

W. B. Chapin deposes that he has accurately surveyed and marked with proper monuments the land represented in the accompanying map of Covell located in the County of Clackamas and State of Oregon, being a part of the Benoni B. Rogers D. L. C. situated in Sections 13, T. 2 S. R. 1 E. and Sec. 18, T. 2 S. R. 2 E. of the Willamette Meridian. The initial point is the south east corner of the Benoni B. Rogers D.L.C

Subscribed and sworn to, January 24th, 1908, before Chas. F. Spellman, Notary Public, whose commission expires October 1908.

65

WARRANTY DEED.

Simon H. Covell, and
Hilda Covell, his wife,
(Seals)
David H. Smith, a Bachelor
(Seal)

Date April 10th, 1908

Consideration \$575.00

Two witnesses

Acknowledged in due form, date made.

Filed, April 15th, 1908

Book 108, Page 145.

to
M. F. Roethe,
E.

conveys: All of Lot No. 1, in Block No. 3 in the Townsite
of Covell, according to the original plat thereof,

Saving and excepting buildings thereon, and holding and reserving
the right to enter upon said premises and remove said buildings any time
within two years from date.

Covenant, Full Warranty.

66

TAXES 1907

Assessed to John G. Boethe. 120 Acres as described in Record of Deeds,
Book 77, Page 318, and Book 35, Page 16. Tax rate on Page 1014, line 6.
PAID, Receipt No. 1978.

67

C E R T I F I C A T E.

This certifies that I have carefully examined for Mr. David N. Smith, the Indexed Records of Clackamas County, Oregon, with reference to the property shown on the Continuation Caption page hereof, since the date, of the foregoing Certificate, No. 1577, of the Clackamas Title Co. September 21st, 1907, and that the foregoing continuation, consisting of Ten (10) pages is a true and correct continuation of the abstract of title since the aforesaid date; that there are no deeds, mortgages, taxes, liens, or papers, affecting the title to the aforesaid property, that are not hereinbefore noted.

Dated, at Oregon City, Oregon, this Twentieth day of October,
A. D. 1908, at Noon.

C. E. Dye

Abstractor.

68

I hereby certify that I have carefully compared the foregoing abstract and that the same is a true and correct copy of the original abstract pertaining to the property described in the caption hereof.

C. C. Lawrence
171-426

69

CONTINUATION OF
ABSTRACT
TO

the following described real property situated in Clackamas
County, Oregon,

The Southerly two acres of Block Six "COVELL", more par-
ticularly described as follows:

"Beginning at a point on the Easterly
line of Block 6 "COVELL", Clackamas County,
Oregon AT THE Southeastery corner of tract
conveyed by grantors to Flora H. Kilgore and
H. Elizabeth Cook being 434.13 feet from the
Northeasterly corner of said Block 6; thence
tracing the Easterly line of said Block 217.06
feet, more or less, to the Southeastery cor-
ner of said Block; thence Westerly tracing the
Northerly line of Central Avenue to the South-
westerly corner of said Block; thence North-
westerly tracing the Westerly line of said
Block 6, 217.95 feet, more or less, to the
Southwesterly corner of the Tract conveyed by
grantors to Flora H. Kilgore and H. Elizabeth
Cook, thence Easterly to the place of begin-
ning."

70

RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS that I, John G. Roethe, do hereby certify and declare that a certain mortgage bearing date the 15th day of October, 1907, made and executed by Simcoe H. Covall and Hulda Covall, his wife and David N. Smith, an unmarried man, parties of the first part therein, to John G. Roethe, the party of the second part therein, and recorded in the office of the County Recorder of Clackamas County, Oregon in Book 66 of Mortgages on page 473, October 19, 1907, together with the debt thereby secured, is fully paid, satisfied and discharged.

Attest:

V. H. Brown

(Sg) John G. Roethe (seal)

E. E. Lawrence.

Ack. in Multnomah Co., Oregon, Oct. 17, 1912 before E. E. Lawrence
Notary Public with seal affixed.

Filed Oct. 21st, 1912 at 4:50 p. m.

Rec. Book 90 page 49, mortgage records of said county.

WARRANTY DEED

David Smith, a bachelor,
and Simon H. Covell, and
Hulda Covell, his wife, (seals)
to

Flora H. Kilgore and
H. Elizabeth Cook.

Date Dec. 22nd, 1914.

Consid. \$10.00

Witnesses, K.M. Avery,
E. E. Lawrence.

Ack. in Mult. Co. Oregon
before E.E. Lawrence, Notary
Public (seal affixed).

Filed April 24, 1915.

Rec. D. B. 139, p. 305.

Do grant, bargain, sell and convey property in Clackamas County,
Oregon described as follows,-

Beginning at a point on the easterly line of Block numbered
Six (6) "Covell" 434.13 from the Northeasterly corner of said
block 6; thence Northwestarily tracing the Easterly line of said
block 6, 217.07 ft. to the Southeastarily corner of a tract con-
veyed to Carrie Dunn, Matta Reed and Isabel V. Hahn, recorded
May 14, 1909, in book 109 on page 48; thence Westerly to an in-
tersection of the Westerly line of said block 6, 217.96 ft. South-
easterly from the Northeasterly corner of said block 6; thence
tracing the Westerly line of said block 6, 217.95 ft.; thence
Easterly to the point of beginning. Holding and reserving the
right to use the west twenty (20) feet thereof for a public high-
way.

Covenants, Owners seized in fee - free from all incumbrances - - -
and to warrant and defend against all lawful claims except taxes and
other public liens.

T A X E S

Year	Page	Line	Description	To whom assessed	Pd.	Ret. No.
1908	283	6	Block 6 Covell	S. H. Covell & H. & D. R. Smith	"	No. 1440
1909	69	7	Same	Same	"	" 4590
1910	74	30	"	"	"	" 8844
1911	74	12	"	"	"	" 7479
	306	32	"	"	"	"
1912	83	32	"	"	"	" 10732
	840	27	"	"	"	"
1913	96	21	"	"	"	" (2453 7459
1914	103	4	Marked on roll as sold to G. E. Williams	"	"	" 3081 11262
1915	114	2	Same	"	not pd.	tax \$15.68

C E R T I F I C A T E

This certifies that I have carefully examined the Indexed Records of Clatsop County, Oregon, with reference to the property shown on the Continuation Certificate page hereof, since the date of the foregoing certificate dated October 20th, 1908, and that the foregoing continuation, consisting of four (4) pages is a true and correct continuation of the abstract of title since the aforesaid date; that there are no deeds, mortgages, taxes, liens or papers affecting the title to the aforesaid property, that are not hereinbefore noted.

Dated this 4th day of May, A. D. 1916.



ABSTRACTER